

1.1 Senator ..... moves to amend S.F. No. 1098 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 CRIMINAL PROVISIONS

1.5 Section 1. Minnesota Statutes 2024, section 243.166, subdivision 1b, is amended to read:

1.6 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

1.7 (1) the person was charged with or petitioned for a felony violation of or attempt to  
1.8 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted  
1.9 of or adjudicated delinquent for that offense or another offense arising out of the same set  
1.10 of circumstances:

1.11 (i) murder under section 609.185, paragraph (a), clause (2);

1.12 (ii) kidnapping under section 609.25;

1.13 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,  
1.14 subdivision 3, paragraph (b); or 609.3453;

1.15 (iv) indecent exposure under section 617.23, subdivision 3; or

1.16 (v) surreptitious intrusion under the circumstances described in section 609.746,  
1.17 subdivision 1, paragraph (h);

1.18 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or  
1.19 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated  
1.20 delinquent for that offense or another offense arising out of the same set of circumstances:

1.21 (i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision  
1.22 1, paragraph (b);

1.23 (ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in  
1.24 the sex trafficking of a minor in violation of section 609.322;

1.25 (iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

1.26 (iv) soliciting a minor to engage in sexual conduct in violation of section 609.352,  
1.27 subdivision 2 or 2a, clause (1);

1.28 (v) using a minor in a sexual performance in violation of section 617.246; ~~or~~

1.29 (vi) possessing or disseminating a pornographic work involving a minor in violation of  
1.30 section 617.247;

2.1 (vii) possession of a child-like sex doll in violation of section 617.248; or

2.2 (viii) creation of child-like sex dolls in violation of section 617.249;

2.3 (3) the person was sentenced as a patterned sex offender under section 609.3455,  
2.4 subdivision 3a; or

2.5 (4) the person was charged with or petitioned for, including pursuant to a court martial,  
2.6 violating a law of the United States, including the Uniform Code of Military Justice, similar  
2.7 to an offense or involving similar circumstances to an offense described in clause (1), (2),  
2.8 or (3), and convicted of or adjudicated delinquent for that offense or another offense arising  
2.9 out of the same set of circumstances.

2.10 (b) A person also shall register under this section if:

2.11 (1) the person was charged with or petitioned for an offense in another state similar to  
2.12 an offense or involving similar circumstances to an offense described in paragraph (a),  
2.13 clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another  
2.14 offense arising out of the same set of circumstances;

2.15 (2) the person enters this state to reside, work, or attend school, or enters this state and  
2.16 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during  
2.17 any calendar year; and

2.18 (3) ten years have not elapsed since the person was released from confinement or, if the  
2.19 person was not confined, since the person was convicted of or adjudicated delinquent for  
2.20 the offense that triggers registration, unless the person is subject to a longer registration  
2.21 period under the laws of another state in which the person has been convicted or adjudicated,  
2.22 or is subject to lifetime registration.

2.23 If a person described in this paragraph is subject to a longer registration period in another  
2.24 state or is subject to lifetime registration, the person shall register for that time period  
2.25 regardless of when the person was released from confinement, convicted, or adjudicated  
2.26 delinquent.

2.27 (c) A person also shall register under this section if the person was committed pursuant  
2.28 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter  
2.29 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the  
2.30 United States, regardless of whether the person was convicted of any offense.

2.31 (d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

Sec. 2. Minnesota Statutes 2024, section 609.05, subdivision 2a, is amended to read:

Subd. 2a. **Exception.** (a) A person may not be held criminally liable for a violation of section 609.185, paragraph (a), clause (3), for a death caused by another unless the person intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the other with the intent to cause the death of a human being.

(b) A person may not be held criminally liable for a violation of section 609.185, paragraph (a), clause (1), for a death of a human being caused by another unless the person intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the other with premeditation and with intent to cause the death of a human being.

(c) A person may not be held criminally liable for a violation of section 609.19, subdivision 1, for a death of a human being caused by another unless the person intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the other with the intent to cause the death of a human being.

~~(b)~~ (d) A person may not be held criminally liable for a violation of section 609.19, subdivision 2, clause (1), for a death caused by another unless the person was a major participant in the underlying felony and acted with extreme indifference to human life.

~~(e)~~ (e) As used in this subdivision, "major participant" means a person who:

(1) used a deadly weapon during the commission of the underlying felony or provided a deadly weapon to another participant where it was reasonably foreseeable that the weapon would be used in the underlying felony;

(2) caused substantial bodily harm to another during the commission of the underlying felony;

(3) coerced or hired a participant to undertake actions in furtherance of the underlying felony that proximately caused the death, and where it was reasonably foreseeable that such actions would cause death or great bodily harm; or

(4) impeded another person from preventing the death either by physical action or by threat of physical action where it was reasonably foreseeable that death or great bodily harm would result.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2024, section 609.185, is amended to read:

**609.185 MURDER IN THE FIRST DEGREE.**

(a) Whoever does any of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) causes the death of a human being with premeditation and with intent to effect the death of the person or of another;

(2) causes the death of a human being while committing or attempting to commit criminal sexual conduct in the first or second degree with force or violence, either upon or affecting the person or another;

(3) causes the death of a human being with intent to effect the death of the person or another, while committing or attempting to commit a felony-level violation of any of the following offenses: burglary, aggravated robbery, carjacking in the first or second degree, kidnapping, arson in the first or second degree, a drive-by shooting, tampering with a witness in the first degree, escape from custody, or ~~any felony~~ a felony-level violation of chapter 152 involving the unlawful sale of a controlled substance;

(4) causes the death of a peace officer, prosecuting attorney, judge, or a guard employed at a Minnesota state or local correctional facility, with intent to effect the death of that person or another, while the person is engaged in the performance of official duties;

(5) causes the death of a minor while committing child abuse, when the perpetrator has engaged in a past pattern of child abuse upon a child and the death occurs under circumstances manifesting an extreme indifference to human life;

(6) causes the death of a human being while committing domestic abuse, when the perpetrator has engaged in a past pattern of domestic abuse upon the victim or upon another

5.1 family or household member and the death occurs under circumstances manifesting an  
5.2 extreme indifference to human life; or

5.3 (7) causes the death of a human being while committing, conspiring to commit, or  
5.4 attempting to commit a felony crime to further terrorism and the death occurs under  
5.5 circumstances manifesting an extreme indifference to human life.

5.6 (b) For the purposes of paragraph (a), clause (4), "prosecuting attorney" has the meaning  
5.7 given in section 609.221, subdivision 6, clause (4).

5.8 (c) For the purposes of paragraph (a), clause (4), "judge" has the meaning given in section  
5.9 609.221, subdivision 6, clause (5).

5.10 (d) For purposes of paragraph (a), clause (5), "child abuse" means an act committed  
5.11 against a minor victim that constitutes a violation of the following laws of this state or any  
5.12 similar laws of the United States or any other state: section 609.221; 609.222; 609.223;  
5.13 609.224; 609.2242; 609.342; 609.343; 609.344; 609.345; 609.377; 609.378; or 609.713.

5.14 (e) For purposes of paragraph (a), clause (6), "domestic abuse" means an act that:

5.15 (1) constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242,  
5.16 609.342, 609.343, 609.344, 609.345, 609.713, or any similar laws of the United States or  
5.17 any other state; and

5.18 (2) is committed against the victim who is a family or household member as defined in  
5.19 section 518B.01, subdivision 2, paragraph (b).

5.20 (f) For purposes of paragraph (a), clause (7), "further terrorism" has the meaning given  
5.21 in section 609.714, subdivision 1.

5.22 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
5.23 committed on or after that date.

5.24 Sec. 4. Minnesota Statutes 2024, section 609.19, subdivision 1, is amended to read:

5.25 Subdivision 1. **Intentional murder; drive-by shootings.** Whoever ~~does either of the~~  
5.26 following causes the death of a human being with intent to effect the death of that person  
5.27 or another, but without premeditation, is guilty of murder in the second degree and may be  
5.28 sentenced to imprisonment for not more than 40 years;.

5.29 ~~(1) causes the death of a human being with intent to effect the death of that person or~~  
5.30 ~~another, but without premeditation; or~~

~~(2) causes the death of a human being while committing or attempting to commit a drive-by shooting in violation of section 609.66, subdivision 1e, under circumstances other than those described in section 609.185, paragraph (a), clause (3).~~

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2024, section 609.19, subdivision 2, is amended to read:

Subd. 2. **Unintentional murders.** Whoever does either of the following is guilty of unintentional murder in the second degree and may be sentenced to imprisonment for not more than 40 years:

(1) causes the death of a human being, without intent to effect the death of any person, while committing or attempting to commit ~~a felony offense other than criminal sexual conduct in the first or second degree with force or violence or a drive-by shooting~~ a felony-level violation of any of the following offenses: burglary, aggravated robbery, carjacking in the first or second degree, kidnapping, arson in the first or second degree, drive-by shooting, tampering with a witness in the first degree, escape from custody, malicious punishment of a child, domestic assault, domestic assault by strangulation, a crime to further terrorism, or a felony-level violation of chapter 152 involving the unlawful sale of a controlled substance; or

(2) causes the death of a human being without intent to effect the death of any person, while intentionally inflicting or attempting to inflict bodily harm upon the victim, when the perpetrator is restrained under an order for protection and the victim is a person designated to receive protection under the order. As used in this clause, "order for protection" includes an order for protection issued under chapter 518B; a harassment restraining order issued under section 609.748; a court order setting conditions of pretrial release or conditions of a criminal sentence or juvenile court disposition; a restraining order issued in a marriage dissolution action; and any order issued by a court of another state or of the United States that is similar to any of these orders.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

7.1 Sec. 6. Minnesota Statutes 2024, section 609.19, is amended by adding a subdivision to  
7.2 read:

7.3 Subd. 3. **Exception.** A person shall not be held liable for a violation of subdivision 2,  
7.4 clause (1), unless their acts present a special danger to human life based on the circumstances  
7.5 under which the predicate felony was committed.

7.6 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
7.7 committed on or after that date.

7.8 Sec. 7. Minnesota Statutes 2024, section 609.2231, subdivision 2, is amended to read:

7.9 Subd. 2. **Firefighters and emergency medical personnel.** (a) Except as provided in  
7.10 paragraph (b), whoever physically assaults any of the following persons and inflicts  
7.11 demonstrable bodily harm is guilty of a felony and may be sentenced to imprisonment for  
7.12 not more than two years or to payment of a fine of not more than \$4,000, or both gross  
7.13 misdemeanor:

7.14 (1) either:

7.15 (i) a member of a municipal or volunteer fire department in the performance of the  
7.16 member's duties; or

7.17 (ii) a member of an emergency medical services personnel unit in the performance of  
7.18 the member's duties; or

7.19 (2) a physician, nurse, or other person providing health care services in a hospital  
7.20 emergency department.

7.21 (b) Whoever physically assaults a person described in paragraph (a), clause (1) or (2),  
7.22 is guilty of a felony and may be sentenced to imprisonment for not more than three years  
7.23 or to payment of a fine of not more than \$6,000, or both, if the assault inflicts demonstrable  
7.24 bodily harm.

7.25 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
7.26 committed on or after that date.

7.27 Sec. 8. Minnesota Statutes 2024, section 609.378, is amended by adding a subdivision to  
7.28 read:

7.29 Subd. 3. **Exception.** A person may not be charged with or convicted of a violation of  
7.30 this section for acts committed while pregnant and before the birth of the person's child or  
7.31 children including but not limited to the use of drugs, prescribed or otherwise; experiencing

8.1 abuse; exposure to or being a victim of domestic or other violence; or failing to maintain  
8.2 optimal physical health.

8.3 Sec. 9. Minnesota Statutes 2024, section 609.50, subdivision 1, is amended to read:

8.4 Subdivision 1. **Crime.** (a) Whoever intentionally does any of the following may be  
8.5 sentenced as provided in subdivision 2:

8.6 (1) obstructs, hinders, or prevents the lawful execution of any legal process, civil or  
8.7 criminal, or apprehension of another on a charge or conviction of a criminal offense;

8.8 (2) obstructs, resists, or interferes with a peace officer while the officer is engaged in  
8.9 the performance of official duties;

8.10 (3) interferes with or obstructs a firefighter while the firefighter is engaged in the  
8.11 performance of official duties;

8.12 (4) interferes with or obstructs a member of an ambulance service personnel crew, as  
8.13 defined in section 144E.001, subdivision 3a, who is providing, or attempting to provide,  
8.14 emergency care; or

8.15 (5) by force or threat of force endeavors to obstruct any employee of the Department of  
8.16 Revenue, Department of Public Safety Driver and Vehicle Services Division, a driver's  
8.17 license agent appointed under section 171.061, or a deputy registrar appointed under section  
8.18 168.33 while the employee is lawfully engaged in the performance of official duties for the  
8.19 purpose of deterring or interfering with the performance of those duties.

8.20 (b) It is a crime punishable as provided in subdivision 2 for someone to approach or  
8.21 remain within 25 feet of a person described in paragraph (a), clause (2), (3), or (4):

8.22 (1) while knowing or having reason to know of the person's status and that the person  
8.23 is engaged in the lawful performance of a legal duty;

8.24 (2) after having received a verbal warning from the person not to approach; and

8.25 (3) with the intent to impede or interfere with the person's ability to perform the legal  
8.26 duty.

8.27 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
8.28 committed on or after that date.



9.1       Sec. 10. [609.5523] THEFT OF PUBLIC FUNDS.

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

9.4       (b) "Public funds" means all general, special, permanent, trust, and other funds, regardless  
9.5       of source or purpose, held or administered by a government entity.

9.6       (c) "Government entity" has the meaning provided in section 13.02, subdivision 7a.

9.7       Subd. 2. Acts constituting theft of public funds. Whoever does any of the following  
9.8       commits theft of public funds and may be sentenced as provided in subdivision 3:

9.9       (1) intentionally and without claim of right takes, uses, transfers, conceals, or retains  
9.10       possession of public funds of a government entity or a third party administering a program  
9.11       funded by public vendors without consent and with intent to deprive the government entity  
9.12       permanently of possession of public funds;

9.13       (2) obtains for the actor or another the possession or custody of public funds from a  
9.14       government entity or third party administering a program funded by public funds by  
9.15       intentionally deceiving the government entity or third party with a false representation which  
9.16       is known to be false, is made with intent to defraud, and does defraud the government entity  
9.17       or third party to whom it is made. False representation includes without limitation:

9.18       (i) a promise made with intent not to perform. Failure to perform is not evidence of  
9.19       intent not to perform unless corroborated by other substantial evidence; or

9.20       (ii) the preparation or filing of a claim for reimbursement, a rate application, or a cost  
9.21       report which intentionally and falsely states the costs of or actual services provided by a  
9.22       vendor; or

9.23       (3) by swindling, whether by artifice, trick, device, or any other means, obtains public  
9.24       funds or services funded by public funds from a government entity or a third party  
9.25       administering a program funded by public funds.

9.26       Subd. 3. Sentence. (a) Whoever commits theft of public funds may be sentenced as  
9.27       follows:

9.28       (1) to imprisonment for not more than 24 years or to payment of a fine of not more than  
9.29       \$100,000, or both, if the value of property stolen is more than \$35,000;

9.30       (2) to imprisonment for not more than 12 years or to payment of a fine of not more than  
9.31       \$20,000, or both, if the value of the property stolen exceeds \$5,000; or

(3) to imprisonment for not more than six years or to payment of a fine of not more than \$10,000, or both, if the value of the property is more than \$1,000 but not more than \$5,000.

(b) In any prosecution for theft of public funds, the value of the money or property received by the defendant in violation of any of these provisions within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 11. Minnesota Statutes 2024, section 609.593, subdivision 1, is amended to read:

Subdivision 1. **Crime.** Whoever intentionally and without consent from one authorized to give consent causes any damage to or takes, removes, severs, or breaks:

(1) any line erected or maintained for the purpose of transmitting electricity for light, heat, or power, or any insulator or cross-arm, appurtenance or apparatus connected to the line, or any wire, cable, or current of the line; or any component used in the generation, transmission, or distribution of electricity, including equipment used for grounding, system protection, or personnel protection;

(2) any pipe or main or hazardous liquid pipeline erected, operated, or maintained for the purpose of transporting, conveying, or distributing gas or other hazardous liquids for light, heat, power, or any other purpose, or any part of the pipe, main, or pipeline, or any valve, meter, holder, compressor, machinery, appurtenance, equipment, or apparatus connected with any main or pipeline; or

(3) any machinery, equipment, or fixtures used in receiving, initiating, amplifying, processing, transmitting, retransmitting, recording, switching, or monitoring telecommunications services, such as computers, transformers, amplifiers, routers, repeaters, multiplexers, and other items performing comparable functions; and machinery, equipment, and fixtures used in the transportation of telecommunications services, broadband services, cable services, radio transmitters and receivers, satellite equipment, microwave equipment, and other transporting media including wire, cable, fiber, poles, and conduit;

is guilty of a crime and may be sentenced as provided in subdivision 2.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

11.1 Sec. 12. Minnesota Statutes 2024, section 609.78, subdivision 2c, is amended to read:

11.2 Subd. 2c. **Felony offense; reporting fictitious emergency resulting in response to**  
11.3 **the home of certain officials.** Whoever violates subdivision 2, clause (2), is guilty of a  
11.4 felony and may be sentenced to imprisonment for not more than one year or to payment of  
11.5 a fine of not more than \$5,000, or both, if the person places the call with the intent of  
11.6 prompting an emergency response to the home of:

11.7 (1) an elected official;

11.8 (2) a judge as defined in section 609.221, subdivision 6, clause (5);

11.9 (3) a prosecuting attorney as defined in section 609.221, subdivision 6, clause (4);

11.10 (4) ~~an employee of a correctional facility as defined in section 241.021, subdivision 1;~~  
11.11 a correctional employee of the state or a local political subdivision; or

11.12 (5) a peace officer as defined in section 626.84, subdivision 1, paragraph (c).

11.13 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
11.14 committed on or after that date.

11.15 Sec. 13. Minnesota Statutes 2024, section 617.246, subdivision 1, is amended to read:

11.16 Subdivision 1. **Definitions.** (a) For the purpose of this section, the terms defined in this  
11.17 subdivision have the meanings given them.

11.18 (b) "Minor" means any person under the age of 18.

11.19 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

11.20 (d) "Sexual performance" means any play, dance or other exhibition presented before  
11.21 an audience or for purposes of visual or mechanical reproduction that uses a minor to depict  
11.22 actual or simulated sexual conduct as defined by clause (e).

11.23 (e) "Sexual conduct" means any of the following:

11.24 (1) an act of sexual intercourse, normal or perverted, including genital-genital,  
11.25 anal-genital, or oral-genital intercourse, whether between human beings or between a human  
11.26 being and an animal;

11.27 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts  
11.28 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,  
11.29 or the condition of being fettered, bound or otherwise physically restrained on the part of  
11.30 one so clothed;

12.1 (3) masturbation;

12.2 (4) lewd exhibitions of the genitals; or

12.3 (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human

12.4 male or female, or the breasts of the female, whether alone or between members of the same

12.5 or opposite sex or between humans and animals in an act of apparent sexual stimulation or

12.6 gratification.

12.7 (f) "Pornographic work" means:

12.8 (1) an original or reproduction of a picture, film, photograph, negative, slide, videotape,

12.9 videodisc, or drawing of a sexual performance involving a minor; or

12.10 (2) any visual depiction, including any photograph, film, video, picture, drawing, negative,

12.11 slide, or computer-generated image or picture, whether made or produced by electronic,

12.12 mechanical, or other means that:

12.13 (i) uses a minor to depict actual or simulated sexual conduct;

12.14 (ii) has been created, adapted, or modified to appear that an identifiable minor is engaging

12.15 in sexual conduct; ~~or~~

12.16 (iii) is advertised, promoted, presented, described, or distributed in such a manner that

12.17 conveys the impression that the material is or contains a visual depiction of a minor engaging

12.18 in sexual conduct; or

12.19 (iv) depicts an individual indistinguishable from an actual minor created by the use of

12.20 generative artificial intelligence or other computer technology capable of processing and

12.21 interpreting specific data inputs, commonly referred to as prompts, to create a visual depiction

12.22 of the individual engaging in sexual conduct.

12.23 For the purposes of this paragraph, an identifiable minor is a person who was a minor

12.24 at the time the depiction was created or altered, whose image is used to create the visual

12.25 depiction.

12.26 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes

12.27 committed on or after that date.

12.28 Sec. 14. **[617.248] POSSESSION OF A CHILD-LIKE SEX DOLL.**

12.29 Subdivision 1. **Definition.** "Child-like sex doll" means an anatomically correct doll,

12.30 mannequin, or robot, with features that are intended to depict or resemble a minor and is

12.31 intended for use in sex acts.

13.1        Subd. 2. **Dissemination prohibited.** (a) A person who knowingly, or with reason to  
13.2 know, disseminates a child-like sex doll to an adult or a minor, is guilty of a felony and may  
13.3 be sentenced to imprisonment for not more than seven years or to payment of a fine of not  
13.4 more than \$10,000, or both.

13.5        (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
13.6 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,  
13.7 or both, if:

13.8        (1) the person has a prior conviction or delinquency adjudication for violating this section,  
13.9 section 617.246, or section 617.247;

13.10       (2) the violation occurs when the person is a registered predatory offender under section  
13.11 243.166; or

13.12       (3) the violation involved a child-like sex doll depicting a minor under the age of 14  
13.13 years.

13.14       Subd. 3. **Possession prohibited.** (a) A person who knowingly, or with reason to know,  
13.15 possesses a child-like sex doll is guilty of a felony and may be sentenced to imprisonment  
13.16 for not more than five years or to payment of a fine of not more than \$5,000, or both.

13.17       (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
13.18 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,  
13.19 or both, if:

13.20       (1) the person has a prior conviction or delinquency adjudication for violating this section,  
13.21 section 617.246, or section 617.247;

13.22       (2) the violation occurs when the person is a registered predatory offender under section  
13.23 243.166; or

13.24       (3) the violation involved a child-like sex doll depicting a minor under the age of 14  
13.25 years.

13.26       Subd. 4. **Exception.** This section does not apply to the performance of official duties  
13.27 by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists,  
13.28 or social workers or persons acting at the direction of a licensed physician, psychologist,  
13.29 or social worker in the course of a bona fide treatment or professional education program.

13.30       Subd. 5. **Second offense.** If a person is convicted of a second or subsequent violation  
13.31 of this section within 15 years of the prior conviction, the court shall order a mental

14.1 examination of the person. The examiner shall report to the court whether treatment of the  
14.2 person is necessary.

14.3 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence  
14.4 otherwise applicable to the offense or any provision of the sentencing guidelines, when a  
14.5 court commits a person to the custody of the commissioner of corrections for violating this  
14.6 section, the court shall provide that after the person has been released from prison, the  
14.7 commissioner shall place the person on conditional release for five years. If the person has  
14.8 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,  
14.9 609.345, 609.3451, 609.3453, 617.246, 617.247, 617.248, 617.249, or any similar statute  
14.10 of the United States, this state, or any state, the commissioner shall place the person on  
14.11 conditional release for 15 years. The terms of conditional release are governed by section  
14.12 609.3455, subdivision 8.

14.13 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
14.14 committed on or after that date.

14.15 Sec. 15. **[617.249] CREATION OF CHILD-LIKE SEX DOLLS PROHIBITED.**

14.16 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in this  
14.17 subdivision have the meanings given.

14.18 (b) "Minor" means any person under the age of 18.

14.19 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

14.20 (d) "Child-like sex doll" has the meaning given in section 617.248.

14.21 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use, or permit  
14.22 a minor to engage in or assist others to engage minors in the modeling for the creation of a  
14.23 child-like sex doll if the person knows or has reason to know that the conduct intended is  
14.24 to create a child-like sex doll.

14.25 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
14.26 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,  
14.27 or both.

14.28 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
14.29 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,  
14.30 or both, if:

14.31 (1) the person has a prior conviction or delinquency adjudication for violating this section  
14.32 or section 617.246, 617.247, or 617.248;

15.1 (2) the violation occurs when the person is a registered predatory offender under section  
15.2 243.166; or

15.3 (3) the violation involved a minor under the age of 14 years.

15.4 Subd. 3. **Operation or ownership of business.** (a) It is unlawful for a person who owns  
15.5 or operates a business to intentionally disseminate or reproduce a child-like sex doll where  
15.6 a minor was used or employed in the modeling for the creation of the child-like sex doll.

15.7 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
15.8 imprisonment for not more than ten years, or to payment of a fine of not more than \$10,000,  
15.9 or both.

15.10 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
15.11 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,  
15.12 or both, if:

15.13 (1) the person has a prior conviction or delinquency adjudication for violating this section  
15.14 or section 617.246, 617.247, or 617.248;

15.15 (2) the violation occurs when the person is a registered predatory offender under section  
15.16 243.166; or

15.17 (3) the violation involved a minor under the age of 14 years.

15.18 Subd. 4. **Dissemination.** (a) A person who intentionally disseminates for profit to an  
15.19 adult or a minor a child-like sex doll that used or employed a minor in the modeling for the  
15.20 creation of the child-like sex doll is guilty of a felony and may be sentenced to imprisonment  
15.21 for not more than ten years, or to payment of a fine of not more than \$10,000, or both.

15.22 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
15.23 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,  
15.24 or both, if:

15.25 (1) the person has a prior conviction or delinquency adjudication for violating this section  
15.26 or section 617.246, 617.247, or 617.248;

15.27 (2) the violation occurs when the person is a registered predatory offender under section  
15.28 243.166; or

15.29 (3) the violation involved a minor under the age of 14 years.

15.30 Subd. 5. **Consent; mistake.** Neither consent to the modeling for the creation of a  
15.31 child-like sex doll by a minor or the minor's parent, guardian, or custodian nor mistake as  
15.32 to the minor's age is a defense to a charge of violation of this section.

Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing guidelines, when a court commits a person to the custody of the commissioner of corrections for violating this section, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. If the person has previously been convicted of a violation of this section, section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, 617.246, 617.247, 617.248, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

**Sec. 16. LIABILITY FOR MURDER COMMITTED BY ANOTHER;**  
**RETROACTIVE APPLICATION.**

Subdivision 1. **Purpose.** Any person convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), under the theory of liability for crimes of another and who is in the custody of the commissioner of corrections or under court supervision is entitled to petition to have the person's conviction vacated pursuant to this section.

Subd. 2. **Notification.** (a) By September 1, 2026, the commissioner of corrections shall notify individuals convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), of the right to file a preliminary application for relief if the person was convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), and the person:

(1) did not cause the death of a human being; and

(2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure another with premeditation or the intent to cause the death of a human being.

(b) The notice shall include the address of the court administration of the judicial district of conviction.

(c) The commissioner of corrections may coordinate with the judicial branch to establish a standardized notification form.

Subd. 3. **Preliminary application.** (a) An applicant shall submit a preliminary application to the court administration of the judicial district in which the conviction took place. The preliminary application must contain:



- 17.1 (1) the applicant's name and, if different, the name under which the person was convicted;
- 17.2 (2) the applicant's date of birth;
- 17.3 (3) the district court case number of the case for which the person is seeking relief;
- 17.4 (4) a statement as to whether the applicant was convicted following a trial or pursuant
- 17.5 to a plea;
- 17.6 (5) a statement as to whether the person filed a direct appeal from the conviction, a
- 17.7 petition for postconviction relief, or both;
- 17.8 (6) a brief statement, not to exceed 3,000 words, explaining why the applicant is entitled
- 17.9 to relief under this section from a conviction for the death of a human being caused by
- 17.10 another; and
- 17.11 (7) the name and address of any attorney representing the applicant.
- 17.12 (b) The preliminary application may contain:
- 17.13 (1) the name, date of birth, and district court case number of any other person charged
- 17.14 with, or convicted of, a crime arising from the same set of circumstances for which the
- 17.15 applicant was convicted; and
- 17.16 (2) a copy of a criminal complaint or indictment, or the relevant portions of a presentence
- 17.17 investigation or life imprisonment report, describing the facts of the case for which the
- 17.18 applicant was convicted.
- 17.19 (c) The judicial branch may establish a standardized preliminary application form, but
- 17.20 shall not reject a preliminary application for failure to use a standardized form.
- 17.21 (d) Any person seeking relief under this section must submit a preliminary application
- 17.22 no later than October 1, 2027. Submission is complete upon mailing.
- 17.23 (e) Submission of a preliminary application shall be without costs or any fees charged
- 17.24 to the applicant.
- 17.25 **Subd. 4. Review of preliminary application.** (a) Upon receipt of a preliminary
- 17.26 application, the chief judge of the judicial district in which the conviction took place shall
- 17.27 promptly assign the matter to a judge in that district.
- 17.28 (b) Within 90 days of receiving the preliminary application, the reviewing judge shall
- 17.29 determine whether, in the discretion of that judge, there is a reasonable probability that the
- 17.30 application is entitled to relief under this section.

18.1 (c) In making the determination under paragraph (b), the reviewing judge shall consider  
18.2 the preliminary application and any materials submitted with the preliminary application  
18.3 and may consider relevant records in the possession of the judicial branch.

18.4 (d) The court may summarily deny an application when:

18.5 (1) the application does not contain the information required under subdivision 3,  
18.6 paragraph (a);

18.7 (2) the applicant is not in the custody of the commissioner of corrections or under court  
18.8 supervision;

18.9 (3) the applicant was not convicted of a violation of Minnesota Statutes, section 609.185,  
18.10 paragraph (a), clause (1), for crimes committed before August 1, 2025; or

18.11 (4) the issues raised in the application are not relevant to the relief available under this  
18.12 section or have previously been decided by the court of appeals or the supreme court in the  
18.13 same case.

18.14 (e) The court may also summarily deny an application if the applicant has filed a second  
18.15 or successive preliminary application, any prior application was denied for a reason other  
18.16 than that it did not contain the information required under subdivision 3, paragraph (a), and:

18.17 (1) the reviewing judge previously determined that there was a reasonable probability  
18.18 that the applicant was entitled to relief, but a court determined that the petitioner did not  
18.19 qualify for relief under subdivision 6;

18.20 (2) a previous application was submitted by an attorney representing the applicant; or

18.21 (3) the reviewing judge previously determined that there was not a reasonable probability  
18.22 that the applicant is entitled to relief, the second or successive preliminary application does  
18.23 not contain any additional information described in subdivision 3, paragraph (b), and the  
18.24 second or successive preliminary application was submitted by someone other than an  
18.25 attorney representing the applicant.

18.26 (f) If the reviewing judge determines that there is a reasonable probability that the  
18.27 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's  
18.28 attorney, if any, and the prosecutorial office responsible for prosecuting the applicant. In  
18.29 the event the applicant is without counsel, the reviewing judge shall send notice to the state  
18.30 public defender and shall advise the applicant of the referral.

18.31 (g) If the reviewing judge determines that there is not a reasonable probability that the  
18.32 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's

attorney, if any. The notice must contain a brief statement explaining the reasons the reviewing judge concluded that there is not a reasonable probability that the applicant is entitled to relief.

**Subd. 5. Petition for relief; hearing.** (a) Unless extended for good cause, within 60 days of filing of the notice sent pursuant to subdivision 4, paragraph (f), the individual seeking relief shall file and serve a petition to vacate the conviction. The petition must be filed in the district court of the judicial district in the county where the conviction took place and must contain the information identified in subdivision 3, paragraph (a), and a statement of why the petitioner is entitled to relief. The petition may contain any other relevant information, including police reports, trial transcripts, and plea transcripts involving the petitioner or any other person investigated for, charged with, or convicted of a crime arising out of the same set of circumstances for which the petitioner was convicted. The filing of the petition and any document subsequent thereto and all proceedings thereon shall be without costs or any fees charged to the petitioner.

(b) Upon filing of the petition, the prosecutor shall make a good faith and reasonable effort to notify any person determined to be a victim of the underlying offense that a petition has been filed.

(c) A county attorney representing the prosecutorial office shall respond to the petition by answer or motion within 45 days after the filing of the petition pursuant to paragraph (a) unless extended for good cause. The response shall be filed with the court administrator of the district court and served on the petitioner if unrepresented or on the petitioner's attorney. The response may serve notice of the intent to support the petition or include a statement explaining why the petitioner is not entitled to relief along with any supporting documents. The filing of the response and any document subsequent thereto and all proceedings thereon shall be without costs or any fees charged to the county attorney.

(d) The petitioner may file a reply to the response filed by the county attorney within 15 days after the response is filed, unless extended for good cause.

(e) Within 30 days of the filing of the reply from the petition or, if no reply is filed, within 30 days of the filing of the response from the county attorney, the court shall:

(1) issue an order and schedule the matter for sentencing or resentencing pursuant to subdivision 6 if the county attorney indicates an intent to support the petition;

(2) issue an order denying the petition if additional information or submissions establish that there is not a reasonable probability that the applicant is entitled to relief under this section and include a memorandum identifying the additional information or submissions

20.1 and explaining the reasons why the court concluded that there is not a reasonable probability  
20.2 that the applicant is entitled to relief; or

20.3 (3) schedule the matter for a hearing and issue any appropriate order regarding submission  
20.4 of evidence or identification of witnesses.

20.5 (f) The hearing shall be held in open court and conducted pursuant to Minnesota Statutes,  
20.6 section 590.04, except that the petitioner must be present at the hearing, unless excused  
20.7 under Rules of Criminal Procedure, rule 26.03, subdivision 1, clause (3). The prosecutor  
20.8 shall make a good faith and reasonable effort to notify any person determined to be a victim  
20.9 of the hearing.

20.10 Subd. 6. **Determination; order; resentencing.** (a) A petitioner who was convicted of  
20.11 a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), is entitled to  
20.12 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

20.13 (1) did not cause the death of a human being; and

20.14 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure  
20.15 another with premeditation or the intent to cause the death of a human being.

20.16 (b) If the court determines that the petitioner does not qualify for relief, the court shall  
20.17 issue an order denying the petition. If the court determines that the petitioner is entitled to  
20.18 relief, the court shall issue an order vacating the conviction for a violation of Minnesota  
20.19 Statutes, section 609.185, paragraph (a), clause (1), and:

20.20 (1) resentence the petitioner for a remaining offense for which the petitioner was  
20.21 convicted; or

20.22 (2) enter a conviction and impose a sentence for any lesser included offenses as described  
20.23 in Minnesota Statutes, section 631.14.

20.24 (c) If the court intends to enter a conviction and impose a sentence for a lesser included  
20.25 offense, the court must hold a hearing to determine the appropriate offense.

20.26 (d) If, pursuant to paragraph (b), the court either resentsences a petitioner or imposes a  
20.27 sentence, the court shall also resentence the petitioner for any other offense if the sentence  
20.28 was announced by a district court of the same county, the sentence was either ordered to  
20.29 be served consecutively to the vacated conviction or the criminal history calculation for  
20.30 that sentence included the vacated sentence, and the changes made pursuant to paragraph  
20.31 (b) would have resulted in a different criminal history score being used at the time of  
20.32 sentencing.

21.1 (e) The court shall state in writing or on the record the reasons for its decision on the  
21.2 petition.

21.3 (f) If the court intends to resentence a petitioner or impose a sentence on a petitioner,  
21.4 the court must hold the hearing at a time that allows any victim an opportunity to submit a  
21.5 statement consistent with Minnesota Statutes, section 611A.038. The prosecutor shall make  
21.6 a good faith and reasonable effort to notify any person determined to be a victim of the  
21.7 hearing and the right to submit or make a statement. A sentence imposed under this  
21.8 subdivision shall not increase the petitioner's total period of confinement or, if the petitioner  
21.9 was serving a stayed sentence, increase the period of supervision. The court may increase  
21.10 the period of confinement for a sentence that was ordered to be served consecutively to the  
21.11 vacated conviction based on a change in the appropriate criminal history score provided the  
21.12 court does not increase the petitioner's total period of confinement. A person resentenced  
21.13 under this paragraph is entitled to credit for time served in connection with the vacated  
21.14 offense.

21.15 (g) Relief granted under this section shall not be treated as an exoneration for purposes  
21.16 of the Incarceration and Exoneration Remedies Act.

21.17 (h) If the court enters a conviction under this subdivision, the court shall ensure that the  
21.18 date of the conviction being entered is the same as that of the original conviction.

21.19 **EFFECTIVE DATE.** This section is effective August 1, 2025.

## 21.20 **ARTICLE 2**

### 21.21 **PUBLIC SAFETY PROVISIONS**

21.22 Section 1. Minnesota Statutes 2024, section 13.03, subdivision 6, is amended to read:

21.23 Subd. 6. **Discoverability of not public data.** If a government entity opposes discovery  
21.24 of government data or release of data pursuant to court order on the grounds that the data  
21.25 are classified as not public, the party that seeks access to the data may bring before the  
21.26 appropriate presiding judicial officer, arbitrator, or administrative law judge an action to  
21.27 compel discovery or an action in the nature of an action to compel discovery.

21.28 The presiding officer shall first decide whether the data are discoverable or releasable  
21.29 pursuant to the rules of evidence and of criminal, civil, or administrative procedure  
21.30 appropriate to the action.

21.31 If the data are discoverable the presiding officer shall decide whether the benefit to the  
21.32 party seeking access to the data outweighs any harm to the confidentiality interests of the

entity maintaining the data, or of any person who has provided the data or who is the subject of the data, or to the privacy interest of an individual identified in the data. In making the decision, the presiding officer shall consider whether notice to the subject of the data is warranted and, if warranted, what type of notice must be given. The presiding officer may fashion and issue any protective orders necessary to assure proper handling of the data by the parties. If the data are a ~~videotape~~ recording of a child victim or alleged victim alleging, explaining, denying, or describing an act of physical or sexual abuse, the presiding officer shall consider the provisions of section 611A.90, subdivision 2, paragraph (b). If the data are data subject to the protections under chapter 5B or section 13.045, the presiding officer shall consider the provisions of section 5B.11.

Sec. 2. Minnesota Statutes 2024, section 13.821, is amended to read:

**13.821 ~~VIDEOTAPES~~ RECORDINGS OF CHILD ABUSE VICTIMS.**

(a) Notwithstanding section 13.04, subdivision 3, an individual subject of data may not obtain a copy of a ~~videotape~~ recording in which a child victim or alleged victim is alleging, explaining, denying, or describing an act of physical or sexual abuse without a court order under section 13.03, subdivision 6, or 611A.90. The definitions of physical abuse and sexual abuse in section 260E.03, apply to this section, except that abuse is not limited to acts by a person responsible for the child's care or in a significant relationship with the child or position of authority.

(b) This section does not limit other rights of access to data by an individual under section 13.04, subdivision 3, other than the right to obtain a copy of the ~~videotape~~ recording, nor prohibit rights of access pursuant to discovery in a court proceeding.

Sec. 3. Minnesota Statutes 2024, section 144.296, is amended to read:

**144.296 COPIES OF ~~VIDEOTAPES~~ RECORDINGS.**

A provider may not release a copy of a ~~videotape~~ recording of a child victim or alleged victim of physical or sexual abuse without a court order under section 13.03, subdivision 6, or as provided in section 611A.90. This section does not limit the right of a patient to view or listen to the ~~videotape~~ recording.

Sec. 4. Minnesota Statutes 2024, section 246B.04, subdivision 2, is amended to read:

Subd. 2. **Ban on obscene material or pornographic work.** The executive board shall prohibit persons civilly committed as sexual psychopathic personalities or sexually dangerous persons under chapter 253D from having or receiving material that is obscene as defined

23.1 under section 617.241, subdivision 1, material that depicts sexual conduct as defined under  
23.2 section 617.241, subdivision 1, or ~~pornographic work~~ child sexual abuse material as defined  
23.3 under section 617.246, subdivision 1, while receiving services in any secure treatment  
23.4 facilities operated by the Minnesota Sex Offender Program or any other facilities operated  
23.5 by the executive board.

23.6 Sec. 5. Minnesota Statutes 2024, section 299A.01, is amended by adding a subdivision to  
23.7 read:

23.8 Subd. 9. **Grant contracts and programs administrative costs.** Notwithstanding any  
23.9 law to the contrary, unless amounts are otherwise appropriated for administrative costs, the  
23.10 department may retain up to five percent of the amount appropriated to the department for  
23.11 grants enacted by the legislature and single or sole source and formula grants and up to ten  
23.12 percent for competitively awarded grants to be used for staff and related operating costs for  
23.13 grant administration. This subdivision applies to all new and existing grant programs  
23.14 administered by the department. This subdivision does not apply to grants funded with an  
23.15 appropriation of proceeds from the sale of state general obligation bonds.

23.16 Sec. 6. Minnesota Statutes 2024, section 299A.477, subdivision 2, is amended to read:

23.17 Subd. 2. **Program established.** The commissioner of public safety shall award a grant  
23.18 to the Minnesota Firefighter Initiative to administer a hometown heroes assistance program  
23.19 for Minnesota firefighters. The Minnesota Firefighter Initiative shall use the grant funds:

23.20 (1) to establish and fund critical illness coverage that provides monetary support payments  
23.21 to each firefighter who is diagnosed with a critical illness on or after August 1, 2021, and  
23.22 who applies for the payment. Monetary support shall be provided according to the  
23.23 requirements in subdivision 3;

23.24 (2) to develop a psychotherapy program customized to address emotional trauma  
23.25 experienced by firefighters, which includes providing peer-to-peer support, and to offer all  
23.26 firefighters in the state up to five psychotherapy sessions per year under the customized  
23.27 program, provided by mental health professionals;

23.28 (3) to coordinate additional psychotherapy sessions to firefighters who need them;

23.29 (4) to develop, ~~annually~~ update, and annually ~~provide~~ make available to all firefighters  
23.30 in the state at least two hours of training on critical illnesses, such as cancer and heart disease,  
23.31 and emotional trauma as causes of illness and death for firefighters; steps and best practices  
23.32 for firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma;

24.1 provide evidence-based suicide prevention strategies; and ways for firefighters to address  
24.2 occupation-related emotional trauma and promote emotional wellness. The training shall  
24.3 be presented by firefighters who attend an additional course to prepare them to serve as  
24.4 trainers; and

24.5 (5) for administrative and overhead costs of the Minnesota Firefighter Initiative associated  
24.6 with conducting the activities in clauses (1) to (4).

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

24.8 Sec. 7. Minnesota Statutes 2024, section 299C.52, subdivision 1, is amended to read:

24.9 Subdivision 1. **Definitions.** As used in sections 299C.52 to 299C.565, the following  
24.10 terms have the meanings given them:

24.11 (a) "Child" means any person under the age of 18 years or any person certified or known  
24.12 to be mentally incompetent.

24.13 (b) "DNA" means deoxyribonucleic acid from a human biological specimen.

24.14 (c) "Endangered" means that a law enforcement official has received sufficient evidence  
24.15 that the missing person is at risk of physical injury or death. The following circumstances  
24.16 indicate that a missing person is at risk of physical injury or death:

24.17 (1) the person is missing as a result of a confirmed abduction or under circumstances  
24.18 that indicate that the person's disappearance was not voluntary;

24.19 (2) the person is missing under known dangerous circumstances;

24.20 (3) the person is missing more than 30 days;

24.21 (4) the person is under the age of 21 and at least one other factor in this paragraph is  
24.22 applicable;

24.23 (5) there is evidence the person is in need of medical attention or prescription medication  
24.24 such that it will have a serious adverse effect on the person's health if the person does not  
24.25 receive the needed care or medication;

24.26 (6) the person does not have a pattern of running away or disappearing;

24.27 (7) the person is mentally impaired;

24.28 (8) the person has dementia, a traumatic brain injury, Alzheimer's disease, or other  
24.29 cognitive impairments;

24.30 (9) there is evidence that the person may have been abducted by a noncustodial parent;



25.1 ~~(9)~~ (10) the person has been the subject of past threats or acts of violence;

25.2 ~~(10)~~ (11) there is evidence the person is lost in the wilderness, backcountry, or outdoors  
25.3 where survival is precarious and immediate and effective investigation and search and rescue  
25.4 efforts are critical; or

25.5 ~~(11)~~ (12) any other factor that the law enforcement agency deems to indicate that the  
25.6 person may be at risk of physical injury or death, including a determination by another law  
25.7 enforcement agency that the person is missing and endangered.

25.8 (d) "Missing" means the status of a person after a law enforcement agency that has  
25.9 received a report of a missing person has conducted a preliminary investigation and  
25.10 determined that the person cannot be located.

25.11 (e) "NCIC" means National Crime Information Center.

25.12 Sec. 8. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL  
25.13 SUBDIVISIONS.

25.14 Subdivision 1. Definition. As used in this section, "applicant for licensure" means an  
25.15 individual or if the applicant is a corporation, limited liability company, partnership, or  
25.16 other legal entity, every officer, director, manager, and general partner of the entity, who  
25.17 seeks a license issued by a county or city to operate a business:

25.18 (1) that qualifies as an adult entertainment establishment under section 617.242,  
25.19 subdivision 1; or

25.20 (2) providing massage services.

25.21 Subd. 2. Background check authorized. (a) A county or city may investigate the  
25.22 criminal history background of any applicant for licensure.

25.23 (b) The investigation conducted pursuant to paragraph (a) must consist of a criminal  
25.24 history check of the state criminal records repository and a national criminal history check.  
25.25 The county or city must accept the applicant's signed criminal history records check consent  
25.26 form for the state and national criminal history check request, a full set of classifiable  
25.27 fingerprints, and required fees. The county or city must submit the applicant's completed  
25.28 criminal history records check consent form, full set of classifiable fingerprints, and required  
25.29 fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau  
25.30 must conduct a Minnesota criminal history records check of the applicant. The bureau may  
25.31 exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the  
25.32 applicant's national criminal history record information. The bureau must return the results

26.1 of the Minnesota and federal criminal history records checks to the county or city. Using  
26.2 the criminal history data provided by the bureau, the county or city must determine whether  
26.3 the applicant is disqualified from licensure. The applicant's failure to cooperate with the  
26.4 county or city in conducting the records check is reasonable cause to deny an application.

26.5 Sec. 9. Minnesota Statutes 2024, section 299F.47, subdivision 2, is amended to read:

26.6 Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter  
26.7 schools ~~\$100~~ \$0.014 per square foot for each school building inspected. ~~This rate~~ These  
26.8 rates shall include two follow-up inspections or on-site consultations. If additional follow-up  
26.9 inspections or consultations are needed, the state fire marshal shall charge ~~\$50~~ \$0.005 per  
26.10 square foot for each additional follow-up inspection to each applicable building in which a  
26.11 follow-up inspection is needed.

26.12 Sec. 10. Minnesota Statutes 2024, section 609.527, subdivision 3, is amended to read:

26.13 Subd. 3. **Penalties.** A person who violates subdivision 2 may be sentenced as follows:

26.14 (1) if the offense involves a single direct victim and the total, combined loss to the direct  
26.15 victim and any indirect victims is \$250 or less, the person may be sentenced as provided in  
26.16 section 609.52, subdivision 3, clause (5);

26.17 (2) if the offense involves a single direct victim and the total, combined loss to the direct  
26.18 victim and any indirect victims is more than \$250 but not more than \$500, the person may  
26.19 be sentenced as provided in section 609.52, subdivision 3, clause (4);

26.20 (3) if the offense involves two or three direct victims or the total, combined loss to the  
26.21 direct and indirect victims is more than \$500 but not more than \$2,500, the person may be  
26.22 sentenced as provided in section 609.52, subdivision 3, clause (3);

26.23 (4) if the offense involves more than three but not more than seven direct victims, or if  
26.24 the total combined loss to the direct and indirect victims is more than \$2,500, the person  
26.25 may be sentenced as provided in section 609.52, subdivision 3, clause (2);

26.26 (5) if the offense involves eight or more direct victims, or if the total, combined loss to  
26.27 the direct and indirect victims is more than \$35,000, the person may be sentenced as provided  
26.28 in section 609.52, subdivision 3, clause (1); and

26.29 (6) if the offense is related to possession or distribution of ~~pornographic work~~ child  
26.30 sexual abuse material in violation of section 617.246 or 617.247, the person may be sentenced  
26.31 as provided in section 609.52, subdivision 3, clause (1).

27.1 Sec. 11. Minnesota Statutes 2024, section 611A.90, is amended to read:

27.2 **611A.90 RELEASE OF ~~VIDEOTAPES~~ RECORDINGS OF CHILD ABUSE**  
27.3 **VICTIMS.**

27.4 Subdivision 1. **Definition.** For purposes of this section, "physical abuse" and "sexual  
27.5 abuse" have the meanings given in section 260E.03, except that abuse is not limited to acts  
27.6 by a person responsible for the child's care or in a significant relationship with the child or  
27.7 position of authority.

27.8 Subd. 2. **Court order required.** (a) A custodian of a ~~videotape~~ recording of a child  
27.9 victim or alleged victim alleging, explaining, denying, or describing an act of physical or  
27.10 sexual abuse as part of an investigation or evaluation of the abuse may not release a copy  
27.11 of the ~~videotape~~ recording without a court order, notwithstanding that the subject has  
27.12 consented to the release of the ~~videotape~~ recording or that the release is authorized under  
27.13 law.

27.14 (b) The court order may govern the purposes for which the ~~videotape~~ recording may be  
27.15 used, reproduction, release to other persons, retention and return of copies, and other  
27.16 requirements reasonably necessary for protection of the privacy and best interests of the  
27.17 child.

27.18 Subd. 3. **Petition.** An individual subject of data, as defined in section 13.02, or a patient,  
27.19 as defined in sections 144.291 to 144.298, who is seeking a copy of a ~~videotape~~ recording  
27.20 governed by this section may petition the district court in the county where the alleged abuse  
27.21 took place or where the custodian of the ~~videotape~~ recording resides for an order releasing  
27.22 a copy of the ~~videotape~~ recording under subdivision 2. Nothing in this section establishes  
27.23 a right to obtain access to a ~~videotape~~ recording by any other person nor limits a right of a  
27.24 person to obtain access if access is otherwise authorized by law or pursuant to discovery in  
27.25 a court proceeding.

27.26 Sec. 12. Minnesota Statutes 2024, section 617.246, is amended to read:

27.27 **617.246 USE OF MINORS IN SEXUAL PERFORMANCE PROHIBITED.**

27.28 Subdivision 1. **Definitions.** (a) For the purpose of this section, the terms defined in this  
27.29 subdivision have the meanings given ~~them~~.

27.30 (b) "Minor" means any person under the age of 18.

27.31 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

28.1 (d) "Sexual performance" means any play, dance or other exhibition presented before  
28.2 an audience or for purposes of visual or mechanical reproduction that uses a minor to depict  
28.3 actual or simulated sexual conduct as defined by ~~clause~~ paragraph (e).

28.4 (e) "Sexual conduct" means any of the following:

28.5 (1) an act of sexual intercourse, normal or perverted, including genital-genital,  
28.6 anal-genital, or oral-genital intercourse, whether between human beings or between a human  
28.7 being and an animal;

28.8 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts  
28.9 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,  
28.10 or the condition of being fettered, bound or otherwise physically restrained on the part of  
28.11 one so clothed;

28.12 (3) masturbation;

28.13 (4) lewd exhibitions of the genitals; or

28.14 (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human  
28.15 male or female, or the breasts of the female, whether alone or between members of the same  
28.16 or opposite sex or between humans and animals in an act of apparent sexual stimulation or  
28.17 gratification.

28.18 (f) ~~"Pornographic work"~~ "Child sexual abuse material" means:

28.19 (1) an original or reproduction of a picture, film, photograph, negative, slide, videotape,  
28.20 videodisc, or drawing of a sexual performance involving a minor; or

28.21 (2) any visual depiction, including any photograph, film, video, picture, drawing, negative,  
28.22 slide, or computer-generated image or picture, whether made or produced by electronic,  
28.23 mechanical, or other means that:

28.24 (i) uses a minor to depict actual or simulated sexual conduct;

28.25 (ii) has been created, adapted, or modified to appear that an identifiable minor is engaging  
28.26 in sexual conduct; or

28.27 (iii) is advertised, promoted, presented, described, or distributed in such a manner that  
28.28 conveys the impression that the material is or contains a visual depiction of a minor engaging  
28.29 in sexual conduct.

28.30 For the purposes of this paragraph, an identifiable minor is a person who was a minor  
28.31 at the time the depiction was created or altered, whose image is used to create the visual  
28.32 depiction.

29.1 (g) "Material" has the meaning given in section 617.241, subdivision 1, paragraph (e).

29.2 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use or permit  
29.3 a minor to engage in or assist others to engage minors in posing or modeling alone or with  
29.4 others in any sexual performance or ~~pornographic work~~ child sexual abuse material if the  
29.5 person knows or has reason to know that the conduct intended is a sexual performance or  
29.6 ~~a pornographic work~~ child sexual abuse material.

29.7 Any person who violates this paragraph is guilty of a felony and may be sentenced to  
29.8 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,  
29.9 or both.

29.10 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
29.11 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,  
29.12 or both, if:

29.13 (1) the person has a prior conviction or delinquency adjudication for violating this section  
29.14 or section 617.247;

29.15 (2) the violation occurs when the person is a registered predatory offender under section  
29.16 243.166; or

29.17 (3) the violation involved a minor under the age of 14 years.

29.18 Subd. 3. **Operation or ownership of business.** (a) A person who owns or operates a  
29.19 business in which ~~a pornographic work~~ child sexual abuse material, as defined in this section,  
29.20 is disseminated to an adult or a minor or is reproduced, and who knows the content and  
29.21 character of the ~~pornographic work~~ child sexual abuse material disseminated or reproduced,  
29.22 is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or  
29.23 to payment of a fine of not more than \$20,000, or both.

29.24 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
29.25 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,  
29.26 or both, if:

29.27 (1) the person has a prior conviction or delinquency adjudication for violating this section  
29.28 or section 617.247;

29.29 (2) the violation occurs when the person is a registered predatory offender under section  
29.30 243.166; or

29.31 (3) the violation involved a minor under the age of 14 years.

Subd. 4. **Dissemination.** (a) A person who, knowing or with reason to know its content and character, disseminates for profit to an adult or a minor ~~a pornographic work~~ child sexual abuse material, as defined in this section, is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or to payment of a fine of not more than \$20,000, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.247;

(2) the violation occurs when the person is a registered predatory offender under section 243.166; or

(3) the violation involved a minor under the age of 14 years.

Subd. 5. **Consent; mistake.** Neither consent to sexual performance by a minor or the minor's parent, guardian, or custodian nor mistake as to the minor's age is a defense to a charge of violation of this section.

Subd. 6. **Affirmative defense.** It shall be an affirmative defense to a charge of violating this section that the sexual performance or ~~pornographic work~~ child sexual abuse material was produced using only persons who were 18 years or older.

Subd. 7. **Conditional release term.** Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing guidelines, when a court commits a person to the custody of the commissioner of corrections for violating this section, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. If the person has previously been convicted of a violation of this section, section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, or 617.247, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

31.1 Sec. 13. Minnesota Statutes 2024, section 617.247, is amended to read:

31.2 **617.247 POSSESSION OF ~~PORNOGRAPHIC WORK INVOLVING MINORS~~**  
31.3 **CHILD SEXUAL ABUSE IMAGES.**

31.4 Subdivision 1. **Policy; purpose.** It is the policy of the legislature in enacting this section  
31.5 to protect minors from the physical and psychological damage caused by their being used  
31.6 in ~~pornographic work~~ child sexual abuse material depicting sexual conduct which involves  
31.7 minors. It is therefore the intent of the legislature to penalize possession of ~~pornographic~~  
31.8 ~~work~~ child sexual abuse material depicting sexual conduct which involve minors or appears  
31.9 to involve minors in order to protect the identity of minors who are victimized by involvement  
31.10 in the ~~pornographic work~~ child sexual abuse material, and to protect minors from future  
31.11 involvement in ~~pornographic work~~ child sexual abuse material depicting sexual conduct.

31.12 Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings  
31.13 given ~~them~~:

31.14 (a) "~~Pornographic work~~" "Child sexual abuse material" has the meaning given to it in  
31.15 section 617.246.

31.16 (b) "Sexual conduct" has the meaning given to it in section 617.246.

31.17 Subd. 3. **Dissemination prohibited.** (a) A person who disseminates ~~pornographic work~~  
31.18 child sexual abuse material to an adult or a minor, knowing or with reason to know its  
31.19 content and character, is guilty of a felony and may be sentenced to imprisonment for not  
31.20 more than seven years or to payment of a fine of not more than \$10,000, or both.

31.21 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
31.22 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,  
31.23 or both, if:

31.24 (1) the person has a prior conviction or delinquency adjudication for violating this section  
31.25 or section 617.246;

31.26 (2) the violation occurs when the person is a registered predatory offender under section  
31.27 243.166; or

31.28 (3) the violation involved a minor under the age of 14 years.

31.29 Subd. 4. **Possession prohibited.** (a) A person who possesses a ~~pornographic work~~ child  
31.30 sexual abuse material or a computer disk or computer or other electronic, magnetic, or  
31.31 optical storage system or a storage system of any other type, containing a ~~pornographic~~  
31.32 ~~work~~ child sexual abuse material, knowing or with reason to know its content and character,

32.1 is guilty of a felony and may be sentenced to imprisonment for not more than five years or  
32.2 to payment of a fine of not more than \$5,000, or both.

32.3 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to  
32.4 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,  
32.5 or both, if:

32.6 (1) the person has a prior conviction or delinquency adjudication for violating this section  
32.7 or section 617.246;

32.8 (2) the violation occurs when the person is a registered predatory offender under section  
32.9 243.166; or

32.10 (3) the violation involved a minor under the age of 14 years.

32.11 Subd. 5. **Exception.** This section does not apply to the performance of official duties  
32.12 by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists,  
32.13 or social workers or persons acting at the direction of a licensed physician, psychologist,  
32.14 or social worker in the course of a bona fide treatment or professional education program.

32.15 Subd. 6. **Consent.** Consent to sexual performance by a minor or the minor's parent,  
32.16 guardian, or custodian is not a defense to a charge of violation of this section.

32.17 Subd. 7. **Second offense.** If a person is convicted of a second or subsequent violation  
32.18 of this section within 15 years of the prior conviction, the court shall order a mental  
32.19 examination of the person. The examiner shall report to the court whether treatment of the  
32.20 person is necessary.

32.21 Subd. 8. **Affirmative defense.** It shall be an affirmative defense to a charge of violating  
32.22 this section that the ~~pornographic work~~ child sexual abuse material was produced using  
32.23 only persons who were 18 years or older.

32.24 Subd. 9. **Conditional release term.** Notwithstanding the statutory maximum sentence  
32.25 otherwise applicable to the offense or any provision of the sentencing guidelines, when a  
32.26 court commits a person to the custody of the commissioner of corrections for violating this  
32.27 section, the court shall provide that after the person has been released from prison, the  
32.28 commissioner shall place the person on conditional release for five years. If the person has  
32.29 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,  
32.30 609.345, 609.3451, 609.3453, or 617.246, or any similar statute of the United States, this  
32.31 state, or any state, the commissioner shall place the person on conditional release for 15  
32.32 years. The terms of conditional release are governed by section 609.3455, subdivision 8.



33.1 Sec. 14. Minnesota Statutes 2024, section 624.714, subdivision 7a, is amended to read:

33.2 Subd. 7a. **Change of address or legal name; loss or destruction of permit.** (a) Within  
33.3 30 days after changing the permit holder's legal name or permanent address, or within 30  
33.4 days of having lost or destroyed the permit card, the permit holder must notify the issuing  
33.5 sheriff of the change, loss, or destruction. Failure to provide notification as required by this  
33.6 subdivision is a petty misdemeanor. The fine for a first offense must not exceed \$25.  
33.7 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not  
33.8 subject to forfeiture.

33.9 (b) After notice is given under paragraph (a), a permit holder may obtain a replacement  
33.10 permit card by paying \$10 to the sheriff. The request for a replacement permit card must  
33.11 be made on an official, standardized application adopted for this purpose under section  
33.12 624.7151, and, except in the case of legal name or an address change, must include a  
33.13 notarized statement that the permit card has been lost or destroyed.

33.14 Sec. 15. Minnesota Statutes 2024, section 626.19, subdivision 3, is amended to read:

33.15 Subd. 3. **Authorized use.** A law enforcement agency may use a UAV:

33.16 (1) during or in the aftermath of an emergency situation that involves the risk of death  
33.17 or bodily harm to a person;

33.18 (2) to preserve or protect evidence from the imminent risk of destruction;

33.19 ~~(2)~~ (3) over a public event where there is a heightened risk to the safety of participants  
33.20 or bystanders;

33.21 (4) to assist in the lawful pursuit of a suspect who is fleeing law enforcement or who  
33.22 the law enforcement agency reasonably believes might flee;

33.23 ~~(3)~~ (5) to counter the risk of a terrorist attack by a specific individual or organization if  
33.24 the agency determines that credible intelligence indicates a risk;

33.25 ~~(4)~~ (6) to prevent the loss of life and property in natural or man-made disasters and to  
33.26 facilitate operational planning, rescue, and recovery operations in the aftermath of these  
33.27 disasters;

33.28 ~~(5)~~ (7) to conduct a threat assessment in anticipation of a specific event;

33.29 ~~(6)~~ (8) to collect information from a public area if there is reasonable suspicion of criminal  
33.30 activity;

34.1 ~~(7)~~ (9) to collect information for crash reconstruction purposes after a serious or deadly  
34.2 collision occurring on a public road;  
34.3 ~~(8)~~ (10) over a private area with the written consent of the occupant or a public area, for  
34.4 officer training or public relations purposes; ~~and~~  
34.5 ~~(9)~~ (11) for purposes unrelated to law enforcement at the request of a government entity  
34.6 provided that the government entity makes the request in writing to the law enforcement  
34.7 agency and specifies the reason for the request and proposed period of use; and  
34.8 (12) to facilitate the search for a missing person.

34.9 Sec. 16. Minnesota Statutes 2024, section 634.35, is amended to read:

34.10 **634.35 VIDEOTAPES RECORDINGS OF CHILD VICTIMS; CONDITIONS OF**  
34.11 **DISCLOSURE.**

34.12 (a) If a ~~videotaped~~ recorded interview of a child victim of physical or sexual abuse is  
34.13 disclosed by a prosecuting attorney to a defendant or the defendant's attorney, the following  
34.14 applies:

34.15 (1) no more than two copies of the ~~tape~~ recording or any portion of the ~~tape~~ recording  
34.16 may be made by the defendant or the defendant's attorney, investigator, expert, or any other  
34.17 representative or agent of the defendant;

34.18 (2) the ~~tapes~~ recordings may not be used for any purpose other than to prepare for the  
34.19 defense in the criminal action against the defendant;

34.20 (3) the ~~tapes~~ recordings may not be publicly exhibited, shown, displayed, used for  
34.21 educational, research, or demonstrative purposes, or used in any other fashion, except in  
34.22 judicial proceedings in the criminal action against the defendant;

34.23 (4) the ~~tapes~~ recordings may be viewed only by the defendant, the defendant's attorney,  
34.24 and the attorney's employees, investigators, and experts;

34.25 (5) no transcript of the ~~tapes~~ recordings, nor the substance of any portion of the ~~tapes~~  
34.26 recordings, may be divulged to any person not authorized to view or listen to the tapes  
34.27 recordings;

34.28 (6) no person may be granted access to the ~~tapes~~ recordings, any transcription of the  
34.29 ~~tapes~~ recordings, or the substance of any portion of the ~~tapes~~ recordings unless the person  
34.30 has first signed a written agreement that the person is aware of this statute and acknowledges  
34.31 that the person is subject to the court's contempt powers for any violation of it; and

(7) upon final disposition of the criminal case against the defendant, the ~~tapes~~ recordings and any transcripts of the ~~tapes~~ recordings must be returned to the prosecuting attorney.

(b) The court may hold a person who violates this section in contempt.

Sec. 17. **REVISOR INSTRUCTION.**

The revisor of statutes shall update headnote cross-references in Minnesota Statutes and Minnesota Rules to reflect the changes made in this act.

**ARTICLE 3**

**CRIMINAL JUSTICE-RELATED JUDICIAL PROVISIONS**

Section 1. **[13.891] RESTORATIVE PRACTICE PARTICIPANT DATA.**

(a) For purposes of this section, "restorative practice participant" has the meaning given in section 595.02, subdivision 1b, paragraph (a), clause (2).

(b) Data collected, created, or maintained by a government entity that identifies an individual as a restorative practice participant is private data on individuals but may be disclosed for the purposes described in section 595.02, subdivision 1b, paragraph (b), clauses (1) to (3), or paragraph (c). This section does not apply to personnel data, as defined in section 13.43, subdivision 1, or to an individual who receives payment to facilitate a restorative practice, as defined in section 142A.76, subdivision 1.

Sec. 2. Minnesota Statutes 2024, section 142A.76, subdivision 8, is amended to read:

Subd. 8. **Report.** By February 15 of each year, the director shall report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety, human services, and education, on the work of the Office of Restorative Practices, any grants issued pursuant to this section, and the status of local restorative practices initiatives in the state that were reviewed in the previous year. The report on the status of local restorative practices initiatives must incorporate data on recidivism, public safety impacts, and financial investments in restorative practices.

Sec. 3. Minnesota Statutes 2024, section 590.01, is amended to read:

**590.01 AVAILABILITY, CONDITIONS.**

Subdivision 1. **Petition.** Except at a time when direct appellate relief is available, a person convicted of a crime; or who received a stay of adjudication who claims that:

(1) the conviction or stay of adjudication obtained, or the sentence or other disposition made, violated the person's rights under the Constitution or laws of the United States or of the state; or

(2) scientific evidence not available at trial, obtained pursuant to a motion granted under subdivision 1a, establishes the petitioner's actual innocence;

may commence a proceeding to secure relief by filing a petition in the district court in the county in which the conviction or stay of adjudication was had to vacate and set aside the judgment and to discharge the petitioner or to resentence the petitioner or grant a new trial or correct the sentence or make other disposition as may be appropriate. A petition for postconviction relief after a direct appeal has been completed may not be based on grounds that could have been raised on direct appeal of the conviction, stay of adjudication, or sentence. Nothing contained herein shall prevent the supreme court or the court of appeals, upon application by a party, from granting a stay of a case on appeal for the purpose of allowing an appellant to apply to the district court for an evidentiary hearing under the provisions of this chapter. The proceeding shall conform with sections 590.01 to 590.06.

Subd. 1a. **Motion for fingerprint or forensic testing not available at trial.** (a) A person convicted of a crime, or who received a stay of adjudication, may make a motion for the performance of fingerprint or forensic DNA testing to demonstrate the person's actual innocence if:

(1) the testing is to be performed on evidence secured in relation to the trial which resulted in the conviction or plea; and

(2) the evidence was not subject to the testing because either the technology for the testing was not available at the time of the trial or the testing was not available as evidence at the time of the trial.

The motion shall be filed before the district court that entered the judgment of conviction or stay of adjudication. Reasonable notice of the motion shall be served on the prosecuting attorney who represented the state at trial.

(b) A person who makes a motion under paragraph (a) must present a prima facie case that:

(1) identity was an issue in the trial; and

(2) the evidence to be tested has been subject to a chain of custody sufficient to establish that it has not been substituted, tampered with, replaced, or altered in any material aspect.

(c) The court shall order that the testing be performed if:

(1) a prima facie case has been established under paragraph (b);

(2) the testing has the scientific potential to produce new, noncumulative evidence materially relevant to the defendant's assertion of actual innocence; and

(3) the testing requested employs a scientific method generally accepted within the relevant scientific community. The court shall impose reasonable conditions on the testing designed to protect the state's interests in the integrity of the evidence and the testing process.

Subd. 2. **Remedy.** This remedy takes the place of any other common law, statutory or other remedies which may have been available for challenging the validity of a stay of adjudication, conviction, sentence, or other disposition and must be used exclusively in place of them unless it is inadequate or ineffective to test the legality of the stay of adjudication, conviction, sentence or other disposition.

Subd. 3. **Application for relief.** A person who has been convicted or received a stay of adjudication and sentenced for a crime committed before May 1, 1980, may institute a proceeding applying for relief under this chapter upon the ground that a significant change in substantive or procedural law has occurred which, in the interest of justice, should be applied retrospectively, including resentencing under subsequently enacted law.

No petition seeking resentencing shall be granted unless the court makes specific findings of fact that release of the petitioner prior to the time the petitioner would be released under the sentence currently being served does not present a danger to the public and is not incompatible with the welfare of society.

Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than two years after the later of:

(1) the entry of judgment of conviction, stay of adjudication, or sentence if no direct appeal is filed; or

(2) an appellate court's disposition of petitioner's direct appeal.

(b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief if:

(1) the petitioner establishes that a physical disability or mental disease precluded a timely assertion of the claim;

(2) the petitioner alleges the existence of newly discovered evidence, including scientific evidence, that provides facts necessary to sustain one or more legally cognizable claims for postconviction relief, if such evidence could not have been ascertained by the exercise of

38.1 due diligence by the petitioner or petitioner's attorney within the two-year time period for  
38.2 filing a postconviction petition, is not cumulative to evidence presented at trial, and is not  
38.3 for impeachment purposes;

38.4 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory  
38.5 law by either the United States Supreme Court or a Minnesota appellate court and the  
38.6 petitioner establishes that this interpretation is retroactively applicable to the petitioner's  
38.7 case;

38.8 (4) the petition is brought pursuant to subdivision 3; or

38.9 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous  
38.10 and is in the interests of justice.

38.11 (c) Any petition invoking an exception provided in paragraph (b) must be filed within  
38.12 two years of the date the claim arises.

38.13 Sec. 4. Minnesota Statutes 2024, section 595.02, subdivision 1, is amended to read:

38.14 Subdivision 1. **Competency of witnesses.** Every person of sufficient understanding,  
38.15 including a party, may testify in any action or proceeding, civil or criminal, in court or  
38.16 before any person who has authority to receive evidence, except as provided in this  
38.17 subdivision:

38.18 (a) A husband cannot be examined for or against his wife without her consent, nor a  
38.19 wife for or against her husband without his consent, nor can either, during the marriage or  
38.20 afterwards, without the consent of the other, be examined as to any communication made  
38.21 by one to the other during the marriage. This exception does not apply to a civil action or  
38.22 proceeding by one against the other, nor to a criminal action or proceeding for a crime  
38.23 committed by one against the other or against a child of either or against a child under the  
38.24 care of either spouse, nor to a criminal action or proceeding in which one is charged with  
38.25 homicide or an attempt to commit homicide and the date of the marriage of the defendant  
38.26 is subsequent to the date of the offense, nor to an action or proceeding for nonsupport,  
38.27 neglect, dependency, or termination of parental rights.

38.28 (b) An attorney cannot, without the consent of the attorney's client, be examined as to  
38.29 any communication made by the client to the attorney or the attorney's advice given thereon  
38.30 in the course of professional duty; nor can any employee of the attorney be examined as to  
38.31 the communication or advice, without the client's consent.

38.32 (c) A member of the clergy or other minister of any religion shall not, without the consent  
38.33 of the party making the confession, be allowed to disclose a confession made to the member

39.1 of the clergy or other minister in a professional character, in the course of discipline enjoined  
39.2 by the rules or practice of the religious body to which the member of the clergy or other  
39.3 minister belongs; nor shall a member of the clergy or other minister of any religion be  
39.4 examined as to any communication made to the member of the clergy or other minister by  
39.5 any person seeking religious or spiritual advice, aid, or comfort or advice given thereon in  
39.6 the course of the member of the clergy's or other minister's professional character, without  
39.7 the consent of the person.

39.8 (d) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent  
39.9 of the patient, be allowed to disclose any information or any opinion based thereon which  
39.10 the professional acquired in attending the patient in a professional capacity, and which was  
39.11 necessary to enable the professional to act in that capacity; after the decease of the patient,  
39.12 in an action to recover insurance benefits, where the insurance has been in existence two  
39.13 years or more, the beneficiaries shall be deemed to be the personal representatives of the  
39.14 deceased person for the purpose of waiving this privilege, and no oral or written waiver of  
39.15 the privilege shall have any binding force or effect except when made upon the trial or  
39.16 examination where the evidence is offered or received.

39.17 (e) A public officer shall not be allowed to disclose communications made to the officer  
39.18 in official confidence when the public interest would suffer by the disclosure.

39.19 (f) Persons of unsound mind and persons intoxicated at the time of their production for  
39.20 examination are not competent witnesses if they lack capacity to remember or to relate  
39.21 truthfully facts respecting which they are examined.

39.22 (g) A registered nurse, psychologist, consulting psychologist, or licensed social worker  
39.23 engaged in a psychological or social assessment or treatment of an individual at the  
39.24 individual's request shall not, without the consent of the professional's client, be allowed to  
39.25 disclose any information or opinion based thereon which the professional has acquired in  
39.26 attending the client in a professional capacity, and which was necessary to enable the  
39.27 professional to act in that capacity. Nothing in this clause exempts licensed social workers  
39.28 from compliance with the provisions of section 626.557 and chapter 260E.

39.29 (h) An interpreter for a person disabled in communication shall not, without the consent  
39.30 of the person, be allowed to disclose any communication if the communication would, if  
39.31 the interpreter were not present, be privileged. For purposes of this section, a "person disabled  
39.32 in communication" means a person who, because of a hearing, speech or other communication  
39.33 disorder, or because of the inability to speak or comprehend the English language, is unable

to understand the proceedings in which the person is required to participate. The presence of an interpreter as an aid to communication does not destroy an otherwise existing privilege.

(i) Licensed chemical dependency counselors shall not disclose information or an opinion based on the information which they acquire from persons consulting them in their professional capacities, and which was necessary to enable them to act in that capacity, except that they may do so:

(1) when informed consent has been obtained in writing, except in those circumstances in which not to do so would violate the law or would result in clear and imminent danger to the client or others;

(2) when the communications reveal the contemplation or ongoing commission of a crime; or

(3) when the consulting person waives the privilege by bringing suit or filing charges against the licensed professional whom that person consulted.

(j) A parent or the parent's minor child may not be examined as to any communication made in confidence by the minor to the minor's parent. A communication is confidential if made out of the presence of persons not members of the child's immediate family living in the same household. This exception may be waived by express consent to disclosure by a parent entitled to claim the privilege or by the child who made the communication or by failure of the child or parent to object when the contents of a communication are demanded. This exception does not apply to a civil action or proceeding by one spouse against the other or by a parent or child against the other, nor to a proceeding to commit either the child or parent to whom the communication was made or to place the person or property or either under the control of another because of an alleged mental or physical condition, nor to a criminal action or proceeding in which the parent is charged with a crime committed against the person or property of the communicating child, the parent's spouse, or a child of either the parent or the parent's spouse, or in which a child is charged with a crime or act of delinquency committed against the person or property of a parent or a child of a parent, nor to an action or proceeding for termination of parental rights, nor any other action or proceeding on a petition alleging child abuse, child neglect, abandonment or nonsupport by a parent.

(k) Sexual assault counselors may not be allowed to disclose any opinion or information received from or about the victim without the consent of the victim. However, a counselor may be compelled to identify or disclose information in investigations or proceedings related to neglect or termination of parental rights if the court determines good cause exists. In



determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the treatment relationship, and the treatment services if disclosure occurs. Nothing in this clause exempts sexual assault counselors from compliance with the provisions of section 626.557 and chapter 260E.

"Sexual assault counselor" for the purpose of this section means a person who has undergone at least 40 hours of crisis counseling training and works under the direction of a supervisor in a crisis center, whose primary purpose is to render advice, counseling, or assistance to victims of sexual assault.

(l) A domestic abuse advocate ~~may~~ shall not, without the consent of the victim, be compelled ~~allowed~~ to disclose any opinion or information received from or about the victim ~~without the consent of the victim unless ordered by the court~~ which the advocate acquired in attending the victim in a professional capacity. In determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the relationship between the victim and domestic abuse advocate, and the services if disclosure occurs. Nothing in this paragraph (1) exempts domestic abuse advocates from compliance with the provisions of section 626.557 and chapter 260E, or (2) modifies a prosecutor's obligation to disclose material and information to the defense when the information is in the possession or control of members of the prosecution staff and of any others who have participated in the investigation or evaluation of the case and who either regularly report, or with reference to the particular case have reported, to the prosecutor's office.

For the purposes of this section, "domestic abuse advocate" means an employee or supervised volunteer from a community-based ~~battered women's shelter~~ and domestic abuse program eligible to receive grants under section 611A.32; that provides information, advocacy, crisis intervention, emergency shelter, or support to victims of domestic abuse and who is not employed by or under the direct supervision of a law enforcement agency, a prosecutor's office, or by a city, county, or state agency.

(m) A person cannot be examined as to any communication or document, including work notes, made or used in the course of or because of mediation pursuant to an agreement to mediate or a collaborative law process pursuant to an agreement to participate in collaborative law. This does not apply to the parties in the dispute in an application to a court by a party to have a mediated settlement agreement or a stipulated agreement resulting from the collaborative law process set aside or reformed. A communication or document otherwise not privileged does not become privileged because of this paragraph. This

paragraph is not intended to limit the privilege accorded to communication during mediation or collaborative law by the common law.

(n) A child under ten years of age is a competent witness unless the court finds that the child lacks the capacity to remember or to relate truthfully facts respecting which the child is examined. A child describing any act or event may use language appropriate for a child of that age.

(o) A communication assistant for a telecommunications relay system for persons who have communication disabilities shall not, without the consent of the person making the communication, be allowed to disclose communications made to the communication assistant for the purpose of relaying.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 5. Minnesota Statutes 2024, section 595.02, is amended by adding a subdivision to read:

**Subd. 1b. Inadmissibility; exceptions.** (a) For purposes of this subdivision:

(1) "restorative practice" has the meaning given in section 142A.76, subdivision 1; and

(2) "restorative practice participant" means a facilitator, a person who has caused harm, a person who has been harmed, a community member, and any other person attending a restorative practice.

(b) Statements made or documents offered in the course of a restorative practice are not subject to discovery or admissible as evidence in a civil or criminal proceeding. This paragraph does not apply:

(1) to statements or documents that are the subject of a report made pursuant to section 626.557 or chapter 260E;

(2) if a restorative practice participant reasonably believed that disclosure of a statement or document was necessary to prevent reasonably certain death, great bodily harm, or commission of a crime; or

(3) if the statement or document constitutes evidence of professional misconduct by a restorative practice participant acting in the capacity of their professional or occupational license.

(c) Notwithstanding paragraph (b), if a court orders a person who caused harm to participate in a restorative practice, a person overseeing the restorative practice may disclose

43.1 information necessary to demonstrate whether the person who caused harm participated as  
43.2 ordered.

43.3 (d) Evidence that is otherwise admissible or subject to discovery does not become  
43.4 inadmissible or protected from discovery solely because it was discussed or used in a  
43.5 restorative practice.

43.6 Sec. 6. Minnesota Statutes 2024, section 609A.06, subdivision 3, is amended to read:

43.7 Subd. 3. **Eligibility; cannabis offense.** (a) A person is eligible for an expungement or  
43.8 resentencing to a lesser offense if:

43.9 (1) the person was convicted of, or adjudication was stayed for, a violation of ~~any of the~~  
43.10 following a first-, second-, third-, fourth-, or fifth-degree controlled substance crime involving  
43.11 the sale or possession of marijuana or tetrahydrocannabinols:

43.12 ~~(i) section 152.021, subdivision 1, clause (6);~~

43.13 ~~(ii) section 152.021, subdivision 2, clause (6);~~

43.14 ~~(iii) section 152.022, subdivision 1, clause (5), or clause (7), item (iii);~~

43.15 ~~(iv) section 152.022, subdivision 2, clause (6);~~

43.16 ~~(v) section 152.023, subdivision 1, clause (5);~~

43.17 ~~(vi) section 152.023, subdivision 2, clause (5);~~

43.18 ~~(vii) section 152.024, subdivision (4); or~~

43.19 ~~(viii) section 152.025, subdivision 2, clause (1)~~ under Minnesota Statutes 2023  
43.20 Supplement, sections 152.021, 152.022, 152.023, 152.024, or 152.025, or a previous version  
43.21 of those or any other statutes criminalizing the possession, sale, transportation, or cultivation  
43.22 of marijuana or tetrahydrocannabinols;

43.23 (2) the offense did not involve a dangerous weapon, the intentional infliction of bodily  
43.24 harm on another, an attempt to inflict bodily harm on another, or an act committed with the  
43.25 intent to cause fear in another of immediate bodily harm or death;

43.26 (3) the act on which the charge was based would either be a lesser offense or no longer  
43.27 be a crime after August 1, 2023; and

43.28 (4) the person did not appeal the conviction, any appeal was denied, or the deadline to  
43.29 file an appeal has expired.

(b) A person is eligible for an expungement for any other offense charged along with the underlying crime described in paragraph (a) if the charge was either dismissed or eligible for expungement under section 609A.055.

(c) For purposes of this subdivision, a "lesser offense" means a nonfelony offense if the person was charged with a felony.

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

Sec. 7. Minnesota Statutes 2024, section 609A.06, subdivision 7, is amended to read:

**Subd. 7. Review and determination.** (a) The Cannabis Expungement Board shall review all available records to determine whether the conviction or stay of adjudication or charge is eligible for an expungement or resentencing to a lesser offense. An expungement under this section is presumed to be in the public interest unless there is clear and convincing evidence that an expungement or resentencing to a lesser offense would create a risk to public safety.

(b) If the Cannabis Expungement Board determines that an expungement is in the public interest, the board shall determine whether a person's conviction should be vacated and charges should be dismissed.

(c) If the Cannabis Expungement Board determines that an expungement is in the public interest, the board shall determine whether the limitations under section 609A.03, subdivision 5a, apply.

(d) If the Cannabis Expungement Board determines that an expungement is in the public interest, the board shall determine whether the limitations under section 609A.03, subdivision 7a, paragraph (b), clause (5), apply.

(e) If the Cannabis Expungement Board determines that an expungement is not in the public interest, the board shall determine whether the person is eligible for resentencing to a lesser offense.

(f) In making a determination under this subdivision, the Cannabis Expungement Board shall consider:

(1) the nature and severity of the underlying crime, including but not limited to the total amount of marijuana or tetrahydrocannabinols possessed by the person and whether the offense involved a dangerous weapon, the intentional infliction of bodily harm on another, an attempt to inflict bodily harm on another, or an act committed with the intent to cause fear in another of immediate bodily harm or death;

(2) whether an expungement or resentencing the person a lesser offense would increase the risk, if any, the person poses to other individuals or society;

(3) if the person is under sentence, whether an expungement or resentencing to a lesser offense would result in the release of the person and whether release earlier than the date that the person would be released under the sentence currently being served would present a danger to the public or would be compatible with the welfare of society;

(4) aggravating or mitigating factors relating to the underlying crime, including the person's level of participation and the context and circumstances of the underlying crime;

(5) statements from victims and law enforcement, if any;

(6) if an expungement or resentencing the person to a lesser offense is considered, whether there is good cause to restore the person's right to possess firearms and ammunition;

(7) if an expungement is considered, whether an expunged record of a conviction or stay of adjudication may be opened for purposes of a background check required under section 122A.18, subdivision 8; and

(8) whether the person was also charged with other offenses in addition to the underlying crime, the disposition of those other charges, and other factors deemed relevant by the Cannabis Expungement Board.

(g) In making a determination under this subdivision, the Cannabis Expungement Board shall not consider the impact the expungement would have on the offender based on any records held by the Department of Health; Department of Children, Youth, and Families; or Department of Human Services.

(h) The affirmative vote of three members is required for action taken at any meeting.

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

Sec. 8. Minnesota Statutes 2024, section 609A.06, subdivision 10, is amended to read:

Subd. 10. **Notice to judicial branch and offenders.** (a) The Cannabis Expungement Board shall identify any conviction or stay of adjudication or charge that qualifies for an order of expungement or resentencing to a lesser offense and notify the judicial branch of:

(1) the name and date of birth of a person whose conviction or stay of adjudication is eligible for an order of expungement or resentencing to a lesser offense;

(2) the court file number of the eligible conviction or stay of adjudication;

(3) whether the person is eligible for an expungement;

(4) if the person is eligible for an expungement, whether the person's conviction should be vacated and charges should be dismissed;

(5) if the person is eligible for an expungement, whether there is good cause to restore the offender's right to possess firearms and ammunition;

(6) if the person is eligible for an expungement, whether the limitations under section 609A.03, subdivision 7a, paragraph (b), clause (5), apply; ~~and~~

(7) if the person is eligible for an expungement, whether the expungement should also apply to any other offenses charged in addition to the underlying crime; and

(8) if the person is eligible for resentencing to a lesser offense, the lesser sentence to be imposed.

(b) The Cannabis Expungement Board shall make a reasonable and good faith effort to notify any person whose conviction or stay of adjudication qualifies for an order of expungement that the offense qualifies and notice is being sent to the judicial branch. Notice sent pursuant to this paragraph shall inform the person that, following the order of expungement, any records of an arrest, conviction, or incarceration should not appear on any background check or study.

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

Sec. 9. Minnesota Statutes 2024, section 609A.06, subdivision 12, is amended to read:

Subd. 12. **Order of expungement.** (a) Upon receiving notice that an offense qualifies for expungement, the court shall issue an order sealing all records relating to an arrest, indictment or information, trial, verdict, or dismissal and discharge for an offense described in subdivision 3, and any other offenses charged in addition to the underlying crime if identified by the Cannabis Expungement Board as eligible for expungement. In addition, the court shall order all records, including those pertaining to probation, incarceration, or supervision, held by the Department of Corrections or local correctional officials sealed. The courts shall not order the Department of Health; the Department of Children, Youth, and Families; or the Department of Human Services to seal records under this section. If the Cannabis Expungement Board determined that the person's conviction should be vacated and charges should be dismissed, the order shall vacate and dismiss the charges.

(b) If the Cannabis Expungement Board determined that there is good cause to restore the person's right to possess firearms and ammunition, the court shall issue an order pursuant to section 609.165, subdivision 1d.

(c) If the Cannabis Expungement Board determined that an expunged record of a conviction or stay of adjudication may not be opened for purposes of a background check required under section 122A.18, subdivision 8, the court shall direct the order specifically to the Professional Educator Licensing and Standards Board.

(d) The court administrator shall send a copy of an expungement order issued under this section to each agency and jurisdiction whose records are affected by the terms of the order and send a letter to the last known address of the person whose offense has been expunged identifying each agency to which the order was sent.

(e) In consultation with the commissioner of human services, the court shall establish a schedule on which it shall provide the commissioner of human services a list identifying the name and court file number or, if no court file number is available, the citation number of each record for a person who received an expungement under this section.

(f) Data on the person whose offense has been expunged in a letter sent under this subdivision are private data on individuals as defined in section 13.02, subdivision 12.

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

## ARTICLE 4

### CRIME VICTIMS PROVISIONS

Section 1. Minnesota Statutes 2024, section 609.101, subdivision 2, is amended to read:

Subd. 2. **Minimum fines.** Notwithstanding any other law, when a court sentences a person convicted of violating section 609.221, 609.222, 609.223, 609.2231, 609.224, 609.2242, 609.267, 609.2671, 609.2672, 609.342, 609.343, 609.344, or 609.345, it must impose a fine of not less than 30 percent of the maximum fine authorized by law nor more than the maximum fine authorized by law.

The court shall collect the portion of the fine mandated by this subdivision and forward 70 percent of it to a local victim assistance program that provides services locally in the county in which the crime was committed. The court shall forward the remaining 30 percent to the commissioner of management and budget to be credited to the general fund. If more than one victim assistance program serves the county in which the crime was committed, the court may designate on a case-by-case basis which program will receive the fine proceeds, giving consideration to the nature of the crime committed, the types of victims served by the program, and the funding needs of the program. If no victim assistance program serves that county, the court shall forward 100 percent of the fine proceeds to the commissioner

of management and budget to be credited to the general fund. Fine proceeds received by a local victim assistance program must be used to provide direct services to crime victims.

The minimum fine required by this subdivision is in addition to the surcharge or assessment required by section 357.021, subdivision 6, and is in addition to any sentence of imprisonment or restitution imposed or ordered by the court.

As used in this subdivision, "victim assistance program" means victim witness programs within county attorney offices or any of the following programs: crime victim crisis centers, victim-witness programs, ~~battered women~~ domestic abuse victim shelters and nonshelter programs, ~~and sexual assault programs,~~ and children's advocacy centers as defined in section 260E.02, subdivision 5.

Sec. 2. Minnesota Statutes 2024, section 611A.02, is amended to read:

**611A.02 NOTIFICATION OF VICTIM SERVICES AND VICTIMS' RIGHTS.**

Subd. 2. **Victims' rights.** (a) The Office of Justice Programs in the Department of Public Safety shall update the ~~two~~ model notices of the rights of crime victims required to be distributed under this section and section 629.341.

(b) The initial notice of the rights of crime victims must be distributed by a peace officer to each victim, as defined in section 611A.01, at the time of initial contact with the victim at the scene or when the victim makes a report. The notice, which can be distributed as a document or electronically, must inform a victim of:

(1) the victim's right to apply ~~for reparations~~ to the Minnesota Crime Victims Reimbursement Program to cover losses, not including property losses, resulting from a violent crime ~~and the telephone number to call to request an application~~ and information on how to apply;

(2) the victim's right to request that the law enforcement agency withhold public access to data revealing the victim's identity under section 13.82, subdivision 17, paragraph (d);

(3) the additional rights of domestic abuse victims as described in section 629.341;

(4) information on statewide crime victim help lines, the state address confidentiality program, and the nearest crime victim assistance program or resource; and

(5) the ~~victim's rights, if an offender is charged, to be informed of and participate in the prosecution process, including the right to request restitution; and~~ right to be notified if an offender is charged, to participate in the prosecution process, and to request restitution upon conviction.



~~(6)~~ (c) A supplemental notice must be distributed by law enforcement agencies in homicide cases, and must include resources and information specific to homicide victims and information on rights and procedures available under sections 524.2-803, 524.3-614, and 524.3-615.

~~(e)~~ (d) A supplemental notice of the rights of crime victims must be distributed by the city or county attorney's office to each victim, within a reasonable time after the offender is charged or petitioned. This notice must inform a victim of all the rights of crime victims under this chapter.

Subd. 3. **Notice of rights of victims in juvenile court.** ~~(a) The Office of Justice Programs in the Department of Public Safety shall update the notice of the rights of victims in juvenile court that explains~~ A supplemental notice shall be distributed by the prosecutor's office to each victim of an offense committed by a juvenile within a reasonable time after the petition is filed. This notice must notify the victim of:

(1) the rights of victims in the juvenile court;

(2) when a juvenile matter is public;

(3) the procedures to be followed in juvenile court proceedings; ~~and~~

(4) the right to attend certain juvenile court proceedings;

(5) the information related to the juvenile case that is available to victims; and

~~(4)~~ (6) other relevant matters.

~~(b) The juvenile court shall distribute a copy of the notice to each victim of juvenile crime who attends a juvenile court proceeding, along with a notice of services for victims available in that judicial district.~~

Sec. 3. Minnesota Statutes 2024, section 611A.0315, is amended to read:

**611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT; CRIMINAL SEXUAL CONDUCT; HARASSMENT; STALKING.**

Subdivision 1. **Notice of decision not to prosecute.** (a) A prosecutor shall make every reasonable effort to notify a victim of domestic assault, a criminal sexual conduct offense, ~~or harassment or stalking,~~ a violation of an order for protection, domestic abuse no contact order, or harassment restraining order that the prosecutor has decided to decline prosecution of the case or to dismiss the criminal charges filed against the defendant. Efforts to notify the victim should include, in order of priority: (1) contacting the victim or a person designated by the victim by telephone; and (2) contacting the victim by email or mail. If a suspect is

50.1 still in custody, ~~the~~ a telephone or email notification attempt shall be made before the suspect  
50.2 is released from custody.

50.3 (b) Whenever a prosecutor dismisses criminal charges against a person accused of  
50.4 domestic assault, a criminal sexual conduct offense, ~~or~~ harassment or stalking, a violation  
50.5 of an order for protection, or a violation of a harassment restraining order, a record shall be  
50.6 made of the specific reasons for the dismissal. If the dismissal is due to the unavailability  
50.7 of the witness, the prosecutor shall indicate the specific reason that the witness is unavailable.

50.8 (c) Whenever a prosecutor notifies a victim of domestic assault, criminal sexual conduct,  
50.9 or harassment or stalking under this section, the prosecutor shall also inform the victim of  
50.10 the method and benefits of seeking an order for protection under section 518B.01 or a  
50.11 restraining order under section 609.748 and that the victim may seek an order without paying  
50.12 a fee.

50.13 Subd. 2. **Definitions.** For the purposes of this section, the following terms have the  
50.14 meanings given them.

50.15 (a) "Assault" has the meaning given it in section 609.02, subdivision 10.

50.16 (b) "Domestic assault" means an assault committed by the actor against a family or  
50.17 household member.

50.18 (c) "Family or household member" has the meaning given it in section 518B.01,  
50.19 subdivision 2.

50.20 (d) "Harassment" or "stalking" means a violation of section 609.749.

50.21 (e) "Criminal sexual conduct offense" means a violation of sections 609.342 to 609.3453.

50.22 (f) "Violation of an order for protection" has the meaning given in section 518B.01,  
50.23 subdivision 14.

50.24 (g) "Violation of a harassment restraining order" has the meaning given in section  
50.25 609.748, subdivision 6.

50.26 Sec. 4. Minnesota Statutes 2024, section 611A.06, is amended by adding a subdivision to  
50.27 read:

50.28 Subd. 3b. **Notice of submission of apology letter.** (a) The commissioner of corrections  
50.29 or other custodial authority shall make a good faith effort to notify the victim that the offender  
50.30 has submitted a letter of apology. Notices shall only be provided to victims who have  
50.31 submitted a written request for notification to the head of the county correctional facility  
50.32 in which the offender is confined, or if committed to the Department of Corrections,

51.1 submitted a written request for the notice to the commissioner of corrections or an electronic  
51.2 request through the Department of Corrections electronic victim notification system. The  
51.3 good faith effort to notify the victim must occur within 90 days of the filing of the apology  
51.4 letter.

51.5 (b) Upon request, the commissioner of corrections or other custodial authority shall  
51.6 notify the Board of Pardons, the Clemency Review Commission, or a court that the offender  
51.7 submitted a letter of apology.

51.8 (c) The content of a letter of apology submitted by an offender is private data on  
51.9 individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in  
51.10 section 13.02, subdivision 9, except that the letter may be provided to the intended recipient  
51.11 upon request.

51.12 Sec. 5. Minnesota Statutes 2024, section 629.341, subdivision 3, is amended to read:

51.13 Subd. 3. **Notice of rights.** The peace officer shall ~~tell~~ orally notify the victim ~~whether~~  
51.14 ~~a~~ about shelter or other services ~~are~~ available in the community and give the victim immediate  
51.15 written notice of the legal ~~rights and~~ remedies and resources available. The written notice  
51.16 must include ~~furnishing the victim a copy of~~ the following statement:

51.17 ~~"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or~~  
51.18 ~~county attorney to file a criminal complaint. You also have the right to go to court and file~~  
51.19 ~~a petition requesting an order for protection from domestic abuse. The order could include~~  
51.20 ~~the following:~~

51.21 ~~(1) an order restraining the abuser from further acts of abuse;~~

51.22 ~~(2) an order directing the abuser to leave your household;~~

51.23 ~~(3) an order preventing the abuser from entering your residence, school, business, or~~  
51.24 ~~place of employment;~~

51.25 ~~(4) an order awarding you or the other parent custody of or parenting time with your~~  
51.26 ~~minor child or children; or~~

51.27 ~~(5) an order directing the abuser to pay support to you and the minor children if the~~  
51.28 ~~abuser has a legal obligation to do so."~~

51.29 "IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, you can file a petition with  
51.30 the court for an order for protection and ask that the person responsible for the domestic  
51.31 violence:

51.32 (1) Be restrained from further acts of abuse;

- 52.1 (2) Leave your household;
- 52.2 (3) Stay away from your residence, school, business, or place of employment; and
- 52.3 (4) Pay temporary support to you and for the minor child if the person is legally obligated
- 52.4 to do so.

52.5 In your petition, you can request a custody and parenting time order for a child in common

52.6 with the person."

52.7 The notice must include the ~~resource listing, including telephone number, for the area~~

52.8 ~~program that provides~~ statewide domestic abuse help line and contact information for area

52.9 organizations providing services to victims of domestic abuse as shelter, designated by the

52.10 Office of Justice Programs in the Department of Public Safety.

52.11 Sec. 6. **USE OF EXISTING SUPPLY.**

52.12 A law enforcement agency, city attorney's office, or county attorney's office may exhaust

52.13 existing notices before producing materials with the modifications required under Minnesota

52.14 Statutes, sections 611A.02, subdivision 2, and 629.341, subdivision 3.

52.15 **ARTICLE 5**

52.16 **CORRECTIONAL PROVISIONS**

52.17 Section 1. Minnesota Statutes 2024, section 14.03, subdivision 3, is amended to read:

52.18 Subd. 3. **Rulemaking procedures.** (a) The definition of a rule in section 14.02,

52.19 subdivision 4, does not include:

52.20 (1) rules concerning only the internal management of the agency or other agencies that

52.21 do not directly affect the rights of or procedures available to the public;

52.22 (2) an application deadline on a form; and the remainder of a form and instructions for

52.23 use of the form to the extent that they do not impose substantive requirements other than

52.24 requirements contained in statute or rule;

52.25 (3) the curriculum adopted by an agency to implement a statute or rule permitting or

52.26 mandating minimum educational requirements for persons regulated by an agency, provided

52.27 the topic areas to be covered by the minimum educational requirements are specified in

52.28 statute or rule;

52.29 (4) procedures for sharing data among government agencies, provided these procedures

52.30 are consistent with chapter 13 and other law governing data practices.

- 53.1 (b) The definition of a rule in section 14.02, subdivision 4, does not include:
- 53.2 (1) rules of the commissioner of corrections;
- 53.3 (i) relating to the release, placement, term, revocation, and supervision of inmates on
- 53.4 work release, on parole, or serving a supervised release or conditional release term;
- 53.5 (ii) on the internal management of institutions under the commissioner's control, ~~and~~
- 53.6 ~~rules adopted~~; and
- 53.7 (iii) under section 609.105 governing the inmates of ~~these~~ institutions under the
- 53.8 commissioner's control;
- 53.9 (2) rules relating to weight limitations on the use of highways when the substance of the
- 53.10 rules is indicated to the public by means of signs;
- 53.11 (3) opinions of the attorney general;
- 53.12 (4) the data element dictionary and the annual data acquisition calendar of the Department
- 53.13 of Education to the extent provided by section 125B.07;
- 53.14 (5) the occupational safety and health standards provided in section 182.655;
- 53.15 (6) revenue notices and tax information bulletins of the commissioner of revenue;
- 53.16 (7) uniform conveyancing forms adopted by the commissioner of commerce under
- 53.17 section 507.09;
- 53.18 (8) standards adopted by the Electronic Real Estate Recording Commission established
- 53.19 under section 507.0945; or
- 53.20 (9) the interpretive guidelines developed by the commissioner of human services to the
- 53.21 extent provided in chapter 245A.

53.22 Sec. 2. Minnesota Statutes 2024, section 201.014, subdivision 2a, is amended to read:

53.23 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual who is

53.24 ineligible to vote because of a felony conviction has the civil right to vote restored during

53.25 any period when the individual is not incarcerated for the offense. If the individual is later

53.26 incarcerated for the offense, the individual's civil right to vote is lost only during that period

53.27 of incarceration. For purposes of this subdivision only, an individual on work release under

53.28 section 241.26 or ~~244.065~~ or an individual released under section 631.425 is not deemed

53.29 to be incarcerated.

54.1 Sec. 3. Minnesota Statutes 2024, section 241.26, subdivision 1, is amended to read:

54.2 Subdivision 1. **Commissioner Granting work release.** ~~When consistent with the public~~  
54.3 ~~interest and the public safety, (a)~~ The commissioner of corrections may conditionally release  
54.4 an inmate ~~who is eligible and being considered for release under section 243.05,~~ to work  
54.5 at paid employment, seek employment, or participate in a vocational training or educational  
54.6 program.:

54.7 (1) when consistent with the public interest and the public safety; and

54.8 (2) if the inmate has served at least one-half of the term of imprisonment.

54.9 (b) Release under this subdivision is an extension of the limits of confinement, and each  
54.10 inmate ~~so~~ released ~~shall~~ must be confined in the correctional facility from which released  
54.11 or in some other suitable place of confinement designated by the commissioner of corrections  
54.12 during the hours the inmate is not employed, seeking employment, or engaged in a vocational  
54.13 training or educational program, or, if employed, seeking employment, or engaged in a  
54.14 vocational training or educational program, between the hours of such activity.

54.15 (c) A reasonable allowance for travel time and meals shall be permitted.

54.16 Sec. 4. Minnesota Statutes 2024, section 241.26, subdivision 3, is amended to read:

54.17 Subd. 3. **Rules Policy.** The commissioner of corrections ~~shall establish rules for placement~~  
54.18 ~~and supervision of such~~ must adopt policy for placing and supervising inmates under  
54.19 subdivision 1 and for ~~administration of~~ administrating programs authorized by this section.  
54.20 When consistent with the public interest, the commissioner may grant furloughs to ~~those~~  
54.21 inmates participating in the programs authorized by this section who have spent at least 30  
54.22 days in a residential work release center operated by or under the control of the commissioner  
54.23 for a period ~~of time~~ not to exceed their supervised release date.

54.24 Sec. 5. Minnesota Statutes 2024, section 241.26, subdivision 4, is amended to read:

54.25 Subd. 4. **Revocation Rescinding work release.** The willful failure of an inmate to report  
54.26 to or return from planned employment, seeking employment, educational or vocational  
54.27 training, or furlough as provided in subdivision 3 ~~shall be~~ is considered an escape under  
54.28 section 609.485. If an inmate violates any ~~of the~~ policy rules ~~provided for in~~ under  
54.29 subdivision 3, the inmate's work placement, educational, or vocational training privileges  
54.30 may be withdrawn by the commissioner.

55.1 Sec. 6. Minnesota Statutes 2024, section 241.26, subdivision 5, is amended to read:

55.2 Subd. 5. **Earnings; work release account.** (a) The net earnings of each inmate  
55.3 participating in the work release program provided by this section may be collected by or  
55.4 forwarded to the commissioner of corrections for deposit to the account of the inmate in  
55.5 the work release account in the state treasury, or the inmate may be permitted to collect,  
55.6 retain, and expend the net earnings from the inmate's employment ~~under rules established~~  
55.7 according to policy adopted by the commissioner of corrections. The money collected by  
55.8 or forwarded to the commissioner ~~under the rules shall remain~~ remains under the control  
55.9 of the commissioner for the sole benefit of the inmate. After making deductions for the  
55.10 payment of state and local taxes, if necessary, and for repayment of advances and gate  
55.11 money as provided in section 243.24, wages under the control of the commissioner and  
55.12 wages retained by the inmate may be disbursed by the commissioner or expended by the  
55.13 inmate for the following purposes and in the following order:

55.14 (1) the cost of the inmate's keep as determined by subdivision 7, which money shall be  
55.15 deposited in the general fund of the state treasury if the inmate is housed in a state  
55.16 correctional facility, or shall be paid directly to the place of confinement as designated by  
55.17 the commissioner pursuant to subdivision 1;

55.18 (2) necessary travel expense to and from work and other incidental expenses of the  
55.19 inmate;

55.20 (3) support of inmate's dependents, if any;

55.21 (4) court-ordered restitution, if any;

55.22 (5) fines, surcharges, or other fees assessed or ordered by the court;

55.23 (6) contribution to any programs established by law to aid victims of crime, provided  
55.24 that the contribution must not be more than 20 percent of the inmate's gross wages;

55.25 (7) restitution to the commissioner of corrections ordered by a prison disciplinary hearing  
55.26 officer for damage to property caused by an inmate's conduct;

55.27 (8) restitution to staff ordered by a prison disciplinary hearing officer for damage to  
55.28 property caused by an inmate's conduct;

55.29 (9) restitution to another inmate ordered by a prison disciplinary hearing officer for  
55.30 personal injury to another caused by an inmate's conduct;

55.31 (10) after the above expenditures, the inmate shall have discretion to direct payment of  
55.32 the balance, if any, upon proper proof of personal legal debts; and

56.1 (11) the balance, if any, shall be disbursed to the inmate as provided in section 243.24,  
56.2 subdivision 1.

56.3 (b) The commissioner may authorize the payment of court-ordered restitution from an  
56.4 inmate's wages when the restitution was court ordered as a sanction for the conviction of  
56.5 an offense which is not the offense of commitment, including offenses which occurred prior  
56.6 to the offense for which the inmate was committed to the commissioner. All money in the  
56.7 work release account are appropriated annually to the commissioner of corrections for the  
56.8 purposes of the work release program.

56.9 Sec. 7. Minnesota Statutes 2024, section 241.26, is amended by adding a subdivision to  
56.10 read:

56.11 Subd. 8. **Exempt from rulemaking.** A commissioner policy or policy rule under this  
56.12 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under  
56.13 chapter 14, including section 14.386.

56.14 Sec. 8. Minnesota Statutes 2024, section 241.80, is amended to read:

56.15 **241.80 AMERICAN INDIAN CULTURAL PROGRAM.**

56.16 Subdivision 1. **Authority.** The commissioner of corrections shall develop a policy to  
56.17 provide the cultural programming services listed in subdivision 2 to American Indian inmates  
56.18 incarcerated individuals of all juvenile and adult state correctional facilities and  
56.19 community-based correctional programs. The commissioner may, within the limits of  
56.20 available money, contract with appropriate American Indian private, nonprofit organizations  
56.21 to provide the cultural programming services.

56.22 Subd. 2. **Cultural programming services.** The policy shall include, but need not be  
56.23 limited to, providing, within the limits of available money, spiritual and cultural programming  
56.24 services having the following purposes:

56.25 (1) the ~~teaching of good work habits and the development of motivation through work~~  
56.26 education and training needed for postincarceration self-sufficiency;

56.27 (2) the development of ~~cultural pride to improve~~ strengthened American Indian ~~self-image~~  
56.28 identity;

56.29 (3) ~~the development of an understanding of and an adjustment to the cultural differences~~  
56.30 ~~between American Indians and other ethnic groups;~~



57.1 (3) improved understanding of American Indian culture, traditions, and spiritual practices  
57.2 for Department of Corrections staff;

57.3 ~~(4) the development of attitudes of mutual trust, respect, and understanding among~~  
57.4 ~~American Indian family members~~ partnerships with Tribal Nations to address the unique  
57.5 needs of American Indian incarcerated persons and promote approaches to rehabilitation  
57.6 specific to this population;

57.7 ~~(5) the fostering of increased availability of medicine men and American Indian spiritual~~  
57.8 ~~leaders to teach American Indian inmates~~ incarcerated individuals about American Indian  
57.9 ~~history, cultural sensitivity, and religion~~ and spiritual practices;

57.10 ~~(6) the involvement of American Indian inmates~~ incarcerated individuals in those aspects  
57.11 of the correctional system that will aid in their rehabilitation; and

57.12 ~~(7) the provision of services to American Indian inmates~~ incarcerated individuals that  
57.13 will facilitate their reentry into the community.

57.14 Sec. 9. Minnesota Statutes 2024, section 242.10, is amended to read:

57.15 **242.10 HEARING OFFICERS, POWERS; PROBATION, COMMITMENT,**  
57.16 **PAROLE.**

57.17 Subdivision 1. Designated hearing officers. The commissioner of corrections may  
57.18 designate from among the members of the commissioner's staff; one or more hearing officers  
57.19 and delegate to them the authority to grant or revoke probation, commit to an institution,  
57.20 grant or revoke parole, or issue final discharge to any person ~~under the control of the~~  
57.21 ~~commissioner pursuant to a commitment~~ committed to the commissioner by a juvenile court  
57.22 of this state.

57.23 Subd. 2. Appealing order of hearing officer. Any person aggrieved by an order issued  
57.24 by a hearing officer may appeal to the commissioner or ~~to a review panel established by~~  
57.25 ~~the commissioner~~ a designee within the department ~~pursuant~~ according to rules policy issued  
57.26 by the commissioner.

57.27 Subd. 3. Exempt from rulemaking. A commissioner policy under this section is not a  
57.28 rule under chapter 14 and is exempt from the rulemaking provisions under chapter 14,  
57.29 including section 14.386.

58.1 Sec. 10. Minnesota Statutes 2024, section 242.19, subdivision 3, is amended to read:

58.2 Subd. 3. **Retaking absconding and other person.** ~~The written order of the commissioner~~  
58.3 ~~of corrections is authority to any peace officer or parole or probation officer~~ Warrants to  
58.4 take and detain any child committed to the commissioner of corrections by a juvenile court  
58.5 who absconds from field supervision or escapes from confinement, violates furlough  
58.6 conditions, or is released from court while on institution status are governed according to  
58.7 section 243.051. ~~Any person of the age of 18 years or older who is taken into custody under~~  
58.8 ~~the provisions of this subdivision may be detained as provided in section 260B.181,~~  
58.9 ~~subdivision 4.~~

58.10 Sec. 11. Minnesota Statutes 2024, section 242.44, is amended to read:

58.11 **242.44 PUPILS JUVENILES.**

58.12 Subdivision 1. Receiving and housing juveniles. The commissioner of corrections, so  
58.13 far as the accommodations of the correctional facilities and other means at the commissioner's  
58.14 disposal will permit, may receive juvenile delinquents and juvenile offenders serving a  
58.15 juvenile disposition under section 260B.130, subdivision 4. The commissioner's housing  
58.16 of these individuals must be consistent with federal and state law, including established  
58.17 admissions criteria for Minnesota Correctional Facility-Red Wing. The commissioner may  
58.18 place these youths at employment, may provide education suitable to their years and capacity,  
58.19 and may place them in suitable homes.

58.20 Subd. 2. Parole or discharge. (a) ~~Under rules policy~~ prescribed by the commissioner,  
58.21 when deemed best for these youths, persons committed to the commissioner's care and  
58.22 custody by a juvenile court may be paroled or discharged from the facility by the  
58.23 commissioner.

58.24 (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is  
58.25 exempt from the rulemaking provisions under chapter 14, including section 14.386.

58.26 Subd. 3. Youth in facility. All ~~pupils youth~~ in the facility ~~shall~~ must be clothed,  
58.27 instructed, and maintained by the commissioner of corrections.

58.28 Sec. 12. Minnesota Statutes 2024, section 243.05, subdivision 1, is amended to read:

58.29 Subdivision 1. **Conditional release.** (a) The Supervised Release Board may parole any  
58.30 person sentenced to confinement in any state correctional facility for adults under the control  
58.31 of the commissioner of corrections, provided that:

(1) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(2) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(4) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change.

(b) Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the Department of Corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner.

~~(c) The written order of the commissioner of corrections, is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on parole or supervised release. In addition, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without order of warrant, take and detain a parolee or person on supervised release or work release and bring the person to the commissioner for action.~~

~~(d) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135. Additionally, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without an order, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14.~~

~~(e) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to detain any person on pretrial release who absconds from pretrial release or fails to abide by the conditions of pretrial release.~~

~~(f)~~ (c) Persons conditionally released, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or outside the boundaries of the state at the discretion of the commissioner of corrections or the court, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

~~(g)~~ (d) Except as otherwise provided in subdivision 1b, in considering applications for conditional release or discharge, the commissioner is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the Department of Corrections in favor of or against the parole or release of any inmates. The commissioner may institute inquiries by correspondence, taking testimony, or otherwise, as to the previous history, physical or mental condition, and character of the inmate and, to that end, has the authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. The commissioner is authorized to administer oaths to witnesses for these purposes.

~~(h)~~ (e) Before revoking a nonviolent controlled substance offender's parole or probation based on a technical violation, when the offender does not present a risk to the public and the offender is amenable to continued supervision in the community, a parole or probation agent must identify community options to address and correct the violation including, but not limited to, inpatient substance use disorder treatment. If a probation or parole agent determines that community options are appropriate and available in the state, the agent must seek to restructure the offender's terms of release to incorporate those options. If an offender on probation stipulates in writing to restructure the terms of release, a probation agent must forward a report to the district court containing:

(1) the specific nature of the technical violation of probation;

(2) the recommended restructure to the terms of probation; and

(3) a copy of the offender's signed stipulation indicating that the offender consents to the restructuring of probation.

~~(i)~~ (f) The recommended restructuring of probation becomes effective when confirmed by a judge. The order of the court is proof of confirmation and amends the terms of the sentence imposed by the court under section 609.135.

61.1        ~~(f)~~ (g) If a nonviolent controlled substance offender's parole or probation is revoked, the  
61.2 offender's agent must first attempt to place the offender in a local jail.

61.3        ~~(k)~~ (h) For purposes of paragraphs ~~(h)~~ (e) to ~~(k)~~ (h):

61.4        (1) "nonviolent controlled substance offender" means a person who meets the criteria  
61.5 described under section 244.0513, subdivision 2, clauses (1), (2), and (5); and

61.6        (2) "technical violation" means any violation of a court order of probation or a condition  
61.7 of parole, except an allegation of a subsequent criminal act that is alleged in a formal  
61.8 complaint, citation, or petition.

61.9        Sec. 13. Minnesota Statutes 2024, section 243.05, subdivision 2, is amended to read:

61.10       Subd. 2. **Rules Policy on conditional release.** (a) The commissioner of corrections may  
61.11 must adopt rules in accordance with chapter 14, the Administrative Procedure Act, policy  
61.12 governing the procedures for granting of conditional release and final discharge. The rules  
61.13 policy may provide for the conduct and employment of persons conditionally released, and  
61.14 other matters necessary to implement the duties conferred by law upon the commissioner  
61.15 with respect to conditional release and discharge of persons.

61.16       (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is  
61.17 exempt from the rulemaking provisions under chapter 14, including section 14.386.

61.18       (c) For purposes of this subdivision, "conditional release" means a person on parole,  
61.19 work release, or supervised release.

61.20       Sec. 14. Minnesota Statutes 2024, section 243.05, subdivision 4, is amended to read:

61.21       Subd. 4. **Hearing officers; powers; duties.** To carry out the powers and duties conferred  
61.22 by this section, the commissioner of corrections may designate from among staff members;  
61.23 one or more hearing officers and delegate to them any of the powers and duties conferred  
61.24 by this section. ~~In the exercise of their delegated powers and duties the hearing officers~~  
61.25 ~~shall be subject to the rules prescribed by the commissioner of corrections.~~

61.26       Sec. 15. **[243.051] WARRANTS AND STOP ORDERS.**

61.27       Subdivision 1. Warrants and stop orders; commissioner policy. (a) For purposes of  
61.28 this section, "commissioner" means the commissioner of corrections.

61.29       (b) Consistent with this section, the commissioner must adopt policy governing warrants  
61.30 and stop orders.

62.1 (c) A commissioner policy under this section is not a rule under chapter 14 and is exempt  
62.2 from the rulemaking provisions under chapter 14, including section 14.386.

62.3 Subd. 2. **Warrants; generally.** (a) The commissioner may issue warrants, including  
62.4 nationwide warrants, for apprehension and detention in any of the following circumstances:

62.5 (1) when a person under the commissioner's supervision, including but not limited to a  
62.6 person on parole, supervised release, conditional release, work release, or probation, absconds  
62.7 from supervision or fails to abide by the conditions of their release;

62.8 (2) when a person on pretrial release absconds from pretrial release or fails to abide by  
62.9 the conditions of pretrial release;

62.10 (3) when an inmate escapes from any state correctional facility under the commissioner's  
62.11 control;

62.12 (4) when a convicted defendant fails to report postsentencing to their county authority  
62.13 or to a state correctional facility; or

62.14 (5) when a child committed to the commissioner by a juvenile court absconds from field  
62.15 supervision, escapes from confinement, violates furlough conditions, or is released from  
62.16 court while on institution status.

62.17 (b) For an inmate under paragraph (a), clause (3), the commissioner must use all proper  
62.18 means to apprehend and return the inmate, which may include offering a reward of no more  
62.19 than \$100 to be paid from the state treasury, for information leading to the arrest and return  
62.20 to custody of the inmate.

62.21 (c) Any individual 18 years of age or older who is taken into custody under paragraph  
62.22 (a), clause (5), may be detained according to section 260B.181, subdivision 4.

62.23 Subd. 3. **Warrant authority.** A warrant issued by the commissioner is sufficient authority  
62.24 for any peace officer, state correctional investigator, or state parole or probation agent to  
62.25 retake and place in actual custody any person.

62.26 Subd. 4. **Preventing escape or enforcing discipline.** When it appears necessary to  
62.27 prevent escape or enforce discipline, any state parole and probation agent or state correctional  
62.28 investigator may, without a warrant:

62.29 (1) take and detain any person on probation, parole, supervised release, conditional  
62.30 release, or work release; and

62.31 (2) take one of the following actions:

63.1 (i) for a person on probation, bring them before the court for further proceedings under  
63.2 section 609.14; or

63.3 (ii) for a person on parole, supervised release, conditional release, or work release, bring  
63.4 them to the commissioner for action.

63.5 Subd. 5. **Stop time.** The commissioner may stop the time from running on sentences of  
63.6 persons until they are taken into custody in the following circumstances:

63.7 (1) releasees who have absconded from supervision;

63.8 (2) inmates who have escaped from a state correctional facility; or

63.9 (3) convicted defendants who have failed to report postsentencing.

63.10 Sec. 16. Minnesota Statutes 2024, section 243.88, subdivision 2, is amended to read:

63.11 Subd. 2. **Private industry employment.** (a) Any corporation operating a factory or  
63.12 other business or commercial enterprise under this section may employ selected inmates of  
63.13 the correctional institution upon whose grounds it operates and persons conditionally released  
63.14 subject to the provisions of section 241.26. Persons conditionally released as provided in  
63.15 this subdivision ~~shall be deemed to be~~ are parolees within the purview of United States  
63.16 Code, title 49, section 60.

63.17 (b) Except as prohibited by applicable provisions of the United States Code, inmates of  
63.18 state correctional institutions may be employed in the manufacture and processing of goods,  
63.19 wares and merchandise for introduction into interstate commerce, provided that they are  
63.20 paid no less than the prevailing minimum wages for work of a similar nature performed by  
63.21 employees with similar skills in the locality in which the work is being performed.

63.22 ~~Under rules~~ (c) As prescribed by the commissioner of corrections, a portion of the wages  
63.23 of each inmate employed as authorized by this subdivision, in an amount to be determined  
63.24 by the commissioner, shall be set aside and kept ~~by the chief executive officer of the facility~~  
63.25 in the public welfare fund of the state for the benefit of the inmate and for the purpose of  
63.26 assisting the inmate when leaving the facility on conditional release or by final discharge.  
63.27 Any portion remaining undisbursed at the time of the inmate's final discharge shall be given  
63.28 to the inmate upon final discharge.

64.1 Sec. 17. Minnesota Statutes 2024, section 243.88, subdivision 5, is amended to read:

64.2 Subd. 5. **Deductions.** Notwithstanding any other law to the contrary, any compensation  
64.3 paid to inmates under this section is subject to section 243.23, subdivisions 2 and 3, and  
64.4 ~~rules~~ policy of the commissioner of corrections.

64.5 Sec. 18. Minnesota Statutes 2024, section 243.88, is amended by adding a subdivision to  
64.6 read:

64.7 Subd. 6. **Exempt from rulemaking.** A commissioner prescription or policy under this  
64.8 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under  
64.9 chapter 14, including section 14.386.

64.10 Sec. 19. Minnesota Statutes 2024, section 244.04, subdivision 1, is amended to read:

64.11 Subdivision 1. **Reduction of sentence; inmates sentenced for crimes committed**  
64.12 **before 1993.** (a) Notwithstanding the provisions of section 609.11, subdivision 6, and  
64.13 Minnesota Statutes 2004, section 609.109, subdivision 1, the term of imprisonment of any  
64.14 inmate sentenced to a presumptive fixed sentence after May 1, 1980, and whose crime was  
64.15 committed before August 1, 1993, shall be reduced in duration by one day for each two  
64.16 days during which the inmate violates none of the disciplinary offense rules ~~promulgated~~  
64.17 adopted by the commissioner. The reduction shall accrue to the period of supervised release  
64.18 to be served by the inmate, except that the period of supervised release for a sex offender  
64.19 conditionally released by the commissioner under section 609.3455 is governed by that  
64.20 provision.

64.21 (b) Except as otherwise provided in subdivision 2, if an inmate whose crime was  
64.22 committed before August 1, 1993, violates a disciplinary offense rule ~~promulgated by the~~  
64.23 ~~commissioner~~, good time earned prior to the violation may not be taken away, but the inmate  
64.24 may be required to serve an appropriate portion of the term of imprisonment after the  
64.25 violation without earning good time.

64.26 Sec. 20. Minnesota Statutes 2024, section 244.04, subdivision 2, is amended to read:

64.27 Subd. 2. **Loss of good time.** ~~By May 1, 1980, The commissioner shall promulgate rules~~  
64.28 must adopt policy specifying disciplinary offenses ~~which that~~ which that may result in the loss of good  
64.29 time and the amount of good time ~~which that~~ which that may be lost as a result of each disciplinary  
64.30 offense, including provision for restoration of good time. In no case shall an individual  
64.31 disciplinary offense result in the loss of more than 90 days of good time; except that no  
64.32 inmate confined in segregation for violation of a disciplinary rule shall be placed on



65.1 supervised release until discharged or released from punitive segregation confinement, nor  
65.2 shall an inmate in segregation for violation of a disciplinary rule for which the inmate could  
65.3 also be prosecuted under the criminal laws earn good time while in segregation. The loss  
65.4 of good time shall be considered to be a disciplinary sanction imposed upon an inmate, and  
65.5 the procedure for the loss of good time and the rights of the inmate in the procedure shall  
65.6 be those in effect for the imposition of other disciplinary sanctions at each state correctional  
65.7 institution.

65.8 Sec. 21. Minnesota Statutes 2024, section 244.04, is amended by adding a subdivision to  
65.9 read:

65.10 Subd. 4. **Exempt from rulemaking.** A commissioner policy or disciplinary rule under  
65.11 this section is not a rule under chapter 14 and is exempt from the rulemaking provisions  
65.12 under chapter 14, including section 14.386.

65.13 Sec. 22. Minnesota Statutes 2024, section 244.05, subdivision 1b, is amended to read:

65.14 Subd. 1b. **Supervised release; inmates who commit crimes on or after August 1,**  
65.15 **1993.** (a) Except as provided in subdivisions 4, 4a, and 5, every inmate sentenced to prison  
65.16 for a felony offense committed on or after August 1, 1993, shall serve a supervised release  
65.17 term upon completion of the inmate's term of imprisonment and any disciplinary confinement  
65.18 period imposed by the commissioner due to the inmate's violation of any disciplinary rule  
65.19 adopted by the commissioner or refusal to participate in a rehabilitative program required  
65.20 under section 244.03. The amount of time the inmate serves on supervised release is equal  
65.21 to one-third of the inmate's fixed executed sentence, less any disciplinary confinement period  
65.22 imposed by the commissioner and regardless of any earned incentive release credit applied  
65.23 toward the individual's term of imprisonment under section 244.44.

65.24 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative  
65.25 program as required under section 244.03 shall be placed on supervised release until the  
65.26 inmate has served the disciplinary confinement period for that disciplinary sanction or until  
65.27 the inmate is discharged or released from punitive restrictive-housing confinement, whichever  
65.28 is later. The imposition of a disciplinary confinement period shall be considered to be a  
65.29 disciplinary sanction imposed upon an inmate, and the procedure for imposing the  
65.30 disciplinary confinement period and the rights of the inmate in the procedure shall be those  
65.31 in effect for the imposition of other disciplinary sanctions at each state correctional institution.

65.32 (c) A disciplinary rule under this subdivision is not a rule under chapter 14 and is exempt  
65.33 from the rulemaking provisions under chapter 14, including section 14.386.

66.1 ~~(e)~~ (d) For purposes of this subdivision, "earned incentive release credit" has the meaning  
66.2 given in section 244.41, subdivision 7.

66.3 Sec. 23. Minnesota Statutes 2024, section 244.05, subdivision 2, is amended to read:

66.4 Subd. 2. **Rules Policy.** (a) The commissioner of corrections ~~shall~~ must adopt ~~by rule~~  
66.5 ~~standards and procedures~~ policies for the establishment of:

66.6 (1) establishing conditions of release and the revocation of;

66.7 (2) revoking supervised or conditional release, and shall specify the period of revocation  
66.8 for each violation of release. Procedures for the revocation of release shall provide due  
66.9 process of law for the inmate. including revocation procedures that must provide for due  
66.10 process of law for the offender;

66.11 (3) assigning terms of reimprisonment for release violations; and

66.12 (4) extending terms of reimprisonment due to violations of disciplinary rules or other  
66.13 factors specified in policy relating to community supervision or public safety.

66.14 (b) In no case may a term of reimprisonment exceed 12 months unless:

66.15 (1) the release violation involved a conviction for a felony offense;

66.16 (2) the commissioner finds the releasee to be a risk to the public; or

66.17 (3) the commissioner finds the releasee to be unamenable to supervision due to one or  
66.18 more prior violations of the conditions of release.

66.19 ~~(b)~~ (c) The commissioner may prohibit an inmate placed on parole, supervised release,  
66.20 or conditional release from using adult-use cannabis flower as defined in section 342.01,  
66.21 subdivision 3, or adult-use cannabis products as defined in section 342.01, subdivision 3,  
66.22 hemp-derived consumer products as defined in section 342.01, subdivision 35, or  
66.23 lower-potency hemp edibles as defined in section 342.01, subdivision 48, if the inmate  
66.24 undergoes a chemical use assessment and abstinence is consistent with a recommended  
66.25 level of care for the defendant in accordance with the criteria under section 254B.04,  
66.26 subdivision 4.

66.27 ~~(e)~~ (d) The commissioner of corrections shall not prohibit an inmate placed on parole,  
66.28 supervised release, or conditional release from participating in the registry program as  
66.29 defined in section 342.01, subdivision 61, as a condition of release or revoke a patient's  
66.30 parole, supervised release, or conditional release or otherwise sanction a patient on parole,  
66.31 supervised release, or conditional release solely for participating in the registry program or  
66.32 for a positive drug test for cannabis components or metabolites.

67.1 (e) A commissioner policy or disciplinary rule under this subdivision is not a rule under  
67.2 chapter 14 and is exempt from the rulemaking provisions under chapter 14, including section  
67.3 14.386.

67.4 Sec. 24. Minnesota Statutes 2024, section 244.0513, subdivision 1, is amended to read:

67.5 Subdivision 1. **Conditional release authority.** The commissioner of corrections has  
67.6 the authority to release offenders committed to the commissioner's custody who meet the  
67.7 requirements of this section and of any ~~rules~~ policy adopted by the commissioner. A  
67.8 commissioner policy under this section is not a rule under chapter 14 and is exempt from  
67.9 the rulemaking provisions under chapter 14, including section 14.386.

67.10 Sec. 25. Minnesota Statutes 2024, section 244.0513, subdivision 7, is amended to read:

67.11 Subd. 7. **Release procedures.** The commissioner may deny conditional release to an  
67.12 offender under this section if the commissioner determines that the offender's release may  
67.13 reasonably pose a danger to the public or an individual. In making this determination, the  
67.14 commissioner ~~shall~~ must follow the procedures in section 244.05, subdivision 5, and ~~the~~  
67.15 ~~rules adopted by the commissioner under that subdivision~~ policy thereunder. The  
67.16 commissioner shall consider whether the offender was involved in criminal gang activity  
67.17 during the offender's prison term. The commissioner shall also consider the offender's  
67.18 custody classification and level of risk of violence and the availability of appropriate  
67.19 community supervision for the offender. Conditional release granted under this section  
67.20 continues until the offender's sentence expires, unless release is rescinded under subdivision  
67.21 8. The commissioner may not grant conditional release unless a release plan is in place for  
67.22 the offender that addresses, at a minimum, plans for aftercare, community-based substance  
67.23 use disorder treatment, gaining employment, and securing housing.

67.24 Sec. 26. Minnesota Statutes 2024, section 244.0513, subdivision 8, is amended to read:

67.25 Subd. 8. **Conditional release.** The conditions of release granted under this section are  
67.26 governed by the statutes and ~~rules~~ policy governing supervised release under this chapter,  
67.27 except that release may be rescinded without hearing by the commissioner if the  
67.28 commissioner determines that continuation of the conditional release poses a danger to the  
67.29 public or to an individual. If the commissioner rescinds an offender's conditional release,  
67.30 the offender shall be returned to prison and shall serve the remaining portion of the offender's  
67.31 sentence.

68.1 Sec. 27. Minnesota Statutes 2024, section 244.07, subdivision 1, is amended to read:

68.2 Subdivision 1. **Authority.** If consistent with the public interest, the commissioner may;  
68.3 ~~under rules prescribed by the commissioner,~~ furlough any inmate in custody to any point  
68.4 within the state for up to five days. A furlough may be granted to assist the inmate with  
68.5 family needs, personal health needs, or reintegration into society. No inmate may receive  
68.6 more than three furloughs under this section within any 12-month period. ~~The provisions~~  
68.7 ~~of This section shall also apply~~ applies to those inmates convicted of offenses ~~prior to~~ before  
68.8 May 1, 1980.

68.9 Sec. 28. Minnesota Statutes 2024, section 244.07, is amended by adding a subdivision to  
68.10 read:

68.11 Subd. 3. **Exempt from rulemaking.** A commissioner determination under this section  
68.12 is not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter  
68.13 14, including section 14.386.

68.14 Sec. 29. Minnesota Statutes 2024, section 244.13, subdivision 1, is amended to read:

68.15 Subdivision 1. **Establishment.** The commissioner of corrections shall establish programs  
68.16 for those designated by the commissioner to serve all or part of a sentence on intensive  
68.17 community supervision or all or part of a supervised release or parole term on intensive  
68.18 supervised release. The adoption and modification of policies and procedures to implement  
68.19 sections 244.05, subdivision 6, and 244.12 ~~to 244.15~~ and 244.13 are not subject to the  
68.20 rulemaking procedures of chapter 14 ~~because these policies and procedures are excluded~~  
68.21 ~~from the definition of a rule under section 14.03, subdivision 3, paragraph (b), clause (1),~~  
68.22 including section 14.386. The commissioner shall locate the programs so that at least one-half  
68.23 of the money appropriated for the programs in each year is used for programs in Community  
68.24 Corrections Act counties. In awarding contracts for intensive supervision programs in  
68.25 Community Corrections Act counties, the commissioner shall give first priority to programs  
68.26 that utilize county employees as intensive supervision agents and shall give second priority  
68.27 to programs that utilize state employees as intensive supervision agents. The commissioner  
68.28 may award contracts to other providers in Community Corrections Act counties only if  
68.29 doing so will result in a significant cost savings or a significant increase in the quality of  
68.30 services provided, and only after notifying the chairs of the committees in the senate and  
68.31 house of representatives with jurisdiction over criminal justice policy.

69.1 Sec. 30. Minnesota Statutes 2024, section 244.171, subdivision 4, is amended to read:

69.2 Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions  
69.3 for violating the conditions of the challenge incarceration program. The commissioner shall  
69.4 remove an offender from the challenge incarceration program if the offender:

69.5 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

69.6 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

69.7 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of  
69.8 alcohol or controlled substances. The removal of an offender from the challenge incarceration  
69.9 program is governed by the procedures in the commissioner's ~~rules adopted~~ policy under  
69.10 section 244.05, subdivision 2.

69.11 (b) An offender who is removed from the challenge incarceration program shall be  
69.12 imprisoned for a time period equal to the offender's term of imprisonment, minus earned  
69.13 good time if any, but in no case for longer than the time remaining in the offender's sentence.  
69.14 "Term of imprisonment" means a time period equal to two-thirds of the sentence originally  
69.15 executed by the sentencing court, minus jail credit, if any.

69.16 (c) Notwithstanding paragraph (b), an offender who has been removed from the challenge  
69.17 incarceration program but who remains otherwise eligible for acceptance into the program  
69.18 may be readmitted at the commissioner's discretion. An offender readmitted to the program  
69.19 under this paragraph must participate from the beginning and complete all of the program's  
69.20 phases.

69.21 Sec. 31. Minnesota Statutes 2024, section 244.19, subdivision 1c, is amended to read:

69.22 Subd. 1c. **Community supervision funding; eligibility for funding formula.** (a) A  
69.23 CPO jurisdiction:

69.24 (1) must collaborate with the commissioner to develop a comprehensive plan under  
69.25 section 401.06; and

69.26 (2) is subject to all applicable eligibility provisions under chapter 401 necessary to  
69.27 receive a subsidy under section 401.10.

69.28 (b) A non-CPO jurisdiction is eligible to receive a subsidy under section 401.10 but is  
69.29 not a Community Corrections Act jurisdiction under chapter 401, ~~and~~ Except as provided  
69.30 under section 401.115, the commissioner:

69.31 (1) is appropriated the jurisdiction's share of funding under section 401.10 for providing  
69.32 probation services; and

70.1 (2) may seek reimbursement from the jurisdiction according to subdivision 5a.

70.2 Sec. 32. Minnesota Statutes 2024, section 244.20, is amended to read:

70.3 **244.20 PROBATION; FELONY SUPERVISION.**

70.4 (a) Notwithstanding sections 244.19, subdivisions 1 to 1d, and 609.135, subdivision 1,  
70.5 the Department of Corrections:

70.6 (1) has exclusive responsibility for providing probation services for adult felons in  
70.7 counties and Tribal Nations that do not take part in the Community Corrections Act subsidy  
70.8 program under chapter 401; and

70.9 (2) to provide felony supervision, retains the county's or Tribal Nation's funding allotted  
70.10 under section 401.10 for providing felony probation services.

70.11 (b) Paragraph (a), clause (2), does not apply to a Tribal Nation's subsidy under section  
70.12 401.115.

70.13 Sec. 33. Minnesota Statutes 2024, section 326.338, subdivision 4, is amended to read:

70.14 Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable consideration  
70.15 undertakes any of the following acts is considered to be engaged in the business of protective  
70.16 agent:

70.17 (1) providing guards, private patrol, or other security personnel to protect persons or  
70.18 their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or  
70.19 to prevent the misappropriation or concealment of goods, merchandise, money, or other  
70.20 valuable things, or to procure the return of those things;

70.21 (2) physically responding to any alarm signal device, burglar alarm, television camera,  
70.22 still camera, or a mechanical or electronic device installed or used to prevent or detect  
70.23 burglary, theft, shoplifting, pilferage, losses, or other security measures;

70.24 (3) providing armored car services for the protection of persons or property;

70.25 (4) controlling motor traffic on public streets, roads, and highways for the purpose of  
70.26 escorting a funeral procession and oversized loads;

70.27 (5) providing management and control of crowds for the purpose of safety and protection;  
70.28 or

70.29 (6) providing guards or other security personnel to transport prisoners or any other person  
70.30 arrested on a warrant, except that this does not apply to the transport or escort of offenders

71.1 by staff of the Department of Corrections; the transport of a person by the sheriff of a county  
71.2 to the appropriate adult or juvenile correctional facility as designated by the commissioner  
71.3 of corrections or to and from court in connection with postconviction, habeas corpus, or  
71.4 intrastate mandatory disposition of detainers proceedings; the transfer of a person by  
71.5 emergency medical services personnel; or the transfer of a person by a peace officer as  
71.6 defined in section 626.84, subdivision 1, paragraph (c), or employed by a federal law  
71.7 enforcement agency.

71.8 A person covered by this subdivision may perform the traffic-control duties in clause  
71.9 (4) in place of a police officer when a special permit is required, provided that the protective  
71.10 agent is first-aid qualified.

71.11 Sec. 34. Minnesota Statutes 2024, section 401.01, subdivision 2, is amended to read:

71.12 Subd. 2. **Definitions.** (a) For purposes of this chapter, the terms defined in this subdivision  
71.13 have the meanings given them.

71.14 (b) "CCA jurisdiction" means a county or Tribal Nation that participates in the  
71.15 Community Corrections Act, the subsidy program under this chapter.

71.16 (c) "Commissioner" means the commissioner of corrections or a designee.

71.17 (d) "Conditional release" means:

71.18 (1) parole, supervised release, or conditional release as authorized by section 609.3455,  
71.19 subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota  
71.20 Statutes 2004, section 609.109, subdivision 7;

71.21 (2) work release as authorized by sections 241.26, ~~244.065~~, and 631.425; and

71.22 (3) probation, furlough, and any other authorized temporary release from a correctional  
71.23 facility.

71.24 (e) "Detain" means to take into actual custody, including custody within a local  
71.25 correctional facility.

71.26 (f) "Joint board" means the board under section 471.59.

71.27 (g) "Local advisory board" means:

71.28 (1) for a CCA jurisdiction, a corrections advisory board as defined in section 401.08;

71.29 (2) for a non-CCA jurisdiction other than a Tribal Nation, a human services advisory  
71.30 board as defined in section 402.02, or advisory committee or task force as defined in section  
71.31 402.03; or

72.1 (3) for a Tribal Nation that is a non-CCA jurisdiction, a board with membership as  
72.2 determined by the Tribal Nation.

72.3 (h) "Non-CCA jurisdiction" means a county or Tribal Nation that is not participating in  
72.4 the Community Corrections Act subsidy program and provides or receives probation services  
72.5 according to section 244.19.

72.6 (i) "Probation officer" means a county or Tribal probation officer under a CCA or  
72.7 non-CCA jurisdiction appointed with the powers under section 244.19.

72.8 (j) "Release" means to release from actual custody.

72.9 (k) "Tribal Nation" means a federally recognized Tribal Nation within the boundaries  
72.10 of the state of Minnesota.

72.11 Sec. 35. Minnesota Statutes 2024, section 401.03, is amended to read:

72.12 **401.03 RULEMAKING AUTHORITY; TECHNICAL ASSISTANCE.**

72.13 (a) The commissioner must, as provided in chapter 14, adopt rules to implement this  
72.14 chapter and provide consultation and technical assistance to counties and Tribal Nations to  
72.15 help them develop comprehensive plans, including abbreviated plans.

72.16 (b) The time limit to adopt rules under section 14.125 does not apply.

72.17 Sec. 36. Minnesota Statutes 2024, section 401.06, is amended by adding a subdivision to  
72.18 read:

72.19 Subd. 1a. **Commissioner approval required for allotment.** A Tribal Nation is ineligible  
72.20 for its allotment under section 401.10, subdivision 1, paragraph (e), unless an abbreviated  
72.21 comprehensive plan has been approved by the commissioner. The abbreviated plan must  
72.22 at a minimum describe the community supervision services or reentry services for which  
72.23 the funding will be utilized and provide a budget for those services.

72.24 Sec. 37. Minnesota Statutes 2024, section 401.10, subdivision 1, is amended to read:

72.25 Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,  
72.26 the community supervision subsidy paid to each county, the commissioner for supervision  
72.27 of non-CCA jurisdictions served by the Department of Corrections, and each applicable  
72.28 Tribal Nation ~~under paragraph (e)~~ providing services as a CCA jurisdiction or CPO  
72.29 jurisdiction as defined in section 244.19, subdivision 1a, paragraph (b), equals the sum of:

72.30 (1) a base funding amount equal to \$150,000; and



73.1 (2) a community supervision formula equal to the sum of:

73.2 ~~(i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied~~  
73.3 ~~by the sum of the county's or Tribal Nation's adult felony population, adult supervised~~  
73.4 ~~release and parole populations, and juvenile supervised release and parole populations as~~  
73.5 ~~reported in the most recent probation survey published by the commissioner, multiplied by~~  
73.6 ~~365; and~~

73.7 ~~(ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under~~  
73.8 ~~juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied~~  
73.9 ~~by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile~~  
73.10 ~~populations as reported in the most recent probation survey published by the commissioner,~~  
73.11 ~~multiplied by 365.~~

73.12 (i) for individuals with a felony sentence, the felony per diem rate of \$5.62 shall be  
73.13 multiplied by the average total population over the three most recent years, as reported in  
73.14 the probation surveys published by the commissioner. This population includes the county  
73.15 or Tribal Nation's adult felony population, adult supervised release population, adult parole  
73.16 population, juvenile supervised release population, and parole populations. The resulting  
73.17 amount shall then be multiplied by 365 to calculate the total annual allocation; and

73.18 (ii) for individuals sentenced for a gross misdemeanor, misdemeanor, or under juvenile  
73.19 probation, the felony per diem rate of \$5.62 shall be multiplied by 0.5, and then multiplied  
73.20 by the average total population over the three most recent years, as reported in the probation  
73.21 surveys published by the commissioner. This population includes the county or Tribal  
73.22 Nation's gross misdemeanor population, misdemeanor population, and juvenile probation  
73.23 population. The resulting amount shall then be multiplied by 365 to calculate the total annual  
73.24 allocation.

73.25 (b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or  
73.26 (c), the base funding amount must be shared equally between the jurisdiction and the  
73.27 commissioner for the provision of felony supervision under section 244.20.

73.28 (c) If in any year the total amount appropriated for the purpose of this section is more  
73.29 than or less than the total of base funding plus community supervision formula funding for  
73.30 all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal  
73.31 Nation's base funding plus community supervision formula funding is adjusted by the ratio  
73.32 of amounts appropriated for this purpose divided by the total of base funding plus community  
73.33 supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

~~(e) For each Tribal Nation, a funding amount of \$250,000 is allotted annually to purchase probation services or probation-related services, including contracted services, but a Tribal Nation that becomes a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under paragraphs (a) to (e) and:~~

~~(1) has the Tribal Nation's funding amount of \$250,000 transferred to the total community supervision subsidy amount appropriated for the purposes of this section; and~~

~~(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under paragraph (a), clause (2).~~

~~(f)~~ (e) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

Sec. 38. Minnesota Statutes 2024, section 401.10, is amended by adding a subdivision to read:

Subd. 1a. **Interstate Transfer Unit.** Prior to disbursing the community supervision subsidy in subdivision 1, the commissioner shall prorate the cost of the Interstate Transfer Unit based upon the county's share of the probation population as reported in the most recent probation survey and deduct that amount from the county's subsidy.

Sec. 39. Minnesota Statutes 2024, section 401.10, subdivision 4, is amended to read:

Subd. 4. **Report.** ~~(a)~~ By January 15, 2025, and every odd year thereafter, the commissioner must submit a report to the chairs and ranking minority members of the

75.1 legislative committees and divisions with jurisdiction over public safety finance and policy.

75.2 At a minimum, the report must summarize and contain the following data:

75.3 (1) the commissioner's most recent workload study under section 401.17, subdivision  
75.4 4; and

75.5 ~~(2) the commissioner's collected caseload data under section 244.21, subdivision 1; and~~

75.6 ~~(3)~~ (2) projected growth in the community supervision formula calculated by analyzing  
75.7 ~~caseload~~ supervision population trends and data.

75.8 ~~(b) The report may be made in conjunction with reporting under section 244.21.~~

75.9 Sec. 40. Minnesota Statutes 2024, section 401.11, subdivision 1, is amended to read:

75.10 Subdivision 1. **Policy items.** (a) Except for an abbreviated comprehensive plan submitted  
75.11 under section 401.115, a comprehensive plan submitted to the commissioner for approval  
75.12 under section 401.06 must include items prescribed by commissioner policy and may include  
75.13 the following:

75.14 (1) the manner in which presentence and postsentence investigations and reports for the  
75.15 district courts and social history reports for the juvenile courts will be made;

75.16 (2) the manner in which conditional release services to the courts and persons under  
75.17 jurisdiction of the commissioner will be provided;

75.18 (3) a program for detaining, supervising, and treating persons under pretrial detention  
75.19 or under commitment;

75.20 (4) delivery of other correctional services;

75.21 (5) proposals for new programs, which proposals must demonstrate a need for the  
75.22 program, and the program's purpose, objective, administrative structure, staffing pattern,  
75.23 staff training, financing, evaluation process, degree of community involvement, client  
75.24 participation, and duration;

75.25 (6) descriptions of programs that adhere to best practices for assessing risk and using  
75.26 interventions that address an individual's needs while tailoring supervision and interventions  
75.27 by using risk, need, and responsivity principles; and

75.28 (7) data on expenditures, costs, and programming results and outcomes for individuals  
75.29 under community supervision.

75.30 (b) The commissioner must develop in policy budgetary requirements for comprehensive  
75.31 plans to ensure the efficient and accountable expenditure of a county's or Tribal Nation's

76.1 subsidy for correctional services and programming to produce successful community  
76.2 supervision outcomes.

76.3 Sec. 41. **[401.115] NONPARTICIPATING TRIBAL NATIONS.**

76.4 Subdivision 1. **Subsidy amount.** A Tribal Nation electing not to provide services as a  
76.5 CCA jurisdiction or a CPO jurisdiction under section 244.19, subdivision 1a, paragraph (b),  
76.6 is eligible for a subsidy of \$250,000 annually to purchase or provide community supervision  
76.7 services or reentry services, including contracted services.

76.8 Subd. 2. **Eligibility for subsidy.** A Tribal Nation is eligible to receive funding under  
76.9 subdivision 1 upon submission and approval by the commissioner of an abbreviated  
76.10 comprehensive plan. Section 401.08 does not apply. The abbreviated plan must comply  
76.11 with commissioner-developed standards, and at minimum:

76.12 (1) describe the community supervision services or reentry services for which the funding  
76.13 will be utilized;

76.14 (2) identify a steering committee to oversee the use of funds; and

76.15 (3) provide a budget for those services.

76.16 Once approved, the abbreviated comprehensive plan is valid for two years.

76.17 Subd. 3. **Paying subsidy.** A Tribal Nation receiving the subsidy under subdivision 1  
76.18 must be paid according to section 401.14.

76.19 Subd. 4. **Eligibility for community supervision funding formula.** A Tribal Nation  
76.20 electing to become a CCA jurisdiction or a non-CCA jurisdiction under section 244.19,  
76.21 subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under section 401.10,  
76.22 subdivision 1, paragraphs (a) to (c), and:

76.23 (1) has the Tribal Nation's funding amount under subdivision 1 transferred to the  
76.24 community supervision formula amount appropriated for the purpose of section 401.10;

76.25 (2) is allotted a base funding amount equal to \$150,000 plus an amount as determined  
76.26 according to the community supervision formula under section 401.10, subdivision 1,  
76.27 paragraph (a), clause (2); and

76.28 (3) is subject to all requirements relating to providing correctional services in section  
76.29 244.19 and chapter 401.

77.1 Sec. 42. Minnesota Statutes 2024, section 401.12, subdivision 2, is amended to read:

77.2 Subd. 2. **Not expending full subsidy amount.** If a county or Tribal Nation is unable to  
77.3 expend the full amount of the subsidy or allotment to which it would be entitled in the first  
77.4 year of a biennium, the commissioner must:

77.5 (1) retain the surplus; and

77.6 (2) disburse the surplus in the second year of the biennium if the county or Tribal Nation  
77.7 can demonstrate a need for and ability to expend the surplus.

77.8 Sec. 43. Minnesota Statutes 2024, section 401.14, subdivision 1, is amended to read:

77.9 Subdivision 1. **Payment.** After a county or Tribal Nation becomes compliant with the  
77.10 prerequisites for receiving the subsidy or allotment under section 401.10 and the  
77.11 commissioner approves the applicable comprehensive plan, the commissioner must determine  
77.12 whether funds exist to pay the subsidy or allotment and proceed to pay it in accordance with  
77.13 applicable law.

77.14 Sec. 44. Minnesota Statutes 2024, section 401.17, subdivision 1, is amended to read:

77.15 Subdivision 1. **Establishment; members.** (a) The commissioner must establish a  
77.16 Community Supervision Advisory Committee to develop and make recommendations to  
77.17 the commissioner on standards for probation, supervised release, and community supervision.  
77.18 The committee consists of 19 members as follows:

77.19 (1) two directors appointed by the Minnesota Association of Community Corrections  
77.20 Act Counties;

77.21 (2) two probation directors appointed by the Minnesota Association of County Probation  
77.22 Officers;

77.23 (3) three county commissioner representatives appointed by the Association of Minnesota  
77.24 Counties;

77.25 (4) two behavioral health, treatment, or programming providers who work directly with  
77.26 individuals on correctional supervision, one appointed by the Department of Human Services  
77.27 and one appointed by the Minnesota Association of County Social Service Administrators;

77.28 (5) two representatives appointed by the Minnesota Indian Affairs Council;

77.29 (6) two commissioner-appointed representatives from the Department of Corrections;

77.30 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

(8) three individuals ~~who have been supervised, either individually or collectively, under each of the state's three community supervision delivery systems~~ with varied experiences in community supervision, reflecting the diversity of the state's supervision frameworks as well as demographic and geographic diversity appointed by the commissioner in consultation with the Minnesota Association of County Probation Officers and the Minnesota Association of Community Corrections Act Counties;

(9) an advocate for victims of crime appointed by the commissioner; ~~and~~

(10) a representative from a community-based research ~~and~~ or advocacy entity appointed by the commissioner;

(11) two judicial representatives, one from the seven-county metropolitan area and one from greater Minnesota, appointed by the Minnesota Judicial Council;

(12) one prosecutor appointed by the Minnesota County Attorneys Association; and

(13) one defense attorney appointed by the Minnesota State Public Defender.

(b) When an appointing authority selects an individual for membership on the committee, the authority must make reasonable efforts to reflect geographic diversity and to appoint qualified members of protected groups, as defined under section 43A.02, subdivision 33.

(c) Chapter 15 applies to the extent consistent with this section.

(d) The commissioner must convene the first meeting of the committee on or before October 1, 2023.

Sec. 45. Minnesota Statutes 2024, section 401.17, subdivision 5, is amended to read:

Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in consultation with the Minnesota Counties Computer Cooperative, must create a method to

(1) standardize data classifications across the three community supervision systems, and

(2) collect data for the commissioner to publish in an annual report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy.

(b) The advisory committee's method, at a minimum, must provide for collecting the following data:

(1) the number of individuals sentenced to supervision each year;

(2) the offense levels, offense types, and assessed risk levels for which individuals are sentenced to supervision;

(3) violation and revocation rates and the identified grounds for the violations and revocations, including final disposition of the violation action such as execution of the sentence, imposition of new conditions, or a custodial sanction;

(4) the number of individuals granted early discharge from probation;

(5) the number of individuals restructured on supervision, including imposition of new conditions of release; and

(6) the number of individuals revoked from supervision and the identified grounds for revocation.

(c) Beginning ~~January 15~~ May 1, 2025, as part of the report under section ~~241.21~~ 244.21, subdivision 2, the commissioner must include data collected under the committee method established under this subdivision. The commissioner must analyze the collected data by race, gender, and county, including Tribal Nations.

(d) Nothing in this section overrides the commissioner's authority to require additional data be provided under other law.

Sec. 46. Minnesota Statutes 2024, section 609.105, subdivision 2, is amended to read:

Subd. 2. **Place of confinement.** (a) The commissioner of corrections shall determine the place of confinement in a prison, reformatory, or other facility of the Department of Corrections established by law for the confinement of convicted persons and prescribe reasonable conditions and rules for their employment, conduct, instruction, and discipline within or without the facility. When the remaining term of imprisonment for a convicted person upon commitment is 90 days or less, the commissioner of corrections may contract with a county for placement of the person in a county jail or detention center for the remainder of the person's term.

(b) A commissioner determination, prescription, or policy rule under this section is not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter 14, including section 14.386.

Sec. 47. Minnesota Statutes 2024, section 609.495, subdivision 1, is amended to read:

Subdivision 1. **Definition of crime.** (a) Whoever harbors, conceals, aids, or assists by word or acts another whom the actor knows or has reason to know has committed a crime under the laws of this or another state or of the United States with intent that such offender shall avoid or escape from arrest, trial, conviction, or punishment, may be sentenced to

80.1 imprisonment for not more than three years or to payment of a fine of not more than \$5,000,  
80.2 or both if the crime committed or attempted by the other person is a felony.

80.3 (b) Whoever knowingly harbors, conceals, or aids a person who is on probation, parole,  
80.4 or supervised release because of a felony level conviction and for whom an arrest and  
80.5 detention order has been issued, with intent that the person evade or escape being taken into  
80.6 custody under the order, may be sentenced to imprisonment for not more than three years  
80.7 or to payment of a fine of not more than \$5,000, or both. As used in this paragraph, "arrest  
80.8 and detention order" means a written order to take and detain a probationer, parolee, or  
80.9 supervised releasee that is issued under section ~~243.05, subdivision 1; 244.195~~ 243.051;  
80.10 244.1951; or 401.025.

80.11 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
80.12 committed on or after that date.

80.13 Sec. 48. Laws 2023, chapter 52, article 11, section 31, is amended to read:

80.14 Sec. 31. **MENTAL HEALTH UNIT PILOT PROGRAM.**

80.15 (a) The commissioner of corrections shall establish a pilot program with interested  
80.16 counties to provide mental health care to individuals with serious and persistent mental  
80.17 illness who are incarcerated in county jails. The pilot program must require the participating  
80.18 counties to pay according to Minnesota Statutes, section 243.51, a per diem for  
80.19 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park  
80.20 Heights, and other costs incurred by the Department of Corrections.

80.21 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall  
80.22 develop program protocols, guidelines, and procedures and qualifications for participating  
80.23 counties and incarcerated individuals to be treated in the Mental Health Unit. The program  
80.24 is limited to a total of five incarcerated individuals from the participating counties at any  
80.25 one time. Incarcerated individuals must ~~volunteer to be treated in the unit and~~ be able to  
80.26 participate in programming with other incarcerated individuals. A licensed mental health  
80.27 professional must evaluate the incarcerated individual and recommend the individual to  
80.28 receive treatment in the unit.

80.29 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of  
80.30 psychology, and associate director of behavioral health, or a designee of each, in consultation  
80.31 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association  
80.32 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.



~~(d) On November 15, 2024, the warden shall submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over corrections describing the protocols, guidelines, and procedures for participation in the pilot program by counties and incarcerated individuals, challenges with staffing, cost sharing with counties, capacity of the program, services provided to the incarcerated individuals, program outcomes, concerns regarding the program, and recommendations for the viability of a long-term program.~~

~~(e)~~ (d) The pilot program expires ~~November 16, 2024~~ August 1, 2027.

Sec. 49. **REPEALER.**

(a) Minnesota Statutes 2024, sections 243.58; 244.065, subdivision 1; 253.21; and 253.23, are repealed.

(b) Minnesota Rules, parts 2940.0100, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, and 34; 2940.0200; 2940.0300; 2940.0400; 2940.0500; 2940.0600; 2940.0700; 2940.0800; 2940.0900; 2940.1000; 2940.1100; 2940.1200; 2940.1300; 2940.1400; 2940.1500; 2940.1600; 2940.1700; 2940.1800; 2940.1900; 2940.2000; 2940.2100; 2940.2200; 2940.2300; 2940.2400; 2940.2500; 2940.2600; 2940.2700; 2940.2800; 2940.2900; 2940.3000; 2940.3100; 2940.3200; 2940.3300; 2940.3400; 2940.3500; 2940.3600; 2940.3700; 2940.3800; 2940.3900; 2940.4000; 2940.4100; 2940.4200; 2940.4300; 2940.4400; 2940.4500; and 2940.5700, are repealed.

**ARTICLE 6**

**CORRECTIONAL LICENSING PROVISIONS**

Section 1. **[241.011] LICENSING AND INSPECTING LOCAL CORRECTIONAL FACILITIES.**

Subdivision 1. **Scope.** Unless otherwise provided by law, sections 241.011 to 241.013 apply to local correctional facilities licensed by the commissioner of corrections.

Subd. 2. **Definitions.** (a) For purposes of sections 241.011 to 241.021, the terms defined in this subdivision have the meanings given.

(b) "Commissioner" means the commissioner of corrections.

(c) "Critical incident" has the meaning given in Minnesota Rules, part 2960.0020, subpart 24.

- 82.1 (d) "Department" means the Department of Corrections.
- 82.2 (e) "Facility administrator" means the officer in charge of a local correctional facility.
- 82.3 (f) "Local correctional facility" means:
- 82.4 (1) for a facility licensed to detain or house primarily adults, a facility with the primary
- 82.5 purpose of serving individuals placed in the facility by:
- 82.6 (i) a court;
- 82.7 (ii) a court services department;
- 82.8 (iii) a parole authority; or
- 82.9 (iv) another correctional agency having dispositional power over individuals charged
- 82.10 with, convicted, or adjudicated guilty or delinquent; and
- 82.11 (2) for a facility licensed to detain or serve juveniles, a facility, including a group home
- 82.12 having a residential component, serving juveniles for the primary purpose of:
- 82.13 (i) residential care and treatment;
- 82.14 (ii) detention; or
- 82.15 (iii) foster care services for children in need of out-of-home placement.
- 82.16 (g) "State correctional facility" means a correctional facility under the commissioner's
- 82.17 control.
- 82.18 Subd. 3. **Local correctional facilities; inspection and licensing.** (a) The commissioner
- 82.19 must inspect and license all local correctional facilities throughout the state established and
- 82.20 operated:
- 82.21 (1) for detaining, confining, or housing individuals confined or incarcerated in the
- 82.22 facilities; or
- 82.23 (2) consistent with section 241.013, subdivision 3, paragraph (a), for detaining or serving
- 82.24 juveniles placed in the facilities by a correctional or noncorrectional agency.
- 82.25 (b) No individual, corporation, partnership, voluntary association, or other private
- 82.26 organization legally responsible for operating a local correctional facility may operate the
- 82.27 facility unless it has an active license from the commissioner. Private local correctional
- 82.28 facilities have the authority of section 624.714, subdivision 13, if the commissioner licenses
- 82.29 the facility with the authority and the facility meets the requirements of section 243.52.

83.1 (c) The department's inspection unit must report directly to a division head outside of  
83.2 the correctional institutions division.

83.3 **Subd. 4. Inspecting facilities for compliance; publishing inspection reports.** (a)  
83.4 Unless the commissioner determines otherwise, the commissioner must inspect all local  
83.5 correctional facilities at least once every two years to determine compliance with the  
83.6 minimum standards established according to sections 241.011 to 241.013 or any other law  
83.7 related to minimum standards and conditions of confinement.

83.8 (b) The commissioner must have access to the facility's buildings, grounds, books,  
83.9 records, and staff and to individuals confined, incarcerated, or housed in or served by local  
83.10 correctional facilities. The commissioner may require facility administrators to furnish all  
83.11 information and statistics that the commissioner deems necessary at a time and place  
83.12 designated by the commissioner.

83.13 (c) The commissioner must post each facility inspection report publicly on the  
83.14 department's website within 30 days after completing an inspection.

83.15 **Subd. 5. Granting license; expiration.** (a) The commissioner must grant a license for  
83.16 up to two years to:

83.17 (1) any facility found to conform to minimum standards; or

83.18 (2) any facility that the commissioner determines is making satisfactory progress toward  
83.19 substantial conformity and any minimum standards not being met do not impact the interests  
83.20 and well-being of the individuals confined, incarcerated, or housed in or served by the  
83.21 facility.

83.22 (b) A limited license may be issued to effectuate a facility closure.

83.23 (c) Unless otherwise provided by law, all licenses issued under sections 241.011 to  
83.24 241.013 expire 12:01 a.m. on the day after the expiration date stated on the license.

83.25 **Subd. 6. Providing and accessing facility data.** (a) The commissioner may require that  
83.26 any information under sections 241.011 to 241.013 be provided through the department's  
83.27 detention information system.

83.28 (b) Notwithstanding chapter 13 or any other state law classifying or restricting access  
83.29 to data, a facility administrator must furnish to the commissioner all data available to a local  
83.30 correctional facility that the commissioner deems necessary for reviewing any critical  
83.31 incident or emergency or unusual occurrence at the facility.

84.1 (c) The commissioner may take action against a facility's license according to section  
84.2 241.012 if a facility administrator fails to provide or grant access to relevant information  
84.3 or statistics requested by the commissioner that are necessary to conduct or complete any  
84.4 of the following:

84.5 (1) inspections;

84.6 (2) reviews of emergency or unusual occurrences; or

84.7 (3) reviews of critical incidents.

84.8 **Subd. 7. Reporting; deaths, emergencies or unusual occurrences, and critical**  
84.9 **incidents. (a) A facility administrator must report to the commissioner when:**

84.10 (1) an individual detained, confined, or housed in the facility dies at the facility; or

84.11 (2) an individual dies while receiving medical care stemming from an incident or need  
84.12 for medical care at the facility that occurred while the individual was detained, confined,  
84.13 or housed in the facility.

84.14 (b) Paragraph (a), clause (2), applies regardless of whether:

84.15 (1) the individual was considered detained in the facility while receiving the medical  
84.16 care; or

84.17 (2) for a facility that is not a jail, the individual was subject to the facility's authority  
84.18 while receiving the medical care.

84.19 (c) A facility administrator must report a death under this subdivision as soon as  
84.20 practicable, but no later than 24 hours of receiving knowledge of the death, and must include  
84.21 any demographic information required by the commissioner.

84.22 (d) Except for deaths under paragraphs (a) to (c), all facility administrators must report  
84.23 all critical incidents or, as defined by rule, emergency or unusual occurrences, to the  
84.24 commissioner within ten days of the incident or occurrence, including any demographic  
84.25 information required by the commissioner. For a local adult correctional facility, the facility  
84.26 administrator must report uses of force by facility staff that result in substantial bodily harm  
84.27 or suicide attempts.

84.28 (e) The commissioner must consult with the Minnesota Sheriffs' Association and a  
84.29 representative from the Minnesota Association of Community Corrections Act Counties  
84.30 who is responsible for operating a local adult correctional facility to define, for reporting  
84.31 under statute or rule, use of force that results in substantial bodily harm.

85.1 Subd. 8. **Death review teams.** (a) If a local correctional facility receives information of  
85.2 the death of an individual who died under the circumstances described in subdivision 7,  
85.3 paragraph (a), the following individuals must, within 90 days of the death, review the  
85.4 circumstances of the death and assess for preventable mortality and morbidity, including  
85.5 recommending policy or procedure change:

85.6 (1) the facility administrator;

85.7 (2) a medical expert of the facility's choosing who did not provide medical services to  
85.8 the individual and who is licensed as a physician or physician assistant by the Board of  
85.9 Medical Practice under chapter 147 or 147A; and

85.10 (3) if appropriate, a mental health expert.

85.11 (b) The investigating law enforcement agency may provide documentation, participate  
85.12 in, or provide documentation and participate in the review if criminal charges are not brought.  
85.13 A preliminary autopsy report must be provided as part of the review and any subsequent  
85.14 autopsy findings as available.

85.15 (c) The facility administrator must provide notice to the commissioner via the  
85.16 department's detention information system that the facility has conducted a review and  
85.17 identify any recommendations for changes in policy, procedure, or training that will be  
85.18 implemented.

85.19 (d) Any report or other documentation created for purposes of a facility death review is  
85.20 confidential data on individuals, as defined in section 13.02, subdivision 3. Nothing in this  
85.21 section relieves the facility administrator from complying with the notice of death to the  
85.22 commissioner required under subdivision 7.

85.23 Subd. 9. **Rulemaking.** (a) The commissioner must adopt rules establishing minimum  
85.24 standards for local adult and juvenile correctional facilities for their management, operation,  
85.25 and physical condition and the security, safety, health, treatment, and discipline of individuals  
85.26 confined, incarcerated, or housed in or served by the facilities. The minimum standards for  
85.27 local adult correctional facilities must include but are not limited to specific guidance  
85.28 pertaining to:

85.29 (1) screening, appraisal, assessment, and treatment for confined or incarcerated individuals  
85.30 with mental illness or substance use disorders;

85.31 (2) a policy on the involuntary administration of medications;

85.32 (3) suicide prevention plans and training;

- 86.1 (4) verification of medications in a timely manner;
- 86.2 (5) well-being checks;
- 86.3 (6) discharge planning, including providing prescribed medications to individuals
- 86.4 confined or incarcerated in correctional facilities upon release;
- 86.5 (7) a policy on referrals or transfers to medical or mental health care in a noncorrectional
- 86.6 institution;
- 86.7 (8) use of segregation and mental health checks;
- 86.8 (9) critical incident debriefings;
- 86.9 (10) clinical management of substance use disorders and opioid overdose emergency
- 86.10 procedures;
- 86.11 (11) a policy regarding identification of confined or incarcerated individuals with special
- 86.12 needs;
- 86.13 (12) a policy regarding the use of telehealth;
- 86.14 (13) self-auditing of compliance with minimum standards;
- 86.15 (14) information sharing with medical personnel and when medical assessment must be
- 86.16 facilitated;
- 86.17 (15) a code of conduct policy for facility staff and annual training;
- 86.18 (16) a policy on reviewing all circumstances surrounding the death of an individual
- 86.19 detained, confined, or housed in the facility; and
- 86.20 (17) dissemination of a rights statement made available to confined or incarcerated
- 86.21 individuals.
- 86.22 (b) Nothing in this section limits the commissioner's authority to adopt rules establishing
- 86.23 standards of eligibility for counties to receive funds under chapter 401 or to require counties
- 86.24 to comply with operating standards that the commissioner establishes as a condition precedent
- 86.25 for counties to receive the funding.
- 86.26 (c) The time limit to adopt rules under section 14.125 does not apply to amendments to
- 86.27 rule chapters in effect on the effective date of this section.

87.1       Sec. 2. **[241.012] LICENSING ACTIONS AGAINST LOCAL CORRECTIONAL**  
87.2 **FACILITIES.**

87.3       Subdivision 1. **Correction order; conditional license.** (a) For any local correctional  
87.4 facility, the commissioner must:

87.5       (1) promptly notify the facility administrator and the facility's governing board of a  
87.6 deficiency if the commissioner finds that:

87.7       (i) the facility does not substantially conform to the minimum standards established by  
87.8 the commissioner and is not making satisfactory progress toward substantial conformance;  
87.9 and

87.10       (ii) the nonconformance does not present an imminent risk of life-threatening harm or  
87.11 serious physical injury to the individuals confined, incarcerated, or housed in or served by  
87.12 the facility; and

87.13       (2) issue a correction order or a conditional license order requiring that the deficiency  
87.14 be remedied within a reasonable and specified period.

87.15       (b) A conditional license order may restrict the use of any facility that does not  
87.16 substantially conform to minimum standards, including by:

87.17       (1) imposing conditions limiting operation of the facility or parts of the facility;

87.18       (2) reducing facility capacity;

87.19       (3) limiting intake;

87.20       (4) limiting length of detention or placement for individuals; or

87.21       (5) imposing detention or placement limitations based on the needs of the confined,  
87.22 incarcerated, or housed individuals or individuals served by the facility.

87.23       (c) A correction order or conditional license order must clearly state the following:

87.24       (1) the specific minimum standards violated, noting the implicated rule or statute;

87.25       (2) the findings that constitute a violation of minimum standards;

87.26       (3) the corrective action needed;

87.27       (4) the time allowed to correct each violation; and

87.28       (5) if a license is made conditional:

87.29       (i) the length and terms of the conditional license;

87.30       (ii) any conditions limiting operation of the facility or parts of the facility; and

88.1 (iii) the reasons for making the license conditional.

88.2 (d) Nothing in this section prohibits the commissioner from ordering a revocation under  
88.3 subdivision 3 before issuing a correction order or conditional license order.

88.4 Subd. 2. **Requesting review of conditional license order.** (a) A facility administrator  
88.5 may request that the commissioner review the findings in a conditional license order under  
88.6 subdivision 1 on the grounds that satisfactory progress toward substantial compliance with  
88.7 minimum standards has been made, supported by evidence of correction. If appropriate, the  
88.8 request may include a written schedule for compliance.

88.9 (b) Within ten business days of receiving a request, the commissioner must review the  
88.10 evidence of correction and the progress made toward substantial compliance with minimum  
88.11 standards.

88.12 (c) When the commissioner has assurance that satisfactory progress toward substantial  
88.13 compliance with minimum standards is being made, the commissioner must:

88.14 (1) modify or lift any conditions limiting operation of the facility or parts of the facility;  
88.15 or

88.16 (2) remove the conditional license order.

88.17 Subd. 3. **License revocation order.** (a) After due notice to a facility administrator of  
88.18 the commissioner's intent to issue a revocation order, the commissioner may issue an order  
88.19 revoking a facility's license if the commissioner finds that:

88.20 (1) the facility does not conform to minimum standards or is not making satisfactory  
88.21 progress toward substantial compliance with minimum standards; and

88.22 (2) the nonconformance does not present an imminent risk of life-threatening harm or  
88.23 serious physical injury to the individuals confined, incarcerated, or housed in or served by  
88.24 the facility.

88.25 (b) The notice of intent to issue a revocation order must include:

88.26 (1) the citation to minimum standards that have been violated;

88.27 (2) the nature and severity of each violation;

88.28 (3) whether the violation is recurring or nonrecurring;

88.29 (4) the effect of the violation on individuals confined, incarcerated, or housed in or  
88.30 served by the facility;



- 89.1 (5) an evaluation of the risk of harm to individuals confined, incarcerated, or housed in  
89.2 or served by the facility; and
- 89.3 (6) relevant facts, conditions, and circumstances on the facility's operation, including at  
89.4 a minimum:
- 89.5 (i) specific facility deficiencies that endanger the health or safety of individuals confined,  
89.6 incarcerated, or housed in or served by the facility;
- 89.7 (ii) substantiated complaints relating to the facility; or
- 89.8 (iii) any other evidence that the facility is not in compliance with minimum standards.
- 89.9 (c) Within 30 days of receiving a notice under paragraph (b), the facility administrator  
89.10 must submit a written response with:
- 89.11 (1) any information related to errors in the notice and the facility's ability to conform to  
89.12 minimum standards within a set period, including but not limited to a written schedule for  
89.13 compliance and any other information that the facility administrator deems relevant for the  
89.14 commissioner's consideration; and
- 89.15 (2) a written plan:
- 89.16 (i) indicating how the facility will ensure the transfer of confined, incarcerated, or housed  
89.17 individuals, or individuals served by the facility, and records if the facility closes; and
- 89.18 (ii) specifying arrangements that the facility will make to transfer confined, incarcerated,  
89.19 or housed individuals, or individuals served by the facility, to another licensed local  
89.20 correctional facility for continuation of detention.
- 89.21 (d) When revoking a license, the commissioner must consider:
- 89.22 (1) the nature, chronicity, or severity of the statute or rule violation; and
- 89.23 (2) the effect of the violation on the health, safety, or rights of individuals confined,  
89.24 incarcerated, or housed in or served by the facility.
- 89.25 (e) The commissioner must issue a revocation order if the facility administrator does  
89.26 not respond within 30 days to the notice or if the commissioner does not have assurance  
89.27 that satisfactory progress toward substantial compliance with minimum standards will be  
89.28 made. The revocation order must be sent to the facility administrator and the facility's  
89.29 governing board, clearly stating:
- 89.30 (1) the specific minimum standards violated, noting the implicated rule or statute;

90.1 (2) the findings that constitute a violation of minimum standards and the nature,  
90.2 chronicity, or severity of the violations;

90.3 (3) the corrective action needed;

90.4 (4) any prior correction or conditional license order issued to correct a violation; and

90.5 (5) the date at which the license revocation will occur.

90.6 (f) A revocation order may authorize facility use until a certain date, not to exceed the  
90.7 duration of the active license:

90.8 (1) unless a limited license is issued by the commissioner to effectuate a facility closure;  
90.9 and

90.10 (2) if continued operation does not present an imminent risk of life-threatening harm or  
90.11 is not likely to result in serious physical injury to the individuals confined, incarcerated, or  
90.12 housed in or served by the facility.

90.13 (g) After a facility's license is revoked, the facility must not be used until the license is  
90.14 reinstated. When the commissioner is assured that satisfactory progress toward substantial  
90.15 compliance with minimum standards is being made, the commissioner may, at the request  
90.16 of the facility administrator supported by a written schedule for compliance, reinstate the  
90.17 license.

90.18 Subd. 4. **Reconsideration orders.** (a) If a facility administrator believes that a correction  
90.19 order, conditional license order, or revocation order is in error, the facility administrator  
90.20 may ask the commissioner to reconsider the parts of the order or the action that is alleged  
90.21 to be in error. The request for reconsideration must:

90.22 (1) be made in writing;

90.23 (2) be postmarked and sent to the commissioner within 30 calendar days after receiving  
90.24 the order;

90.25 (3) specify the parts of the order or the action that is alleged to be in error;

90.26 (4) explain why the order or action is in error; and

90.27 (5) include documentation to support the allegation of error.

90.28 (b) The commissioner must issue a disposition within 60 days of receiving the facility  
90.29 administrator's response under paragraph (a). A request for reconsideration does not stay  
90.30 any provisions or requirements of the order.

91.1 Subd. 5. **Temporary immediate license suspension.** (a) The commissioner must act  
91.2 immediately to temporarily suspend a license issued under sections 241.011 to 241.013 if:

91.3 (1) the facility's failure to comply with applicable minimum standards or the conditions  
91.4 in the facility pose an imminent risk of life-threatening harm or serious physical injury to  
91.5 individuals confined, incarcerated, or housed in or served by the facility; staff; law  
91.6 enforcement; visitors; or the public and:

91.7 (i) if the imminent risk of life-threatening harm or serious physical injury cannot be  
91.8 promptly corrected through a different type of order under this section; and

91.9 (ii) the facility cannot or has not corrected the violation giving rise to the imminent risk  
91.10 of life-threatening harm or serious physical injury; or

91.11 (2) while the facility continues to operate pending due notice and opportunity for written  
91.12 response to the commissioner's notice of intent to issue a revocation order under subdivision  
91.13 3, the commissioner identifies one or more subsequent violations of minimum standards  
91.14 that may adversely affect the health or safety of individuals confined, incarcerated, or housed  
91.15 in or served by the facility; staff; law enforcement; visitors; or the public.

91.16 (b) A notice stating the reasons for the temporary immediate suspension must be delivered  
91.17 by personal service to the facility administrator and the facility's governing board.

91.18 (c) A facility administrator and the facility's governing board must discontinue operating  
91.19 the facility upon receiving the commissioner's order to immediately suspend the license.

91.20 Subd. 6. **Requesting reconsideration of temporary immediate suspension.** (a) A  
91.21 facility administrator may request reconsideration of an order immediately suspending a  
91.22 license. The request for reconsideration must be made in writing and sent by certified mail  
91.23 or personal service as follows:

91.24 (1) if mailed, the request for reconsideration must be postmarked and sent to the  
91.25 commissioner within five business days after the facility administrator receives notice that  
91.26 the license has been immediately suspended; and

91.27 (2) if a request is made by personal service, the request must be received by the  
91.28 commissioner within five business days after the facility administrator received the order.

91.29 (b) The request for reconsideration must:

91.30 (1) specify the parts of the order that are alleged to be in error;

91.31 (2) explain why they are in error; and

91.32 (3) include documentation to support the allegation of error.

92.1 (c) Within five business days of receiving the facility administrator's timely request for  
92.2 reconsideration, the commissioner must review the request. For a review under subdivision  
92.3 5, paragraph (a), clause (2), the review must be limited solely to whether the temporary  
92.4 immediate suspension order should remain in effect pending the written response to the  
92.5 commissioner's notice of intent to issue a revocation order.

92.6 Subd. 7. **Appealing commissioner's reconsideration request.** (a) The commissioner's  
92.7 disposition of a request for reconsideration of a correction, conditional license, temporary  
92.8 immediate suspension, or revocation order is final and subject to appeal. Before a facility  
92.9 administrator may request an appeal under paragraph (b), the facility administrator must  
92.10 request reconsideration according to this section of any correction, conditional license,  
92.11 temporary immediate suspension, or revocation order.

92.12 (b) Within 60 days after the postmark date of the mailed notice of the commissioner's  
92.13 decision on a request for reconsideration, the facility administrator may appeal the decision  
92.14 by filing for a writ of certiorari with the court of appeals under section 606.01 and Minnesota  
92.15 Rules of Civil Appellate Procedure, Rule 115.

92.16 Subd. 8. **Public notice of restriction, revocation, or suspension.** If a facility's license  
92.17 is revoked or suspended under this section, if a facility's use is restricted for any reason  
92.18 under a conditional license order, or if a correction order is issued to a facility, the  
92.19 commissioner must publicly post the following on the department's website:

92.20 (1) the facility name;

92.21 (2) the status of the facility's license; and

92.22 (3) the reason for the correction order, restriction, revocation, or suspension.

92.23 Sec. 3. **[241.013] LICENSING AND INSPECTING LOCAL JUVENILE**  
92.24 **CORRECTIONAL FACILITIES.**

92.25 Subdivision 1. **Scope.** This section applies to local juvenile correctional facilities licensed  
92.26 by the commissioner of corrections to detain or serve juveniles.

92.27 Subd. 2. **Applicability.** Unless otherwise provided under section 241.011 or by any  
92.28 other law, section 241.011 applies to local juvenile correctional facilities.

92.29 Subd. 3. **Facilities for children and youth; inspection and licensing.** (a)  
92.30 Notwithstanding any provisions in sections 245A.03; 245A.04; and 256.01, subdivision 2,  
92.31 paragraph (a), clause (2); and chapter 245C to the contrary, the commissioner must inspect

93.1 all local juvenile correctional facilities under section 241.011, subdivision 3, except as  
93.2 provided under paragraph (c).

93.3 (b) The commissioner must grant a license for up to two years to a county, municipality,  
93.4 or facility:

93.5 (1) according to section 241.011, subdivision 5; and

93.6 (2) if the commissioner is satisfied that the interests and well-being of children and youth  
93.7 are protected.

93.8 (c) For local juvenile correctional facilities licensed by the commissioner of human  
93.9 services, the commissioner of corrections may inspect and certify programs based on  
93.10 certification standards under Minnesota Rules. For purposes of this paragraph, "certification"  
93.11 has the meaning given in section 245A.02.

93.12 Subd. 4. **Commissioner consultation.** Each facility must receive consultation from the  
93.13 commissioner as needed to strengthen services to children and youth.

93.14 Subd. 5. **Affected municipality; notice.** (a) The commissioner must not grant a license  
93.15 without giving 30 calendar days' written notice to any affected municipality or other political  
93.16 subdivision unless the facility:

93.17 (1) has a licensed capacity of six or fewer individuals; and

93.18 (2) is occupied by either the licensee or a group foster home parent.

93.19 (b) The notification must be given before the license is first granted and annually  
93.20 thereafter if annual notification is requested in writing by the affected municipality or other  
93.21 political subdivision.

93.22 (c) State funds must not be made available to or be spent by an agency or department  
93.23 of state, county, or municipal government for payment to a foster care facility licensed under  
93.24 this section until this subdivision has been complied with.

93.25 Subd. 6. **Licensing with juveniles from outside state.** The commissioner must not issue  
93.26 or renew a license to a facility under this section to operate a local juvenile correctional  
93.27 facility if:

93.28 (1) the facility accepts juveniles who reside outside Minnesota; and

93.29 (2) there is no agreement with the entity placing the juvenile at the facility that obligates  
93.30 the entity to pay the juvenile's educational expenses.

94.1 Subd. 7. **Licensing actions.** The licensing actions under section 241.012 apply to a  
94.2 facility licensed under this section.

94.3 Subd. 8. **Education for juveniles.** Notwithstanding subdivision 1, the education program  
94.4 offered in a state or local correctional facility for the placement, confinement, or incarceration  
94.5 of juveniles must be approved by the commissioner of education before the commissioner  
94.6 of corrections may grant a license to the facility.

94.7 Subd. 9. **Rulemaking.** (a) The commissioner must adopt rules for local juvenile  
94.8 correctional facilities according to Laws 1995, chapter 226, article 3, sections 50, 51, and  
94.9 60, as amended.

94.10 (b) The time limit to adopt rules under section 14.125 does not apply to amendments to  
94.11 Minnesota Rules, chapter 2960, in effect on the effective date of this section.

94.12 Sec. 4. **[241.014] SECURITY AUDITS FOR STATE CORRECTIONAL FACILITIES.**

94.13 Subdivision 1. **Purpose.** This section applies to state correctional facilities.

94.14 Subd. 2. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision  
94.15 have the meanings given.

94.16 (b) "Audit group" means the state correctional facilities security audit group under  
94.17 subdivision 5.

94.18 (c) "Corrections and detention confidential data" has the meaning given in section 13.85,  
94.19 subdivision 3.

94.20 (d) "Security information" has the meaning given in section 13.37, subdivision 1.

94.21 Subd. 3. **Biennial report and audit of security practices.** The department's inspection  
94.22 unit must conduct biennial security audits of each state correctional facility using the  
94.23 standards established by the audit group. The inspection unit must:

94.24 (1) prepare a report for each audit; and

94.25 (2) submit the report to the audit group within 30 days of completing the audit.

94.26 Subd. 4. **Data.** (a) Corrections and detention confidential data and security information  
94.27 that is contained in reports and records of the audit group:

94.28 (1) maintain that classification, regardless of the data's classification in the hands of the  
94.29 person who provided the data; and

94.30 (2) are not subject to discovery or introduction into evidence in a civil or criminal action  
94.31 against the state arising out of any matter that the audit group is reviewing.

95.1 (b) Information, documents, and records otherwise available from other sources are not  
95.2 immune from discovery or use in a civil or criminal action solely because they were acquired  
95.3 during an audit.

95.4 (c) Nothing in this subdivision limits a person who presented information to the audit  
95.5 group or who is an audit group member from testifying about matters within the person's  
95.6 knowledge. In a civil or criminal proceeding, a person must not be questioned about the  
95.7 person's good faith presentation of information to the audit group or opinions formed by  
95.8 the person as a result of an audit.

95.9 Subd. 5. **State correctional facilities security audit group.** (a) The commissioner must  
95.10 form a state correctional facilities security audit group. The audit group must consist of the  
95.11 following members:

95.12 (1) a department employee who is not assigned to the correctional institutions division,  
95.13 appointed by the commissioner;

95.14 (2) the ombudsperson for corrections or a designee;

95.15 (3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association,  
95.16 appointed by the commissioner;

95.17 (4) an individual with expertise in security related to infrastructure and operational  
95.18 logistics of correctional facilities who is not required to reside in Minnesota, appointed by  
95.19 the governor;

95.20 (5) the commissioner of health or a designee;

95.21 (6) the commissioner of administration or a designee;

95.22 (7) two senators, one appointed by the senate majority leader and one appointed by the  
95.23 senate minority leader; and

95.24 (8) two representatives, one appointed by the speaker of the house and one appointed  
95.25 by the minority leader of the house of representatives.

95.26 (b) The ombudsperson chairs the audit group. The audit group must establish security  
95.27 audit standards for state correctional facilities. In developing the standards, the audit group,  
95.28 or individual members of the audit group, may gather information from state correctional  
95.29 facilities and state correctional staff and inmates. The audit group must:

95.30 (1) periodically review the standards and modify them as needed; and

96.1 (2) report the standards to the chairs and ranking minority members of the house of  
 96.2 representatives and senate committees with jurisdiction over public safety policy and finance  
 96.3 when the standards are modified.

96.4 (c) The audit group must meet twice annually to review facility audit reports that the  
 96.5 department's inspection unit submits to the audit group. Notwithstanding any law to the  
 96.6 contrary, the audit group may review the full audit reports, including corrections and  
 96.7 detention confidential data and security information.

96.8 (d) Within 60 days of meeting to review an audit report from the department's inspection  
 96.9 unit, the audit group must make recommendations to the commissioner. Within 45 days of  
 96.10 receiving the audit group's recommendations, the commissioner must respond in writing to  
 96.11 the audit group's findings and recommendations. The commissioner's response must explain:

96.12 (1) whether the commissioner will implement the audit group's recommendations;

96.13 (2) the timeline for implementing the recommendations; and

96.14 (3) if the commissioner will not implement the recommendations, why the commissioner  
 96.15 will not or cannot implement the recommendations.

96.16 (e) The commissioner must include a written aggregate of the audit group's  
 96.17 recommendations based on each security audit and assessment of a state correctional facility  
 96.18 and the commissioner's responses to the recommendations in the biennial report under  
 96.19 section 241.016, subdivision 1. The commissioner must not include corrections and detention  
 96.20 confidential data and security information in the commissioner's report.

96.21 (f) The commissioner must provide staffing and administrative support to the audit  
 96.22 group.

96.23 Subd. 6. **Compensation.** Except as otherwise provided in this subdivision, the terms,  
 96.24 compensation, and removal of audit group members are governed by section 15.059. Audit  
 96.25 group members serve without compensation but may receive expense reimbursement.  
 96.26 Notwithstanding section 15.059, subdivision 6, the audit group does not expire.

96.27 Subd. 7. **Open meeting law.** The audit group is not subject to chapter 13D.

96.28 Sec. 5. Minnesota Statutes 2024, section 241.021, subdivision 1f, is amended to read:

96.29 Subd. 1f. **Report.** ~~By February 15, 2022, and by February 15 each year thereafter,~~ the  
 96.30 commissioner of corrections shall must report to the chairs and ranking minority members  
 96.31 of the house of representatives and senate committees and divisions with jurisdiction over  
 96.32 public safety and judiciary on the status of ~~the implementation of the provisions in this~~



97.1 ~~section~~ implementing sections 241.011 to 241.021 over the prior year, particularly the health  
97.2 and safety provisions of individuals confined ~~or~~, incarcerated, or housed in a both local  
97.3 adult and state correctional facility and a facility licensed by the commissioner facilities.  
97.4 ~~This~~ The report ~~shall~~ must include but not be limited to data regarding on:

97.5 (1) in accordance with section 241.011, subdivision 7, the number of confined ~~or~~,  
97.6 incarcerated persons, or housed individuals who died ~~while committed to the custody of~~  
97.7 ~~the facility, regardless of whether the death occurred at the facility or after removal from~~  
97.8 ~~the facility for medical care stemming from an incident or need for medical care at the~~  
97.9 ~~correctional facility~~, including aggregated demographic information and the local correctional  
97.10 facilities' most recent inspection reports and any issued corrective orders ~~or~~, conditional  
97.11 licenses issued, revocations, or temporary immediate suspensions;

97.12 (2) the aggregated results of ~~the~~ any death reviews conducted by a facility ~~as required~~  
97.13 ~~by~~ under section 241.011, subdivision 8, including any implemented policy changes;

97.14 (3) the number of uses of force by facility staff on ~~persons~~ individuals confined or  
97.15 incarcerated in the state correctional facility or local adult correctional facility, including  
97.16 but not limited to whether ~~those~~ the uses of force were determined to be justified by the  
97.17 facility, ~~for which the commissioner of corrections shall consult with the Minnesota Sheriffs'~~  
97.18 ~~Association and a representative from the Minnesota Association of Community Corrections~~  
97.19 ~~Act Counties who is responsible for the operations of an adult correctional facility to develop~~  
97.20 ~~criteria for reporting and define reportable uses of force~~;

97.21 (4) the number of suicide attempts, number of ~~people~~ individuals transported to a medical  
97.22 facility, and number of ~~people~~ individuals placed in segregation;

97.23 (5) the number of ~~persons~~ individuals committed to the ~~commissioner of corrections'~~  
97.24 commissioner's custody that the commissioner is housing in local adult correctional facilities  
97.25 licensed under ~~subdivision 1~~ section 241.011, including but not limited to:

97.26 (i) aggregated demographic data of ~~those~~ the individuals;

97.27 (ii) length of time spent housed in a licensed local adult correctional facility; and

97.28 (iii) any contracts that the department of ~~Corrections~~ has with local adult correctional  
97.29 facilities to provide housing; and

97.30 (6) summary data from state correctional facilities regarding on complaints involving  
97.31 alleged on-duty staff misconduct, including but not limited to the:

97.32 (i) total number of misconduct complaints and investigations;

98.1 (ii) total number of complaints by each category of misconduct, as defined by the  
98.2 commissioner of corrections;

98.3 (iii) number of allegations dismissed as unfounded;

98.4 (iv) number of allegations dismissed on grounds that the allegation was unsubstantiated;  
98.5 and

98.6 (v) number of allegations substantiated, any resulting disciplinary action, and the nature  
98.7 of the discipline.

98.8 Sec. 6. Minnesota Statutes 2024, section 241.021, subdivision 4a, is amended to read:

98.9 Subd. 4a. **Substance use disorder treatment programs.** ~~All~~ (a) The following residential  
98.10 substance use disorder treatment programs operated by the commissioner of corrections to  
98.11 ~~treat adults committed to the commissioner's custody shall~~ must ~~comply with the standards~~  
98.12 ~~mandated in~~ chapter 245G for treatment programs operated by community-based treatment  
98.13 facilities;

98.14 (1) programs in state correctional facilities that treat individuals committed to the  
98.15 commissioner's custody; and

98.16 (2) programs to treat juveniles in state-operated local juvenile correctional facilities that  
98.17 have a correctional program services certification under Minnesota Rules, chapter 2960.

98.18 (b) When the commissioners of corrections and human services agree that ~~these~~ the  
98.19 established standards for community-based programs cannot reasonably apply to correctional  
98.20 facilities under paragraph (a), alternative equivalent standards ~~shall~~ must be developed by  
98.21 the commissioners and established through an interagency agreement.

98.22 Sec. 7. Minnesota Statutes 2024, section 241.021, subdivision 7, is amended to read:

98.23 Subd. 7. **Intake release of information.** (a) All local adult and state correctional facilities  
98.24 that confine or incarcerate adults are required must ~~at intake to provide each person individual~~  
98.25 an authorization form to release information related to that person's the individual's health  
98.26 or mental health condition and when that information should be shared.

98.27 ~~This~~ (b) The release form ~~shall~~ must allow the individual to select if the individual wants  
98.28 to require the correctional facility to make attempts to contact the designated person to  
98.29 facilitate the sharing of health condition information upon incapacitation or if the individual  
98.30 becomes unable to communicate or direct the sharing of this information, so long as:

98.31 (1) contact information was provided; and

99.1           (2) the incapacitated individual or individual who is unable to communicate or direct  
99.2           the sharing of this information is not subject to a court order prohibiting contact with the  
99.3           designated person.

99.4      **Sec. 8. REVISOR INSTRUCTION.**

99.5 The revisor of statutes must renumber each section of Minnesota Statutes listed in column

99.6 A with the number listed in column B.

99.7	<u>Column A</u>	<u>Column B</u>
99.8	<u>241.021, subdivision 4</u>	<u>241.74, subdivision 1</u>
99.9	<u>241.021, subdivision 4a</u>	<u>241.39</u>
99.10	<u>241.021, subdivision 4b</u>	<u>241.74, subdivision 2, paragraph (a)</u>
99.11	<u>241.021, subdivision 4c</u>	<u>241.74, subdivision 2, paragraph (b)</u>
99.12	<u>241.021, subdivision 4d</u>	<u>241.74, subdivision 3</u>
99.13	241.021, subdivision 4e	241.254

99.14 **Sec. 9. REVISOR INSTRUCTION; CROSS-REFERENCES.**

99.15 As a result of amendments to Minnesota Statutes, sections 241.011 to 241.021, the  
99.16 revisor of statutes must work with the Department of Corrections to correct cross-references  
99.17 in Minnesota Statutes and Minnesota Rules and make any other necessary grammatical  
99.18 changes.

99.19      **Sec. 10. REPEALER.**

99.20 Minnesota Statutes 2024, section 241.021, subdivisions 1, 1a, 1b, 1c, 1d, 1e, 1g, 1h, 1i,  
99.21 2, 2a, 2b, 3, 6, and 8, are repealed.

99.22 **ARTICLE 7**

99.23 **CIVIL COMMITMENT COORDINATING DIVISION**

99.24 Section 1. **[8.365] DEFINITIONS.**

99.25 (a) The definitions in section 253B.02 apply to sections 8.37 to 8.38.

99.26 (b) For the purposes of sections 8.37 to 8.38, the following terms have the meanings  
99.27 given:

99.28 (1) "engagement services" means the services described under section 253B.041;

99.29 (2) "outpatient civil commitment" means the option available to a committing court  
99.30 under section 253B.09, subdivision 1, paragraph (c); and

(3) "provisional discharge" means the option available to the head of a treatment facility or community-based treatment program under section 253B.09, subdivision 1.

**Sec. 2. [8.37] CIVIL COMMITMENT COORDINATING DIVISION.**

Subdivision 1. Civil Commitment Coordinating Division established. There shall be in the Office of the Attorney General a Civil Commitment Coordinating Division. A civil commitment coordinator shall be appointed by the attorney general. The civil commitment coordinator shall perform duties that may lawfully be assigned to the coordinator by the attorney general or by law.

Subd. 2. Duties of the civil commitment coordinator. The civil commitment coordinator must:

(1) continuously maintain the Civil Commitment Advisory Committee;

(2) in consultation with the Civil Commitment Advisory Committee, provide best practices and guidance regarding engagement services, outpatient civil commitment, and provisional discharge to committing courts, counties, designated agencies, treatment facilities, and community-based treatment programs;

(3) advocate for increased statewide capacity for engagement services, outpatient civil commitment, and provisional discharge;

(4) provide ongoing technical assistance to those at the local and regional level tasked with monitoring participants civilly committed under chapter 253B;

(5) provide guidance on data collection of outcomes related to engagement services, outpatient civil commitment, and provisional discharge;

(6) aggregate and analyze all data submitted by all jurisdictions by either contracting with a third party to perform these tasks or entering into an interagency agreement with the commissioner of management and budget to utilize the Results First Initiative to perform these tasks;

(7) ensure that any data submitted is treated in accordance with chapter 13; and

(8) create a public awareness campaign designed to educate the public about the availability and effectiveness of engagement services.

Subd. 3. Civil Commitment Advisory Committee. (a) The attorney general shall establish the Civil Commitment Advisory Committee. The Civil Commitment Advisory Committee shall advise the civil commitment coordinator on identification of best practices regarding engagement services, outpatient civil commitment, and provisional discharge;

101.1 development of guidance for implementation of engagement services, outpatient civil  
101.2 commitment, and provisional discharge; development of data reporting requirements and  
101.3 standards; identification of outcomes to be measured through data analysis; and other topics  
101.4 as determined by the coordinator.

101.5 (b) The Civil Commitment Advisory Committee must consist of no fewer than 11  
101.6 members and no more than 20 members. The membership of the committee must include:

101.7 (1) the attorney general or a designee who is not the civil commitment coordinator;

101.8 (2) the chief executive officer of Direct Care and Treatment or a designee;

101.9 (3) the commissioner of public safety or a designee;

101.10 (4) the commissioner of corrections or a designee;

101.11 (5) the ombudsman for mental health and developmental disabilities or a designee;

101.12 (6) a member representing district court judges, appointed by the chief justice of the  
101.13 supreme court;

101.14 (7) a member representing district court administrators, appointed by the chief justice  
101.15 of the supreme court;

101.16 (8) a member representing county administrators or county social services administrators,  
101.17 appointed by the attorney general;

101.18 (9) a member representing federally recognized Tribes in Minnesota and urban Indian  
101.19 communities, appointed by the Indian Affairs Council;

101.20 (10) a member who is a defense attorney and has represented a person referred for civil  
101.21 commitment, appointed by the attorney general;

101.22 (11) a member who was previously civilly committed, appointed by the attorney general;

101.23 (12) a member who is a parent, sibling, or child of a person currently or previously  
101.24 civilly committed, appointed by the attorney general;

101.25 (13) a member who is a person for whom engagement services were successfully  
101.26 provided, appointed by the attorney general;

101.27 (14) a member who is a provider of engagement services, appointed by the attorney  
101.28 general;

101.29 (15) a member who represents a treatment facility or community-based treatment program  
101.30 that accepts civilly committed participants, appointed by the attorney general;

102.1 (16) up to four additional members appointed by the attorney general; and

102.2 (17) the Minnesota Competency Attainment Board Program Administrator or designee.

102.3 (c) The attorney general must consult with the chief executive officer of Direct Care  
102.4 and Treatment before making appointments to the committee.

102.5 (d) The members of the Civil Commitment Advisory Committee serve without  
102.6 compensation.

102.7 Sec. 3. **[8.38] DIVERSION STUDIES.**

102.8 Subdivision 1. **Diversion studies.** Each county must conduct diversion studies in  
102.9 accordance with the requirements of this section. Diversion studies must examine each  
102.10 county's local behavioral health system's capacity to divert people who have a mental illness,  
102.11 developmental disability, or chemical use disorder away from the local justice system and  
102.12 into treatment. The civil commitment coordinator must establish uniform study guidelines,  
102.13 data requirements, including any qualitative data or narrative requirements, and data reporting  
102.14 procedures for diversion studies. The coordinator must ensure that the study guidelines and  
102.15 data requirements will allow the coordinator to determine how people with a mental illness,  
102.16 people with a developmental disability, and people with a substance use disorder come into  
102.17 contact with and move through the local criminal justice system and what resources are  
102.18 available or needed to divert individuals away from the local justice system.

102.19 Subd. 2. **Diversion study reporting requirements.** By October 1, 2027, and every two  
102.20 years thereafter, each county must submit to the coordinator in the manner established under  
102.21 subdivision 1 all required data and narratives related to its diversion study.

102.22 Subd. 3. **Statewide diversion study report.** By April 1, 2028, and every two years  
102.23 thereafter, the civil commitment coordinator must submit to the chairs and ranking minority  
102.24 members of the legislative committees with jurisdiction over civil commitment, mental  
102.25 health, or Direct Care and Treatment a report summarizing the county-level data submitted  
102.26 under subdivision 2. The coordinator must include in the report county, regional, and  
102.27 state-level needs assessments. The coordinator must include in subsequent reports  
102.28 comparisons to the data submitted in prior reports and any statistically significant trends  
102.29 the coordinator's analysis reveals.

102.30 Sec. 4. **TRANSPORT HOLD WORK GROUP.**

102.31 Subdivision 1. **Establishment and membership.** (a) The Transport Hold Work Group  
102.32 is comprised of the following members:

- 103.1 (1) the commissioner of human services or the commissioner's designee;
- 103.2 (2) a representative of the Minnesota County Attorneys Association;
- 103.3 (3) the state public defender or a designee of the state public defender;
- 103.4 (4) a commitment defense attorney;
- 103.5 (5) at least two mental health professionals with experience in crisis response, one of
- 103.6 whom must work primarily outside the seven-county metropolitan area, appointed by the
- 103.7 commissioner of human services;
- 103.8 (6) at least two mental health professionals from underrepresented communities as
- 103.9 defined in Minnesota Statutes, section 148E.025, subdivision 20;
- 103.10 (7) a representative of the Minnesota Sheriffs Association;
- 103.11 (8) a representative of the Minnesota Chiefs of Police Association;
- 103.12 (9) a representative of the Association of Minnesota Counties;
- 103.13 (10) a representative of the Minnesota Ambulance Association;
- 103.14 (11) a representative of the National Alliance on Mental Illness Minnesota;
- 103.15 (12) a representative of Mental Health Minnesota;
- 103.16 (13) the ombudsman for mental health and developmental disabilities or the ombudsman's
- 103.17 designee; and
- 103.18 (14) the chief executive officer of Direct Care and Treatment or a designee.
- 103.19 (b) Members listed in clauses (2), (4), (5), and (6) to (12) are appointed by the
- 103.20 commissioner of human services, with recommendation from the named organizations.
- 103.21 Subd. 2. **Duties.** (a) The duties of the work group are to:
- 103.22 (1) determine best practices when a person must be taken into custody and transported
- 103.23 for emergency admission under Minnesota Statutes, section 253B.051;
- 103.24 (2) determine best practices when a peace officer may use authorized force to take a
- 103.25 person into custody and transport the person under Minnesota Statutes, section 253B.051;
- 103.26 and
- 103.27 (3) develop recommendations for policy changes and funding needs to safely transport
- 103.28 people in mental health crises, including alternatives to law enforcement.
- 103.29 (b) By February 1, 2026, the work group must submit a written report to the governor,
- 103.30 and the chairs and ranking minority members of the legislative committees and divisions

104.1 with jurisdiction over human services and public safety on the work group's activities and  
104.2 recommendations.

104.3 Subd. 3. **Administration.** The Department of Human Services must provide  
104.4 administrative support to the work group and must assist in creation of the report under  
104.5 subdivision 2.

104.6 Subd. 4. **Compensation.** Members of the task force serve without compensation.

104.7 Subd. 5. **Appointment deadline.** Members must be appointed by the authorities under  
104.8 subdivision 1 by July 31, 2025.

104.9 Subd. 6. **Meeting; chair.** The commissioner of health must convene the first meeting  
104.10 by September 15, 2025. The work group must elect a chair at its first meeting. The chair  
104.11 must convene meetings of the work group at least monthly.

104.12 Subd. 7. **Expiration.** The work group expires February 1, 2026.

104.13 **ARTICLE 8**

104.14 **COURTS**

104.15 Section 1. Minnesota Statutes 2024, section 357.021, subdivision 1a, is amended to read:

104.16 Subd. 1a. **Transmittal of fees to commissioner of management and budget.** (a) Every  
104.17 person, including the state of Minnesota and all bodies politic and corporate, who shall  
104.18 transact any business in the district court, shall pay to the court administrator of said court  
104.19 the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court  
104.20 administrator shall transmit the fees monthly to the commissioner of management and budget  
104.21 for deposit in the state treasury and credit to the general fund. \$30 of each fee collected in  
104.22 a dissolution action under subdivision 2, clause (1), must be deposited by the commissioner  
104.23 of management and budget in the special revenue fund and is appropriated to the  
104.24 commissioner of employment and economic development for the Minnesota Family  
104.25 Resiliency Partnership under section 116L.96.

104.26 (b) In a county which has a screener-collector position, fees paid by a county pursuant  
104.27 to this subdivision shall be transmitted monthly to the county treasurer, who shall apply the  
104.28 fees first to reimburse the county for the amount of the salary paid for the screener-collector  
104.29 position. The balance of the fees collected shall then be forwarded to the commissioner of  
104.30 management and budget for deposit in the state treasury and credited to the general fund.  
104.31 In a county in a judicial district under section 480.181, subdivision 1, paragraph (b), which  
104.32 has a screener-collector position, the fees paid by a county shall be transmitted monthly to



105.1 the commissioner of management and budget for deposit in the state treasury and credited  
105.2 to the general fund. A screener-collector position for purposes of this paragraph is an  
105.3 employee whose function is to increase the collection of fines and to review the incomes  
105.4 of potential clients of the public defender, in order to verify eligibility for that service.

105.5 (c) No fee is required under this section from the public authority or the party the public  
105.6 authority represents in an action for:

105.7 (1) child support enforcement or modification, medical assistance enforcement, or  
105.8 establishment of parentage in the district court, or in a proceeding under section 484.702;

105.9 (2) civil commitment under chapter 253B;

105.10 (3) the appointment of a public conservator or public guardian or any other action under  
105.11 chapters 252A and 525;

105.12 (4) wrongfully obtaining public assistance under section 256.98 or 256D.07, or recovery  
105.13 of overpayments of public assistance;

105.14 (5) court relief under chapters 260, 260A, 260B, and 260C;

105.15 (6) forfeiture of property under sections 169A.63 and 609.531 to 609.5317;

105.16 (7) recovery of amounts issued by political subdivisions or public institutions under  
105.17 sections 246.52, 252.27, 256.045, 256.25, 256B.042, 256B.14, 256B.15, 256B.37, 260B.331,  
105.18 260C.331, and 518A.82, or other sections referring to other forms of public assistance;

105.19 (8) restitution under section 611A.04; or

105.20 (9) actions seeking monetary relief in favor of the state pursuant to section 16D.14,  
105.21 subdivision 5.

105.22 (d) \$20 from each fee collected for child support modifications under subdivision 2,  
105.23 clause (13), must be transmitted to the county treasurer for deposit in the county general  
105.24 fund and \$35 from each fee shall be credited to the state general fund. The fees must be  
105.25 used by the county to pay for child support enforcement efforts by county attorneys.

105.26 (e) No fee is required under this section from the Office of Ombudsperson for American  
105.27 Indian Families or any federally recognized Indian Tribe or its representative in an action  
105.28 for:

105.29 (1) child support enforcement or modification, medical assistance enforcement, or  
105.30 establishment of parentage in the district court or in a proceeding under section 484.702;

105.31 (2) civil commitment under chapter 253B;

(3) the appointment of a public conservator or public guardian or any other action under chapters 252A and 525; or

(4) court relief under chapters 256, 257, 260, 260A, 260B, 260C, and 260D, and 518, and sections 524.5-201 to 524.5-317.

Sec. 2. Minnesota Statutes 2024, section 480.243, is amended by adding a subdivision to read:

Subd. 3. Report to legislature. The State Board of Civil Legal Aid shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over judiciary on data related to the cases and individuals and families serviced by each of the grant recipients providing legal services with funds received pursuant to section 480.242. The data shall be provided for each individual organization and, when possible, for each geographic region the organization works in, and provided in the aggregate to protect the privacy of the individuals and families served by the organization. Reports under this section shall be submitted by April 1 in odd-numbered years.

Sec. 3. Minnesota Statutes 2024, section 484.44, is amended to read:

**484.44 DEPUTY SHERIFF AND COURT ADMINISTRATOR; ST. LOUIS COUNTY.**

There shall be at all times a chief deputy sheriff of St. Louis County and a chief deputy court administrator of the district court of St. Louis County and such other deputies as may be necessary, resident at the city of Virginia, or the city of Ely, or the city of Hibbing, and their appointment shall be made in the same manner as other deputy sheriffs and deputy clerks of the district court in said county. The salaries of such deputies shall be fixed and paid in the same manner as other such deputies. The office of said deputy sheriff at Virginia, Hibbing, and Ely shall not in any sense be considered or deemed the office of the sheriff for any purpose except the performance of duties relating solely to proceedings tried or to be tried at said places; but the office of the deputy court administrator at said places shall be equally deemed the office of the court administrator of court for all purposes ~~except the filing of papers in actions or proceedings to be tried at Duluth.~~ Marriage licenses and naturalization papers may be issued by said deputy court administrator.

107.1 Sec. 4. Minnesota Statutes 2024, section 484.51, is amended to read:

107.2 **484.51 PAPERS WHERE FILED; ST. LOUIS COUNTY.**

107.3 ~~After~~ Regardless of the place of trial of any cause is determined, as provided in sections  
107.4 484.44 to 484.52, all papers, orders and documents pertaining to all causes ~~to be tried at~~  
107.5 ~~Virginia and filed in court shall be filed and be kept on file at the court administrator's office~~  
107.6 ~~in the city of Virginia, and all causes to be tried in Hibbing and all papers, orders and~~  
107.7 ~~documents pertaining thereto shall be filed and be kept on file at the court administrator's~~  
107.8 ~~office in the city of Hibbing~~ can be filed at any court location in St. Louis County.

107.9 In all actions tried at the city of Virginia or the city of Hibbing, the court administrator,  
107.10 as soon as final judgment is entered, shall forthwith cause such judgment to be docketed in  
107.11 the court administrator's office at the county seat; and when so docketed the same shall  
107.12 become a lien on real estate and have the same effect as judgments entered in causes tried  
107.13 at the county seat.

107.14 In all actions tried at the city of Virginia or the city of Hibbing, involving the title of  
107.15 real estate, upon final judgment being entered, all the papers in said cause shall be filed in  
107.16 the court administrator's office at the county seat and the final judgment or decree recorded  
107.17 therein, and a certified copy of all papers in the case shall be made by the court administrator  
107.18 and retained at the court administrator's office in the city of Virginia or in the court  
107.19 administrator's office in the city of Hibbing where the action was originally tried, without  
107.20 additional charge to the parties to said action.

107.21 Sec. 5. Minnesota Statutes 2024, section 518.68, subdivision 1, is amended to read:

107.22 Subdivision 1. **Requirement.** Every court order or judgment and decree under this  
107.23 chapter or chapter 518A that provides for child support, spousal maintenance, custody, or  
107.24 parenting time must contain certain notices as set out in subdivision 2. The information in  
107.25 the notices must be concisely stated in plain language. ~~The notices must be~~ and in clearly  
107.26 legible print, ~~but may not exceed two pages.~~ An order or judgment and decree without the  
107.27 notice remains subject to all statutes. The court may waive all or part of the notice required  
107.28 under subdivision 2 relating to parental rights under section 518.17, subdivision 3, if it finds  
107.29 it is necessary to protect the welfare of a party or child.

108.1 Sec. 6. Minnesota Statutes 2024, section 524.5-420, is amended to read:

108.2 **524.5-420 REPORTS; APPOINTMENT OF VISITOR; MONITORING; COURT**  
108.3 **ORDERS.**

108.4 (a) A conservator shall report to the court for administration of the estate annually unless  
108.5 the court otherwise directs, upon resignation or removal, upon termination of the  
108.6 conservatorship, and at other times as the court directs. A copy of the report must be provided  
108.7 to the person subject to conservatorship and to interested persons of record with the court.

108.8 An order, after notice and hearing, allowing an intermediate report of a conservator  
108.9 adjudicates liabilities concerning the matters adequately disclosed in the accounting. An  
108.10 order, after notice and hearing, allowing a final report adjudicates all previously unsettled  
108.11 liabilities relating to the conservatorship.

108.12 (b) A report must state or contain a listing of the assets of the estate under the  
108.13 conservator's control and a listing of the receipts, disbursements, and distributions during  
108.14 the reporting period.

108.15 (c) The report must also state an address or post office box and a telephone number  
108.16 where the conservator can be contacted.

108.17 (d) A conservator shall report to the court in writing within 30 days of the occurrence  
108.18 of any of the events listed in this paragraph. The conservator must report any of the  
108.19 occurrences in this paragraph and follow the same reporting requirements in this paragraph  
108.20 for any employee of the conservator responsible for exercising powers and duties under the  
108.21 conservatorship. A copy of the report must be provided to the person subject to  
108.22 conservatorship and to interested persons of record with the court. A conservator shall report  
108.23 when:

108.24 (1) the conservator is removed for cause from serving as a guardian or conservator, and  
108.25 if so, the case number and court location;

108.26 (2) the conservator has a professional license from an agency listed under section  
108.27 524.5-118, subdivision 2a, denied, conditioned, suspended, revoked, or canceled, and if so,  
108.28 the licensing agency and license number, and the basis for denial, condition, suspension,  
108.29 revocation, or cancellation of the license;

108.30 (3) the conservator is found civilly liable in an action that involves fraud,  
108.31 misrepresentation, material omission, misappropriation, theft, or conversion, and if so, the  
108.32 case number and court location;

109.1 (4) the conservator files for or receives protection under the bankruptcy laws, and if so,  
109.2 the case number and court location;

109.3 (5) a civil monetary judgment is entered against the conservator, and if so, the case  
109.4 number, court location, and outstanding amount owed;

109.5 (6) the conservator is convicted of a crime other than a petty misdemeanor or traffic  
109.6 offense, and if so, the case number and court location; or

109.7 (7) an order for protection or harassment restraining order is issued against the  
109.8 conservator, and if so, the case number and court location.

109.9 (e) A person subject to conservatorship or an interested person of record with the court  
109.10 may submit to the court a written statement disputing account statements regarding the  
109.11 administration of the estate or addressing any disciplinary or legal action that is contained  
109.12 in the reports and may petition the court for any order that is in the best interests of the  
109.13 person subject to conservatorship and the estate or for other appropriate relief.

109.14 (f) An interested person may notify the court in writing that the interested person does  
109.15 not wish to receive copies of reports required under this section after which time neither  
109.16 the court nor any other person is required to give notice to any person who has waived  
109.17 notice.

109.18 (g) The court may appoint a visitor to review a report or plan, interview the person  
109.19 subject to conservatorship or conservator, and make any other investigation the court directs.  
109.20 In connection with a report, the court may order a conservator to submit the assets of the  
109.21 estate to an appropriate examination to be made in a manner the court directs.

109.22 (h) The court shall establish a system for monitoring of conservatorships, including the  
109.23 filing and review of conservators' reports and plans. If an annual report is not filed within  
109.24 60 days of the required date, the court shall issue an order to show cause. Unless otherwise  
109.25 ordered by the court, a report under this section shall be filed publicly.

109.26 (i) If there is no acting guardian, a conservator that becomes aware of the death of the  
109.27 person subject to conservatorship shall notify in writing; orally; or by phone, text message,  
109.28 email, or electronic service, all known interested persons as defined by section 524.5-102,  
109.29 subdivision 7, clauses (iii), (iv), (v), (vi), (ix), and (xi), and the court as soon as is reasonably  
109.30 practical, that the person subject to conservatorship has died. The conservator may delegate  
109.31 this task under reasonable circumstances.

109.32 (j) If a conservator fails to comply with this section, the court may decline to appoint  
109.33 that person as a guardian or conservator, or may remove a person as guardian or conservator.

**ARTICLE 9****DATA PRACTICES**

Section 1. Minnesota Statutes 2024, section 13.04, subdivision 4, is amended to read:

**Subd. 4. Procedure when data is not accurate or complete.** (a) An individual subject of the data may contest the accuracy or completeness of public or private data about themselves.

(b) To exercise this right, an individual shall notify in writing the responsible authority of the government entity that maintains the data, describing the nature of the disagreement.

(c) Upon receiving notification from the data subject, the responsible authority shall within 30 days either:

(1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or

(2) notify the individual that the responsible authority has determined the data to be correct. If the challenged data are determined to be accurate or complete, the responsible authority shall inform the individual of the right to appeal the determination to the commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

(d) A data subject may appeal the determination of the responsible authority pursuant to the provisions of the Administrative Procedure Act relating to contested cases. An individual must submit an appeal to the commissioner within 60 days of the responsible authority's notice of the right to appeal or as otherwise provided by the rules of the commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

(e) The commissioner may dismiss an appeal without first attempting to resolve the dispute or before issuing an order and notice of a contested case hearing if:

(1) the appeal to the commissioner is not timely;

(2) the appeal concerns data previously presented as evidence in a court proceeding in which the data subject was a party; or

111.1 (3) the individual making the appeal is not the subject of the data challenged as inaccurate  
111.2 or incomplete.

111.3 (f) A responsible authority may submit private data to the commissioner to respond to  
111.4 a data subject's appeal of the determination that data are accurate and complete. Section  
111.5 13.03, subdivision 4, applies to data submitted by the responsible authority. Government  
111.6 data submitted to the commissioner by a government entity, copies of government data  
111.7 submitted by a data subject, or government data described by the data subject in their appeal  
111.8 have the same classification as the data when maintained by the government entity. The  
111.9 commissioner may disclose private data contained within the appeal record to the Office  
111.10 of Administrative Hearings.

111.11 ~~(f)~~ (g) Data on individuals that have been successfully challenged by an individual must  
111.12 be completed, corrected, or destroyed by a government entity without regard to the  
111.13 requirements of section 138.17.

111.14 ~~(g)~~ (h) After completing, correcting, or destroying successfully challenged data, a  
111.15 government entity may retain a copy of the commissioner of administration's order issued  
111.16 under chapter 14 or, if no order were issued, a summary of the dispute between the parties  
111.17 that does not contain any particulars of the successfully challenged data.

111.18 (i) Data maintained by the commissioner that a responsible authority has completed,  
111.19 corrected, or destroyed as the result of the informal resolution process described in paragraph  
111.20 (d) or by order of the commissioner, are private data on individuals.

111.21 Sec. 2. Minnesota Statutes 2024, section 13.05, subdivision 5, is amended to read:

111.22 Subd. 5. **Data protection.** (a) The responsible authority shall:

111.23 (1) establish procedures to assure that all data on individuals is accurate, complete, and  
111.24 current for the purposes for which it was collected;

111.25 (2) establish appropriate security safeguards for all records containing data on individuals,  
111.26 including procedures for ensuring that data that ~~are~~ is not public ~~are~~ is only accessible to  
111.27 persons whose work assignment reasonably requires access to the data, and is only being  
111.28 accessed by those persons for purposes described in the procedure; ~~and~~

111.29 (3) develop a policy incorporating these procedures, which may include a model policy  
111.30 governing access to the data if sharing of the data with other government entities is authorized  
111.31 by law; and

112.1 (4) establish procedures for monitoring access to private or confidential data on  
112.2 individuals.

112.3 (b) When not public data is being disposed of, the data must be destroyed in a way that  
112.4 prevents its contents from being determined.

112.5 Sec. 3. Minnesota Statutes 2024, section 13.356, is amended to read:

112.6 **13.356 PERSONAL CONTACT AND ONLINE ACCOUNT INFORMATION.**

112.7 (a) The following data on an individual collected, maintained, or received by a  
112.8 government entity ~~for notification purposes or as part of a subscription list for an entity's~~  
112.9 ~~electronic periodic publications as requested by the individual are~~ is private data on  
112.10 individuals:

112.11 (1) telephone number;

112.12 (2) email address; and

112.13 (3) Internet user name, password, Internet protocol address, and any other similar data  
112.14 related to the individual's online account or access procedures.

112.15 (b) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a).  
112.16 Paragraph (a) does not apply to data submitted by an individual to the Campaign Finance  
112.17 Board to meet the legal requirements imposed by chapter 10A, to data submitted for purposes  
112.18 of making a public comment, or to data in a state agency's rulemaking email list.

112.19 (c) Data provided under paragraph (a) may ~~only~~ be used ~~for the specific purpose for~~  
112.20 ~~which the individual provided the data~~ by the government entity to:

112.21 (1) communicate with the individual; or

112.22 (2) perform the government entity's health, safety, or welfare functions or provide  
112.23 government services.

112.24 (d) If the data provided under paragraph (a) is also classified as private data on individuals  
112.25 by other state statute, the data may be shared or disseminated as provided in the other state  
112.26 statute.

112.27 (e) This section does not apply to data on an individual contained in a real property  
112.28 record, which is any record of data that is maintained as part of the county real estate  
112.29 document recording system for use by the public, data on assessments, data on real or  
112.30 personal property taxation, and other data on real property.



113.1 Sec. 4. Minnesota Statutes 2024, section 13.40, subdivision 2, is amended to read:

113.2 Subd. 2. **Private data; library ~~borrowers~~ patrons.** (a) Except as provided in paragraph  
113.3 (b), the following data maintained by a library ~~are~~ is private data on individuals and may  
113.4 not be disclosed ~~for~~ other than for library purposes except pursuant to a court order or section  
113.5 13.05:

113.6 (1) data that link a library patron's name with materials requested or borrowed by the  
113.7 patron or that link a patron's name with a specific subject about which the patron has  
113.8 requested information or materials; ~~or~~

113.9 (2) data in applications for patron borrower cards, other than the name of the ~~borrower~~.  
113.10 patron if the patron is 18 years of age or older; or

113.11 (3) the name of a patron who is a minor.

113.12 (b) A library may release reserved materials to a family member or other person who  
113.13 resides with a library patron and who is picking up the material on behalf of the patron. A  
113.14 patron may request that reserved materials be released only to the patron.

113.15 (c) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a),  
113.16 clause (3).

113.17 Sec. 5. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

113.18 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject  
113.19 to the limitations described in subdivision 5a, the following personnel data on current and  
113.20 former employees, volunteers, and independent contractors of a government entity is public:

113.21 (1) name; employee identification number, which must not be the employee's Social  
113.22 Security number; actual gross salary; salary range; terms and conditions of employment  
113.23 relationship; contract fees; actual gross pension; the value and nature of employer paid  
113.24 fringe benefits; and the basis for and the amount of any added remuneration, including  
113.25 expense reimbursement, in addition to salary;

113.26 (2) job title and bargaining unit; job description; education and training background;  
113.27 and previous work experience;

113.28 (3) date of first and last employment;

113.29 (4) the existence and status of any complaints or charges against the employee, regardless  
113.30 of whether the complaint or charge resulted in a disciplinary action;

114.1 (5) the final disposition of any disciplinary action together with the specific reasons for  
114.2 the action and data documenting the basis of the action, excluding data that would identify  
114.3 confidential sources who are employees of the public body;

114.4 (6) the complete terms of any agreement settling any dispute arising out of an employment  
114.5 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,  
114.6 paragraph (a); except that the agreement must include specific reasons for the agreement if  
114.7 it involves the payment of more than \$10,000 of public money;

114.8 (7) work location; a work telephone number; badge number; work-related continuing  
114.9 education; and honors and awards received; and

114.10 (8) payroll time sheets or other comparable data that are only used to account for  
114.11 employee's work time for payroll purposes, except to the extent that release of time sheet  
114.12 data would reveal the employee's reasons for the use of sick or other medical leave or other  
114.13 not public data.

114.14 (b) For purposes of this subdivision, a final disposition occurs when the government  
114.15 entity makes its final decision about the disciplinary action, regardless of the possibility of  
114.16 any later proceedings or court proceedings. Final disposition includes a resignation by an  
114.17 individual when the resignation occurs after the final decision of the government entity, or  
114.18 arbitrator. In the case of arbitration proceedings arising under collective bargaining  
114.19 agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or  
114.20 upon the failure of the employee to elect arbitration within the time provided by the collective  
114.21 bargaining agreement. A disciplinary action does not become public data if an arbitrator  
114.22 sustains a grievance and reverses all aspects of any disciplinary action.

114.23 (c) The government entity may display a photograph of a current or former employee  
114.24 to a prospective witness as part of the government entity's investigation of any complaint  
114.25 or charge against the employee.

114.26 (d) A complainant has access to a statement provided by the complainant to a government  
114.27 entity in connection with a complaint or charge against an employee.

114.28 (e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon  
114.29 completion of an investigation of a complaint or charge against a public official, or if a  
114.30 public official resigns or is terminated from employment while the complaint or charge is  
114.31 pending, all data relating to the complaint or charge are public, unless access to the data  
114.32 would jeopardize an active investigation or reveal confidential sources. For purposes of this  
114.33 paragraph, "public official" means:

- 115.1 (1) the head of a state agency and deputy and assistant state agency heads;
- 115.2 (2) members of boards or commissions required by law to be appointed by the governor
- 115.3 or other elective officers;
- 115.4 (3) executive or administrative heads of departments, bureaus, divisions, or institutions
- 115.5 within state government; and
- 115.6 (4) the following employees:
- 115.7 (i) the chief administrative officer, or the individual acting in an equivalent position, in
- 115.8 all political subdivisions;
- 115.9 (ii) individuals required to be identified by a political subdivision pursuant to section
- 115.10 471.701;
- 115.11 (iii) in a city ~~with a population of more than 7,500~~ or a county ~~with a population of more~~
- 115.12 ~~than 5,000~~; managers; chiefs; heads or directors of departments, divisions, bureaus, or
- 115.13 boards; and any equivalent position; and
- 115.14 (iv) in a school district: business managers; human resource directors; athletic directors
- 115.15 whose duties include at least 50 percent of their time spent in administration, personnel,
- 115.16 supervision, and evaluation; chief financial officers; directors; individuals defined as
- 115.17 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
- 115.18 school, individuals employed in comparable positions.
- 115.19 (f) Data relating to a complaint or charge against an employee identified under paragraph
- 115.20 (e), clause (4), are public only if:
- 115.21 (1) the complaint or charge results in disciplinary action or the employee resigns or is
- 115.22 terminated from employment while the complaint or charge is pending; or
- 115.23 (2) potential legal claims arising out of the conduct that is the subject of the complaint
- 115.24 or charge are released as part of a settlement agreement.
- 115.25 This paragraph and paragraph (e) do not authorize the release of data that are made not
- 115.26 public under other law.

115.27 Sec. 6. Minnesota Statutes 2024, section 13.991, is amended to read:

115.28 **13.991 JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

- 115.29 (a) Subject to paragraph (b), the personal information of all judicial officials collected,
- 115.30 created, or maintained by a government entity is private data on individuals. For purposes

116.1 of this section, the terms "personal information" and "judicial official" have the meanings  
116.2 given in section 480.40, subdivision 1.

116.3 (b) If the responsible authority or government entity violates this chapter, the remedies  
116.4 and penalties under this chapter are available only if the judicial official making a claim  
116.5 previously provided written notification to the responsible authority confirming on a form  
116.6 provided by the Minnesota judicial branch that they are entitled to protection under section  
116.7 480.40. If the subject of the data is an adult child of a judicial official who does not reside  
116.8 with the judicial official, the remedies and penalties under this chapter are available only  
116.9 if the adult child previously provided written notification to the responsible authority  
116.10 confirming their status as the child of a judicial official. In the case of county records, the  
116.11 form shall be filed with the responsible authority that maintains the personal information  
116.12 for which the judicial officer is seeking protection. A form submitted under this section is  
116.13 private data on individuals. A notice filed under this paragraph expires five years following  
116.14 the date of filing, unless it is renewed prior to the expiration date.

116.15 (c) ~~This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall  
116.16 govern personal information contained in: of all judicial officials contained in real property  
116.17 records, as defined in section 480.50, subdivision 1, paragraph (f).

116.18 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

116.19 ~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~  
116.20 ~~and~~

116.21 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~  
116.22 ~~judgment, or other encumbrance on, real or personal property.~~

116.23 **EFFECTIVE DATE.** This section is effective January 1, 2026.

116.24 Sec. 7. Minnesota Statutes 2024, section 15.17, subdivision 1, is amended to read:

116.25 Subdivision 1. **Must be kept.** All officers and agencies of the state, counties, cities,  
116.26 towns, school districts, municipal subdivisions or corporations, or other public authorities  
116.27 or political entities within the state, hereinafter "public officer," shall make and preserve  
116.28 all records necessary to a full and accurate knowledge of their official activities. Government  
116.29 records may be produced in the form of computerized records. All government records shall  
116.30 ~~be made on a physical medium of a~~ in a manner and quality to insure permanent records.  
116.31 Every public officer is empowered to reproduce records ~~if the records are not deemed to be~~  
116.32 ~~of permanent or archival value by the commissioner of administration and~~ but may only  
116.33 reproduce permanent and archival records pursuant to guidance from the state archives in

117.1 consultation with the records disposition panel ~~under section 138.17~~. The public officer is  
117.2 empowered to reproduce these records by any ~~photographic, photostatic, microphotographic,~~  
117.3 ~~optical disk imaging system, microfilming, or other reproduction~~ method that clearly and  
117.4 accurately reproduces the records. Each public officer may order that those ~~photographs,~~  
117.5 ~~photostats, microphotographs, microfilms, optical images, or other~~ reproductions, be  
117.6 substituted for the originals of them. Records that are reproduced when so ordered by a  
117.7 public officer are admissible as evidence in all courts and proceedings of every kind. A  
117.8 certified or exemplified copy of the reproduction has the same effect and weight as evidence  
117.9 as would a certified or exemplified copy of the original. The public officer may direct the  
117.10 destruction or sale for salvage or other disposition of the originals from which they were  
117.11 made, in accordance with the disposition requirements of section 138.17. ~~Photographs,~~  
117.12 ~~photostats, microphotographs, microfilms, optical images, or other reproductions are for~~  
117.13 ~~all purposes deemed the original recording of the papers, books, documents, and records~~  
117.14 ~~reproduced when so ordered by any public officer and are admissible as evidence in all~~  
117.15 ~~courts and proceedings of every kind. A facsimile or exemplified or certified copy of a~~  
117.16 ~~photograph, photostat, microphotograph, microfilm, optical image, or other reproduction,~~  
117.17 ~~or an enlargement or reduction of it, has the same effect and weight as evidence as would~~  
117.18 ~~a certified or exemplified copy of the original.~~

117.19 Sec. 8. Minnesota Statutes 2024, section 138.17, subdivision 1, is amended to read:

117.20 Subdivision 1. **Destruction, preservation, reproduction of records; prima facie**  
117.21 **evidence.** (a) The attorney general, legislative auditor in the case of state records, state  
117.22 auditor in the case of local records, and director of the Minnesota Historical Society,  
117.23 hereinafter director, shall constitute the Records Disposition Panel. The members of the  
117.24 panel shall have power by majority vote to direct the destruction or sale for salvage of  
117.25 government records determined to be no longer of any value, or to direct the disposition by  
117.26 gift to the Minnesota Historical Society or otherwise of government records determined to  
117.27 be valuable for preservation. The Records Disposition Panel may by majority vote order  
117.28 any of those records to be reproduced ~~by photographic or other means,~~ and order that  
117.29 ~~photographic or other~~ the reproductions be substituted for the originals of them. It may  
117.30 direct the destruction or sale for salvage or other disposition of the originals from which  
117.31 they were made. ~~Photographic or other reproductions shall for all purposes be deemed the~~  
117.32 ~~originals of the records reproduced when so ordered by the records disposition panel, and~~  
117.33 ~~shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile,~~  
117.34 ~~exemplified or certified copy of a photographic, optical disk imaging, or other reproduction,~~  
117.35 ~~or an enlargement or reduction of it, shall have the same effect and weight as evidence as~~

118.1 ~~would a certified or exemplified copy of the original.~~ Records that are reproduced when so  
118.2 ordered by the Records Disposition Panel are admissible as evidence in all courts and  
118.3 proceedings of every kind. A certified or exemplified copy of the reproduction has the same  
118.4 effect and weight as evidence as would a certified or exemplified copy of the original. The  
118.5 Records Disposition Panel, by majority vote, may direct the storage of government records,  
118.6 except as herein provided, ~~and direct the storage of photographic or other reproductions.~~  
118.7 ~~Photographic or other~~ Reproductions substituted for original records shall be disposed of  
118.8 in accordance with the procedures provided for the original records.

118.9 (b) For the purposes of this chapter:

118.10 (1) the term "government records" means state and local records, including all cards,  
118.11 correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings,  
118.12 reports, tapes, writings, optical disks, and other data, information, or documentary material,  
118.13 regardless of physical form or characteristics, storage media or conditions of use, made or  
118.14 received by an officer or agency of the state and an officer or agency of a county, city, town,  
118.15 school district, municipal subdivision or corporation or other public authority or political  
118.16 entity within the state pursuant to state law or in connection with the transaction of public  
118.17 business by an officer or agency;

118.18 (2) the term "state record" means a record of a department, office, officer, commission,  
118.19 commissioner, board or any other agency, however styled or designated, of the executive  
118.20 branch of state government; a record of the state legislature; a record of any court, whether  
118.21 of statewide or local jurisdiction; and any other record designated or treated as a state record  
118.22 under state law;

118.23 (3) the term "local record" means a record of an agency of a county, city, town, school  
118.24 district, municipal subdivision or corporation or other public authority or political entity;

118.25 (4) the term "records" excludes data and information that does not become part of an  
118.26 official transaction, library and museum material made or acquired and kept solely for  
118.27 reference or exhibit purposes, extra copies of documents kept only for convenience of  
118.28 reference and stock of publications and processed documents, and bonds, coupons, or other  
118.29 obligations or evidences of indebtedness, the destruction or other disposition of which is  
118.30 governed by other laws; and

118.31 (5) the term "state archives" means those records preserved or appropriate for preservation  
118.32 as evidence of the organization, functions, policies, decisions, procedures, operations or  
118.33 other activities of government or because of the value of the information contained in them,  
118.34 when determined to have sufficient historical or other value to warrant continued preservation

119.1 by the state of Minnesota and accepted for inclusion in the collections of the Minnesota  
119.2 Historical Society.

119.3 (c) If the decision is made to dispose of records by majority vote, the Minnesota Historical  
119.4 Society may acquire and retain whatever they determine to be of potential historical value.

119.5 Sec. 9. Minnesota Statutes 2024, section 299C.80, subdivision 6, is amended to read:

119.6 Subd. 6. **Reporting.** (a) As provided for in chapter 13, the superintendent must make  
119.7 all inactive investigative data for officer-involved death investigations that are public under  
119.8 section 13.82, subdivision 7, or other applicable law available on the bureau's website within  
119.9 30 days ~~of the end of the last criminal appeal of a subject of an investigation.~~ of the case  
119.10 becoming inactive as defined in section 13.82, subdivision 7, except any video that does  
119.11 not record, describe, or otherwise document actions and circumstances surrounding the  
119.12 officer-involved death.

119.13 (b) By February 1 of each year, the superintendent shall report to the commissioner, the  
119.14 governor, and the chairs and ranking minority members of the legislative committees with  
119.15 jurisdiction over public safety finance and policy the following information about the unit:  
119.16 the number of investigations initiated; the number of incidents investigated; the outcomes  
119.17 or current status of each investigation; the charging decisions made by the prosecuting  
119.18 authority of incidents investigated by the unit; the number of plea agreements reached in  
119.19 incidents investigated by the unit; and any other information relevant to the unit's mission.

119.20 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the  
119.21 classification of data.

119.22 Sec. 10. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:

119.23 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the  
119.24 following terms have the meanings given.

119.25 (b) "Judicial official" means:

119.26 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of  
119.27 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge  
119.28 who resides in Minnesota;

119.29 (2) a justice of the Minnesota Supreme Court;

119.30 (3) employees of the Minnesota judicial branch;

119.31 (4) judicial referees and magistrate judges; and

120.1 (5) current and retired judges and current employees of the Office of Administrative  
120.2 Hearings, Workers' Compensation Court of Appeals, and Tax Court.

120.3 (c) "Personal information" does not include publicly available information. Personal  
120.4 information means:

120.5 (1) a residential address of a judicial official;

120.6 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

120.7 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

120.8 (4) the name of any child of a judicial official; and

120.9 (5) the name of any child care facility or school that is attended by a child of a judicial  
120.10 official if combined with an assertion that the named facility or school is attended by the  
120.11 child of a judicial official.

120.12 (d) "Publicly available information" means information that is lawfully made available  
120.13 through federal, state, or local government records or information that a business has a  
120.14 reasonable basis to believe is lawfully made available to the general public through widely  
120.15 distributed media, by a judicial official, or by a person to whom the judicial official has  
120.16 disclosed the information, unless the judicial official has restricted the information to a  
120.17 specific audience.

120.18 (e) "Law enforcement support organizations" do not include charitable organizations.

120.19 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,  
120.20 paragraph (f).

120.21 **EFFECTIVE DATE.** This section is effective January 1, 2026.

120.22 Sec. 11. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:

120.23 Subd. 3. **Exceptions.** (a) Subdivision 2 does and section 480.50 do not apply to:

120.24 (1) the dissemination of personal information if the information is relevant to and  
120.25 displayed as part of a news story, commentary, editorial, or other speech on a matter of  
120.26 public concern;

120.27 (2) personal information that the judicial official voluntarily disseminates publicly after  
120.28 August 1, 2024;

120.29 (3) the dissemination of personal information made at the request of the judicial official  
120.30 or which is necessary to effectuate the request of a judicial official;



121.1 (4) a commercial entity using personal information internally, providing access to  
121.2 businesses under common ownership or affiliated by corporate control, or selling or providing  
121.3 data for a transaction or service requested by or concerning the individual whose personal  
121.4 information is being transferred;

121.5 (5) a commercial entity providing publicly available information through real-time or  
121.6 near real-time alert services for health or safety purposes;

121.7 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,  
121.8 communication, or use of any personal information bearing on a consumer's credit worthiness,  
121.9 credit standing, credit capacity, character, general reputation, personal characteristics, or  
121.10 mode of living by a consumer reporting agency, furnisher, or user that provides information  
121.11 for use in a consumer report, and by a user of a consumer report, but only to the extent that  
121.12 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,  
121.13 United States Code, title 15, section 1681, et seq.;

121.14 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United  
121.15 States Code, title 15, section 1681, et seq.;

121.16 (8) a commercial entity using personal information collected, processed, sold, or disclosed  
121.17 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,  
121.18 title 18, section 2721, et seq.;

121.19 (9) a commercial entity using personal information to do any of the following: prevent,  
121.20 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,  
121.21 malicious or deceptive activities, or any illegal activity; preserve the integrity or security  
121.22 of systems; or investigate, report, or prosecute any person responsible for any such action;

121.23 (10) a financial institution, affiliate of a financial institution, or data subject to title V  
121.24 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

121.25 (11) a covered entity or business associate for purposes of the federal privacy regulations  
121.26 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,  
121.27 specifically United States Code, title 42, section 1320d-2 note;

121.28 (12) insurance and insurance support organizations;

121.29 (13) law enforcement agencies or law enforcement support organizations and vendors  
121.30 that provide data support services to law enforcement agencies; and

121.31 (14) the collection and sale or licensing of covered information incidental to conducting  
121.32 the activities described in clauses (4) to (13); ~~and~~.

122.1 ~~(15) personal information contained in:~~

122.2 ~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

122.3 ~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~

122.4 ~~and~~

122.5 ~~(iii) any other records maintained by a government entity evidencing title to, or any lien,~~

122.6 ~~judgment, or other encumbrance on, real or personal property.~~

122.7 (b) Subdivision 2 does not apply to:

122.8 (1) personal information of judicial officials collected, created, or maintained in real

122.9 property records; or

122.10 (2) the dissemination of personal information in real property records by a licensed

122.11 attorney or any employees in the office of the licensed attorney, when reasonably necessary

122.12 for the provision of legal services.

122.13 **EFFECTIVE DATE.** This section is effective January 1, 2026.

122.14 Sec. 12. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

122.15 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit

122.16 requesting removal of the personal information of a judicial official that meets the

122.17 requirements of subdivision 1, the person, business, association, or government entity shall

122.18 remove the publicly posted personal information within 30 days. If the person, business,

122.19 association, or government entity fails to remove the publicly posted personal information

122.20 within 30 days after an affidavit is submitted, the judicial official may file a civil action in

122.21 a court of competent jurisdiction seeking a court order compelling compliance, including

122.22 injunctive and declarative relief.

122.23 (b) Paragraph (a) shall not apply to personal information disseminated directly by a

122.24 government entity contained in: real property records, as defined in section 480.50,

122.25 subdivision 1, paragraph (f).

122.26 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

122.27 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~

122.28 ~~and~~

122.29 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~

122.30 ~~judgment, or other encumbrance on, real or personal property.~~

122.31 **EFFECTIVE DATE.** This section is effective January 1, 2026.

- 123.1 Sec. 13. [480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.
- 123.2 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
- 123.3 the meanings given.
- 123.4 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
- 123.5 (4).
- 123.6 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.
- 123.7 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
- 123.8 (b), except that it does not include employees of the Minnesota judicial branch.
- 123.9 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
- 123.10 paragraph (c).
- 123.11 (f) "Real property records" means any of the following:
- 123.12 (1) real property records as defined in section 13.045, subdivision 1, clause (5);
- 123.13 (2) Uniform Commercial Code filings and tax liens maintained by the Secretary of State;
- 123.14 and
- 123.15 (3) any other records maintained by a county recorder or other government entity
- 123.16 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.
- 123.17 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.
- 123.18 Subd. 2. Classification of data. (a) Subject to the provisions of this section, the personal
- 123.19 information of all judicial officials collected, created, or maintained in real property records
- 123.20 is private data on individuals, as defined in section 13.02, subdivision 12.
- 123.21 (b) If the responsible authority or government entity violates this section, the remedies
- 123.22 and penalties under chapter 13 are available only if the judicial official making a claim
- 123.23 previously provided a real property notice that complies with subdivision 3. If the subject
- 123.24 of the data is the spouse, domestic partner, or adult child of a judicial official who does not
- 123.25 reside with the judicial official, the remedies and penalties under chapter 13 are available
- 123.26 only if the spouse, domestic partner, or adult child previously provided a notification under
- 123.27 subdivision 3 to the responsible authority confirming their status as the spouse, domestic
- 123.28 partner, or adult child of a judicial official. In the case of county records, the notification
- 123.29 shall be filed with the responsible authority that maintains the personal information for
- 123.30 which the judicial officer is seeking protection. A notification submitted under this section
- 123.31 is private data on individuals, as defined in section 13.02, subdivision 12.

124.1 Subd. 3. **Notification.** (a) For the classification in subdivision 2 to apply to personal  
124.2 information in real property records, a judicial official must submit a real property notice  
124.3 in writing to the county recorder in the county where the property identified in the real  
124.4 property notice is located and to the Office of the Secretary of State. To affect real property  
124.5 records maintained by any other government entity, a judicial official must submit a real  
124.6 property notice in writing to the other government entity's responsible authority. If the  
124.7 personal information is that of the spouse, domestic partner, or adult child of a judicial  
124.8 official who does not reside with the judicial official, the spouse, domestic partner, or adult  
124.9 child must submit a real property notice. The real property notice is classified as private  
124.10 data on individuals, as defined in section 13.02, subdivision 12. A real property notice must  
124.11 be on a form provided by the judicial branch and must include:

124.12 (1) the full legal name of the individual submitting the form;

124.13 (2) the last four digits of the individual's Social Security number;

124.14 (3) the individual's date of birth;

124.15 (4) the individual's telephone number and email;

124.16 (5) the residential address of the individual in Minnesota;

124.17 (6) the legal description, parcel identification number, and street address, if any, of the  
124.18 real property affected by the notice; and

124.19 (7) a certification that the individual is a judicial official or the spouse, domestic partner,  
124.20 or adult child of a judicial official that contains the notarized signature of the individual.

124.21 (b) A notice submitted by a judicial official employed by the state must include the  
124.22 employer's business address and a verification of current employment signed by the  
124.23 employer's human resources office.

124.24 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or  
124.25 adult child of a judicial official not residing with the judicial official must include a notarized  
124.26 verification that the individual is the spouse, domestic partner, or adult child of a judicial  
124.27 official.

124.28 (d) Only one parcel of real property may be included in each notice, but a judicial official  
124.29 may submit more than one notice. A government entity may require a judicial official to  
124.30 provide additional information necessary to identify the records of the judicial official or  
124.31 the real property described in the notice. A individual submitting a notice must submit a  
124.32 new real property notice if their legal name changes.

125.1 Subd. 4. Access to real property records. (a) If an individual submits a notice under  
125.2 subdivision 3, the county recorder or other government entity must not disclose the  
125.3 individual's personal information in conjunction with the property identified in the written  
125.4 notice, unless:

125.5 (1) the individual has consented to sharing or dissemination of the personal information  
125.6 for the purpose identified in a writing signed by the individual and acknowledged by a  
125.7 notary public;

125.8 (2) the personal information is subject to dissemination pursuant to a court order under  
125.9 section 13.03, subdivision 6;

125.10 (3) the personal information is shared with a government entity for the purpose of  
125.11 administering assessment and taxation laws;

125.12 (4) the personal information is disseminated pursuant to subdivision 5; or

125.13 (5) the personal information is shared with the examiner of titles or deputy examiner as  
125.14 necessary to perform their statutory duties under chapters 508 and 508A, including the  
125.15 dissemination of personal information in Reports of Examiner.

125.16 (b) This subdivision does not prevent the county recorder from returning original  
125.17 documents to the person who submitted the documents for recording. Each county recorder  
125.18 shall establish procedures for recording documents to comply with this subdivision. These  
125.19 procedures may include masking personal information and making documents or certificates  
125.20 of title containing the personal information private and not viewable except as allowed by  
125.21 this paragraph. The procedure must comply with the requirements of chapters 386, 507,  
125.22 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict  
125.23 with this section. The procedures must provide public notice of the existence of recorded  
125.24 documents and certificates of title that are not publicly viewable and the provisions for  
125.25 viewing them under this subdivision. Notice that a document or certificate is private and  
125.26 viewable only under this subdivision or subdivision 5 is deemed constructive notice of the  
125.27 document or certificate.

125.28 (c) A real property notice submitted under subdivision 3 shall apply retroactively to all  
125.29 online and digital real property records, except digitized or scanned images of tract pages  
125.30 and books, but only to the extent the individual submitting the notice provides the parcel  
125.31 identification number, document number, or certificate of title number of each record for  
125.32 which protection is sought. Otherwise, paragraph (a) applies only to the real property records  
125.33 recorded or filed concurrently with the real property notice specified in subdivision 3 and

126.1 to real property records affecting the same real property recorded subsequent to the county  
126.2 recorder or other government entity's receipt of the real property notice.

126.3 (d) The county recorder or other government entity shall have 60 days from the date of  
126.4 receipt of a real property notice under subdivision 3 to process the request. If the judicial  
126.5 official cites exigent circumstances, the county recorder or other government entity shall  
126.6 process the request as soon as practicable.

126.7 (e) The prohibition on disclosure in paragraph (a) continues until:

126.8 (1) the judicial official has consented to the termination of the real property notice in a  
126.9 writing signed by the judicial official and acknowledged by a notary public;

126.10 (2) the real property notice is terminated pursuant to a court order;

126.11 (3) the judicial official no longer holds a record interest in the real property identified  
126.12 in the real property notice;

126.13 (4) the judicial official is deceased and a copy of the death certificate has been filed with  
126.14 the county recorder or other government entity to which a subdivision 3 notice was given;  
126.15 or

126.16 (5) the judicial official no longer qualifies as a judicial official. Notification that the  
126.17 judicial official no longer qualifies as a judicial official must be given by the judicial official  
126.18 to each county recorder or other government entity to which a notice under subdivision 3  
126.19 was given within 90 days after the judicial official no longer qualifies as a judicial official.

126.20 (f) Upon termination of the prohibition of disclosure, the county recorder shall make  
126.21 publicly viewable all documents and certificates of title relative to the judicial official that  
126.22 were previously partially or wholly private and not viewable.

126.23 Subd. 5. **Access to personal information in real property records; title**  
126.24 **examination.** (a) Upon request, the judicial official shall verify that the judicial official's  
126.25 real property is the property subject to a bona fide title exam.

126.26 (b) The county recorder or other government entity shall provide a judicial official's  
126.27 unredacted real property records upon request of any of the following persons:

126.28 (1) a licensed title insurance company representative, a licensed title insurance agent, a  
126.29 licensed abstractor, or an attorney licensed to practice law in Minnesota;

126.30 (2) a mortgage loan originator;

126.31 (3) a real estate broker or a real estate salesperson; and

127.1 (4) an individual or entity that has made or received an offer for the purchase of real  
127.2 property to or from a judicial official whose address is subject to nondisclosure, provided  
127.3 the request is accompanied by a written consent from the judicial official.

127.4 (c) A request made under paragraph (a) or (b) must be made on a notarized form and  
127.5 include:

127.6 (1) the full legal name, title, address, and place of employment, if applicable, of the  
127.7 person requesting the real property records;

127.8 (2) the lawful purpose for requesting the real property records;

127.9 (3) the requestor's relationship, if any, to the judicial official;

127.10 (4) the legal description of the property subject to the title examination; and

127.11 (5) proof of the requestor's licensure.

127.12 (d) Personal information provided under this subdivision may be used only for the  
127.13 purposes authorized in this subdivision or the lawful purposes set forth in the request for  
127.14 disclosure form and may not be further disseminated to any other person. A person receiving  
127.15 private data under this subdivision shall establish procedures to protect the data from further  
127.16 dissemination.

127.17 Subd. 6. Service fees to county recorder or other government entity. The county  
127.18 recorder or any other government entity is authorized to charge the following service fees:

127.19 (1) \$40 for each real property notice under subdivision 3;

127.20 (2) \$40 for each consent submitted under subdivision 4, paragraph (a), clause (1), and  
127.21 subdivision 4, paragraph (e), clause (1); and

127.22 (3) \$40 for each request submitted under subdivision 5.

127.23 These service fees shall not be considered county recorder fees under section 357.18 or  
127.24 registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county  
127.25 recorder or other government entity's general fund.

127.26 **EFFECTIVE DATE.** This section is effective January 1, 2026.

## ARTICLE 10

## MINNESOTA BUSINESS CORPORATION ACT

Section 1. Minnesota Statutes 2024, section 302A.011, subdivision 41, is amended to read:

Subd. 41. **Beneficial owner; beneficial ownership.** (a) "Beneficial owner," when used with respect to shares or other securities, includes, but is not limited to, any person who, directly or indirectly through any written or oral agreement, arrangement, relationship, understanding, or otherwise, has or shares the power to vote, or direct the voting of, the shares or securities or has or shares the power to dispose of, or direct the disposition of, the shares or securities, except that:

(1) a person shall not be deemed the beneficial owner of shares or securities tendered pursuant to a tender or exchange offer made by the person or any of the person's affiliates or associates until the tendered shares or securities are accepted for purchase or exchange; and

(2) a person shall not be deemed the beneficial owner of shares or securities with respect to which the person has the power to vote or direct the voting arising solely from a revocable proxy given in response to a proxy solicitation required to be made and made in accordance with the applicable rules and regulations under the Securities Exchange Act of 1934 and is not then reportable under that act on a Schedule 13D or comparable report, or, if the corporation is not subject to the rules and regulations under the Securities Exchange Act of 1934, would have been required to be made and would not have been reportable if the corporation had been subject to the rules and regulations.

(b) "Beneficial ownership" includes, but is not limited to, the right to acquire shares or securities through the exercise of options, warrants, or rights, or the conversion of convertible securities, or otherwise. The shares or securities subject to the options, warrants, rights, or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding shares or securities of the class or series owned by the person, but shall not be deemed to be outstanding for the purpose of computing the percentage of the class or series owned by any other person. A person ~~shall be~~ is deemed the beneficial owner of shares and securities beneficially owned by: (1) any relative or spouse of the person or any relative of the spouse, residing in the home of the person; (2) any trust or estate in which the person (i) owns ten percent or more of the total beneficial interest of the trust or estate, or (ii) serves as trustee or executor or in a similar fiduciary



129.1 capacity, for the trust or estate; (3) any organization in which the person owns ten percent  
129.2 or more of the equity; and (4) any affiliate of the person.

129.3 (c) When two or more persons act or agree to act as a partnership, limited partnership,  
129.4 syndicate, or other group for the purposes of acquiring, owning, or voting shares or other  
129.5 securities of a corporation, all members of the partnership, syndicate, or other group are  
129.6 deemed to constitute a "person" and to have acquired beneficial ownership, as of the date  
129.7 they first so act or agree to act together, of all shares or securities of the corporation  
129.8 beneficially owned by the person.

129.9 Sec. 2. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
129.10 to read:

129.11 Subd. 72. **Defective corporate act.** "Defective corporate act" means an overissue, an  
129.12 election or appointment of directors that is void or voidable due to a failure of authorization,  
129.13 or an act or transaction purportedly taken by or on behalf of the corporation that is and, at  
129.14 the time the act or transaction was purportedly taken, would have been within the  
129.15 corporation's power under section 302A.101 but is void or voidable due to a failure of  
129.16 authorization.

129.17 Sec. 3. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
129.18 to read:

129.19 Subd. 73. **Emergency.** "Emergency" means a situation during which it is impracticable  
129.20 for the corporation to conduct the corporation's affairs in accordance with this chapter, the  
129.21 articles, the bylaws, or as specified in a notice for the meeting previously given as a result  
129.22 of a catastrophic event or condition, including but not limited to an act of nature, an epidemic  
129.23 or pandemic, a technological failure or malfunction, a terrorist incident or an act of war, a  
129.24 cyber attack, a civil disturbance, or a governmental authority's emergency declaration.

129.25 Sec. 4. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
129.26 to read:

129.27 Subd. 74. **Failure of authorization.** "Failure of authorization" means the failure: (1) to  
129.28 authorize or effect an act or transaction in compliance with (i) this chapter, (ii) the articles  
129.29 or bylaws, (iii) any plan or agreement to which the corporation is a party, or (iv) the  
129.30 disclosure set forth in any proxy or consent solicitation statement, if and to the extent the  
129.31 failure renders the act or transaction void or voidable; or (2) of the board or an officer to

130.1 authorize or approve an act or transaction taken by or on behalf of the corporation that  
130.2 requires board or officer approval for the act or transaction's due authorization.

130.3 Sec. 5. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
130.4 to read:

130.5 Subd. 75. **Overissue.** "Overissue" means the purported issuance of: (1) shares of a class  
130.6 or series in excess of the number of shares of the class or series the corporation has the  
130.7 power under the articles to issue under section 302A.401, subdivision 1, at the time of the  
130.8 issuance; or (2) shares of any class or series that are not then authorized for issuance by the  
130.9 articles.

130.10 Sec. 6. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
130.11 to read:

130.12 Subd. 76. **Putative shares.** "Putative shares" means shares, including shares issued upon  
130.13 exercise of rights to purchase, in each case, that were created or issued pursuant to a defective  
130.14 corporate act, that: (1) but for a failure of authorization, would constitute valid shares; or  
130.15 (2) the board is unable to determine are valid shares.

130.16 Sec. 7. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
130.17 to read:

130.18 Subd. 77. **Time of defective corporate act.** "Time of defective corporate act" means  
130.19 the date and time at which the defective corporate act was purportedly taken.

130.20 Sec. 8. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
130.21 to read:

130.22 Subd. 78. **Validation effective time.** "Validation effective time," with respect to a  
130.23 defective corporate act ratified under section 302A.166 or 302A.167, means the latest of:

130.24 (1) the time when a defective corporate act submitted to shareholders for approval under  
130.25 section 302A.166, subdivision 4, is approved by shareholders or, if no vote of the  
130.26 shareholders is required to approve the ratification of the defective corporate act, immediately  
130.27 following the time when the board adopts the resolutions required under section 302A.166,  
130.28 subdivision 2 or 3;

130.29 (2) if no certificate of validation must be filed under section 302A.166, subdivision 6,  
130.30 the time, if any, specified by the board of directors in the resolutions adopted under section

131.1 302A.166, subdivision 2 or 3, provided the time specified by the board of directors does  
131.2 not precede the time when the resolutions are adopted; or

131.3 (3) the time when any certificate of validation filed under section 302A.166, subdivision  
131.4 6, is filed with the secretary of state.

131.5 Sec. 9. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
131.6 to read:

131.7 Subd. 79. **Valid shares.** "Valid shares" means shares that have been duly authorized  
131.8 and validly issued as required under this chapter.

131.9 Sec. 10. Minnesota Statutes 2024, section 302A.111, subdivision 2, is amended to read:

131.10 Subd. 2. **Statutory provisions that may be modified only in articles or in a**  
131.11 **shareholder control agreement.** The following provisions govern a corporation unless  
131.12 modified in the articles or in a shareholder control agreement under section 302A.457:

131.13 (a) a corporation has general business purposes (section 302A.101);

131.14 (b) a corporation has perpetual existence and certain powers (section 302A.161);

131.15 (c) the power to adopt, amend, or repeal the bylaws is vested in the board (section  
131.16 302A.181);

131.17 (d) a corporation must allow cumulative voting for directors (section 302A.215,  
131.18 subdivision 2);

131.19 (e) the affirmative vote of a majority of directors present is required for an action of the  
131.20 board (section 302A.237);

131.21 (f) a written action by the board taken without a meeting must be signed by all directors  
131.22 (section 302A.239);

131.23 (g) the board may authorize the issuance of securities and rights to purchase securities  
131.24 (section 302A.401, subdivision 1);

131.25 (h) all shares are common shares entitled to vote and are of one class and one series  
131.26 (section 302A.401, subdivision 2, clauses (a) and (b));

131.27 (i) all shares have equal rights and preferences in all matters not otherwise provided for  
131.28 by the board (section 302A.401, subdivision 2, clause (b));

131.29 (j) the par value of shares is fixed at one cent per share for certain purposes and may be  
131.30 fixed by the board for certain other purposes (section 302A.401, subdivision 2, clause (c));

132.1 (k) the board or the shareholders may issue shares for any consideration or for no  
132.2 consideration to effectuate share dividends, divisions, or combinations, and determine the  
132.3 value of nonmonetary consideration (section 302A.405, subdivision 1);

132.4 (l) shares of a class or series must not be issued to holders of shares of another class or  
132.5 series to effectuate share dividends, divisions, or combinations, unless authorized by a  
132.6 majority of the voting power of the shares of the same class or series as the shares to be  
132.7 issued (section 302A.405, subdivision 1);

132.8 (m) a corporation may issue rights to purchase securities whose terms, provisions, and  
132.9 conditions are fixed by the board (section 302A.409);

132.10 (n) a shareholder has certain preemptive rights, unless otherwise provided by the board  
132.11 (section 302A.413);

132.12 (o) the affirmative vote of the holders of a majority of the voting power of the shares  
132.13 present and entitled to vote at a duly held meeting is required for an action of the  
132.14 shareholders, except where this chapter requires the affirmative vote of a plurality of the  
132.15 votes cast (section 302A.215, subdivision 1) or a majority of the voting power of all shares  
132.16 entitled to vote (section 302A.437, subdivision 1);

132.17 (p) shares of a corporation acquired by the corporation may be reissued (section  
132.18 302A.553, subdivision 1);

132.19 (q) each share has one vote unless otherwise provided in the terms of the share (section  
132.20 302A.445, subdivision 3);

132.21 (r) a corporation may issue shares for a consideration less than the par value, if any, of  
132.22 the shares (section 302A.405, subdivision 2);

132.23 (s) the board may effect share dividends, divisions, and combinations under certain  
132.24 circumstances without shareholder approval (section 302A.402);

132.25 (t) a written action of shareholders must be signed by all shareholders (section 302A.441);

132.26 (u) specified amendments of the articles create dissenters' rights (section 302A.471,  
132.27 subdivision 1, clause (a)); ~~and~~

132.28 (v) shareholders are entitled to vote as a class or series upon proposed amendments to  
132.29 the articles in specified circumstances (section 302A.137); and

132.30 (w) the corporation's business and affairs must be managed by or under the board's  
132.31 direction (section 302A.201).

133.1 Sec. 11. Minnesota Statutes 2024, section 302A.161, is amended by adding a subdivision  
133.2 to read:

133.3 Subd. 23a. **Emergency powers.** (a) During an emergency, unless emergency bylaws  
133.4 provide otherwise:

133.5 (1) notice of a meeting of the board must be given only to the directors that are practicable  
133.6 to reach and may, if ordinary notice is impracticable or inadvisable due to the emergency,  
133.7 be given in any practicable manner; and

133.8 (2) the officers designated on a list approved by the board of directors before the  
133.9 emergency, in the priority order and subject to conditions as may be provided in the board  
133.10 resolution approving the list, must, to the extent required to provide a quorum at any meeting  
133.11 of the board, be deemed directors for the meeting.

133.12 (b) During an emergency that makes it impracticable to convene a meeting of shareholders  
133.13 in accordance with this chapter, the articles, the bylaws, or as specified in a notice for the  
133.14 meeting previously given, unless emergency bylaws provide otherwise, the board may  
133.15 postpone a meeting of shareholders for which notice has been given or authorize shareholders  
133.16 to participate in a meeting by any means of remote communication that conforms with  
133.17 section 302A.436. The corporation must give notice to shareholders, by the means and with  
133.18 shorter advance notice as are reasonable in the circumstances, of a postponement, including  
133.19 any new date, time, or place, and describe any means of remote communication to be used.  
133.20 The notice to shareholders by a publicly held corporation may be given solely by means of  
133.21 a document publicly filed by the corporation with the Securities and Exchange Commission  
133.22 pursuant to the rules and regulations under the Securities Exchange Act of 1934, United  
133.23 States Code, title 15, section 78a, et seq.

133.24 (c) A corporate action taken in good faith under this subdivision during an emergency  
133.25 to further the business and affairs of the corporation binds the corporation.

133.26 Sec. 12. **[302A.166] DEFECTIVE CORPORATE ACTS AND SHARES;**  
133.27 **RATIFICATION.**

133.28 Subdivision 1. **Effect of ratification or validation.** Subject to subdivision 7, a defective  
133.29 corporate act or putative share is not void or voidable solely as a result of a failure of  
133.30 authorization if the defective corporate act or putative share is ratified under this section or  
133.31 validated by a court in a proceeding brought under section 302A.167.

134.1 Subd. 2. **Board approval; generally.** (a) In order to ratify one or more defective corporate  
134.2 acts under this section other than ratifying an election of the first board under subdivision  
134.3 3, the board must adopt resolutions stating:

134.4 (1) the defective corporate act or acts to be ratified;

134.5 (2) the date of each defective corporate act or acts;

134.6 (3) if the defective corporate act or acts involved the issuance of putative shares, the  
134.7 number and type of putative shares issued and the date or dates upon which the putative  
134.8 shares were purported to have been issued;

134.9 (4) the nature of the failure of authorization in respect of each defective corporate act  
134.10 to be ratified; and

134.11 (5) that the board approves ratification of the defective corporate act or acts.

134.12 (b) The resolutions also may provide that, at any time before the validation effective  
134.13 time in respect of a defective corporate act set forth in the resolutions, notwithstanding the  
134.14 approval of the ratification of the defective corporate act by shareholders, the board may  
134.15 abandon the ratification of the defective corporate act without further action of the  
134.16 shareholders.

134.17 (c) The quorum and voting requirements that apply to the board's ratification of any  
134.18 defective corporate act must be the quorum and voting requirements applicable to the type  
134.19 of defective corporate act proposed to be ratified at the time the board adopts the resolutions  
134.20 ratifying the defective corporate act. If the articles or bylaws, any plan or agreement to  
134.21 which the corporation was a party, or any provision of this chapter, in each case as in effect  
134.22 as of the time of the defective corporate act, require a larger number or portion of directors  
134.23 or of specified directors for a quorum to be present or to approve the defective corporate  
134.24 act, the larger number or portion of the directors or the specified directors must be required  
134.25 for a quorum to be present or to adopt the resolutions to ratify the defective corporate act,  
134.26 as applicable; except that the presence or approval of a director elected, appointed, or  
134.27 nominated by holders of any class or series of which no shares are outstanding at the time  
134.28 the board adopts the resolutions ratifying the defective corporate act, or by any person that  
134.29 is no longer a shareholder at the time the board adopts the resolutions ratifying the defective  
134.30 corporate act, is not required.

134.31 Subd. 3. **Board approval; election of first board.** To ratify a defective corporate act  
134.32 in respect of the election of the first board under section 302A.201, subdivision 1, a majority  
134.33 of the persons who, at the time the resolutions required by this subdivision are adopted, are

135.1 exercising the powers of directors under claim and color of an election or appointment as  
135.2 such may adopt resolutions stating:

135.3 (1) the name of the person or persons who first took action in the name of the corporation  
135.4 as the first board;

135.5 (2) the earlier of the date on which the persons first took the action or were purported  
135.6 to have been elected as the first board; and

135.7 (3) that the ratification of the election of the person or persons as the first board is  
135.8 approved.

135.9 Subd. 4. **Shareholder approval; when required.** A defective corporate act ratified  
135.10 under subdivision 2 must be submitted to shareholders for approval under subdivision 5,  
135.11 unless:

135.12 (1)(i) no other provision of this chapter, and no provision of the articles or bylaws, or  
135.13 of any plan or agreement to which the corporation is a party, requires shareholder approval  
135.14 of the defective corporate act to be ratified, either at the time of the defective corporate act  
135.15 or at the time the board adopts the resolutions ratifying the defective corporate act under  
135.16 subdivision 2, and (ii) the defective corporate act did not result from a failure to comply  
135.17 with section 302A.673; or

135.18 (2) as of the adoption of the resolutions of the board under subdivision 2, there are no  
135.19 valid shares outstanding and entitled to vote thereon, regardless of whether there then exist  
135.20 any putative shares.

135.21 Subd. 5. **Shareholder approval; process.** (a) If the ratification of a defective corporate  
135.22 act must be submitted to shareholders for approval under subdivision 4, notice of the meeting  
135.23 must be given in the manner set forth in section 302A.435 to each holder of valid shares  
135.24 and putative shares, whether voting or nonvoting.

135.25 (b) The notice under this subdivision must be given as follows:

135.26 (1) in the case of a defective corporate act that did not involve the establishment of a  
135.27 record date for notice of or voting at any meeting of shareholders, for written action of  
135.28 shareholders in lieu of a meeting, or for any other purpose, to the shareholders of valid  
135.29 shares and putative shares, whether voting or nonvoting, as of the time of the defective  
135.30 corporate act, other than holders whose identities or addresses cannot be determined from  
135.31 the corporation's records; or

135.32 (2) in the case of a defective corporate act that involved the establishment of a record  
135.33 date for notice of or voting at any meeting of shareholders, for written action of shareholders

136.1 in lieu of a meeting, or for any other purpose, to the shareholders of valid shares and putative  
136.2 shares, whether voting or nonvoting, as of the record date for notice of or voting at the  
136.3 meeting, the record date for written action, or the record date for the other action, as the  
136.4 case may be, other than holders whose identities or addresses cannot be determined from  
136.5 the corporation's records.

136.6 (c) The notice must contain a copy of the resolutions adopted by the board under  
136.7 subdivision 2 or the information required by subdivision 2, paragraph (a), clauses (1) to (5).  
136.8 The notice must include a statement that any claim that the defective corporate act or putative  
136.9 shares ratified under this section is void or voidable due to the failure of authorization, or  
136.10 that a court should declare in the court's discretion that a ratification in accordance with this  
136.11 section is not effective or is effective only on certain conditions, must be brought within  
136.12 120 days from the applicable validation effective time.

136.13 (d) At the meeting, the quorum and voting requirements that apply to ratification of the  
136.14 defective corporate act must be the same quorum and voting requirements that apply to the  
136.15 type of defective corporate act proposed to be ratified at the time of the approval of the  
136.16 ratification, except that:

136.17 (1) if the articles or bylaws, a plan or agreement to which the corporation was a party,  
136.18 or a provision under this chapter in effect as of the time of the defective corporate act requires  
136.19 a larger number or portion of shares or of any class or series thereof or of specified  
136.20 shareholders for a quorum to be present or to approve the defective corporate act, the presence  
136.21 or approval of the larger number or portion of stock or of the class or series thereof or of  
136.22 the specified shareholders must be required for a quorum to be present or to approve the  
136.23 ratification of the defective corporate act, as applicable; except that the presence or approval  
136.24 of shares of any class or series of which no shares are outstanding at the time of the approval  
136.25 of the ratification, or of any person that is no longer a shareholder at the time of the approval  
136.26 of the ratification, is not required; and

136.27 (2) the approval by shareholders of the ratification of a director's election requires the  
136.28 affirmative vote of a plurality of shares present at the meeting and entitled to vote on the  
136.29 election of the director in the manner set forth in section 302A.215, except that, if the articles  
136.30 or bylaws then in effect or in effect at the time of the defective election require or required  
136.31 a larger number or portion of shares or of any class or series thereof or of specified  
136.32 shareholders to elect the director, the affirmative vote of the larger number or portion of  
136.33 shares or of any class or series thereof or of the specified shareholders must be required to  
136.34 ratify the election of the director; except that the presence or approval of shares of any class  
136.35 or series of which no shares are outstanding at the time of the approval of the ratification,



137.1 or of any person that is no longer a shareholder at the time of the approval of the ratification,  
137.2 is not required.

137.3 (e) Putative shares, measured as of the adoption by the board of resolutions under  
137.4 subdivision 2 and without giving effect to any ratification that becomes effective after the  
137.5 adoption, are neither entitled to vote nor counted for quorum purposes in a vote to ratify a  
137.6 defective corporate act.

137.7 Subd. 6. **Certificate of validation.** (a) If a defective corporate act ratified under this  
137.8 section requires under any other section of this chapter a certificate to be filed with the  
137.9 secretary of state, and either (1) the certificate requires any change to give effect to the  
137.10 defective corporate act in accordance with this section, including a change to the date and  
137.11 time of the effectiveness of the certificate, or (2) a certificate was not previously filed with  
137.12 respect to the defective corporate act, the corporation must file with the secretary of state  
137.13 a certificate of validation with respect to the defective corporate act in lieu of filing the  
137.14 certificate otherwise required by this chapter.

137.15 (b) A separate certificate of validation is required for each defective corporate act that  
137.16 requires the filing of a certificate of validation under this section, except that (1) two or  
137.17 more defective corporate acts may be included in a single certificate of validation if the  
137.18 corporation filed with the secretary of state, or to comply with this chapter would have filed  
137.19 with the secretary of state, a single certificate under another provision of this chapter to  
137.20 effect the acts, and (2) two or more overissues of shares, or of any class or series of shares,  
137.21 may be included in a single certificate of validation; provided that the increase in the number  
137.22 of authorized shares, or of each class or series, set forth in the certificate of validation is  
137.23 effective on the date of the first overissue.

137.24 (c) The certificate of validation must set forth:

137.25 (1) that the corporation has ratified one or more defective corporate acts that would have  
137.26 required filing with the secretary of state of a certificate under this chapter;

137.27 (2) that each defective corporate act has been ratified in accordance with this section;  
137.28 and

137.29 (3) the following information:

137.30 (i) if a certificate was previously filed with the secretary of state under this chapter with  
137.31 respect to the defective corporate act and the certificate requires any change to give effect  
137.32 to the defective corporate act in accordance with this section, including a change to the date  
137.33 and time of the effectiveness of the certificate, the certificate of validation must set forth:

138.1 (A) the name, title, and filing date of the certificate previously filed and any certificate  
138.2 of correction to the certificate previously filed;

138.3 (B) a statement that a certificate containing all of the information that must be included  
138.4 under the applicable section or sections of this chapter to give effect to the defective corporate  
138.5 act is attached as an exhibit to the certificate of validation; and

138.6 (C) the date and time that the certificate is deemed effective pursuant to this section; or

138.7 (ii) if a certificate was not previously filed with the secretary of state under this chapter  
138.8 in respect of the defective corporate act and the defective corporate act ratified pursuant to  
138.9 this section would have required under any other section of this chapter the filing with the  
138.10 secretary of state of a certificate, the certificate of validation shall set forth:

138.11 (A) a statement that a certificate containing all of the information required to be included  
138.12 under the applicable section or sections of this chapter to give effect to the defective corporate  
138.13 act is attached as an exhibit to the certificate of validation; and

138.14 (B) the date and time that the certificate shall be deemed to have become effective  
138.15 pursuant to this section.

138.16 (d) A certificate attached to a certificate of validation need not be separately executed  
138.17 and acknowledged and need not include a statement required by another section under this  
138.18 chapter that the instrument has been approved and adopted in accordance with the provisions  
138.19 of the other section under this chapter.

138.20 Subd. 7. **Retroactive effect.** From and after the validation effective time, unless otherwise  
138.21 determined in an action brought pursuant to section 302A.167, subject to subdivision 5,  
138.22 paragraph (e):

138.23 (1) each defective corporate act ratified in accordance with this section is no longer  
138.24 deemed void or voidable as a result of the failure of authorization described in the resolutions  
138.25 adopted under subdivision 2, effective retroactively from the time of the defective corporate  
138.26 act; and

138.27 (2) each share or fraction of a share of putative shares issued or purportedly issued  
138.28 pursuant to the defective corporate act is no longer deemed void or voidable, and is deemed  
138.29 to be an identical outstanding share or fraction of an outstanding share as of the time the  
138.30 share or fraction of a share was purportedly issued.

138.31 Subd. 8. **Postratification notice.** (a) Except as provided under paragraph (b), with respect  
138.32 to each defective corporate act ratified by the board under subdivision 2 or subdivision 3,  
138.33 prompt notice of the ratification must be given to all shareholders of valid shares and putative

139.1 shares, whether voting or nonvoting, as of the date the board adopts the resolutions approving  
139.2 the defective corporate act, or as of a date within 60 days after the date of adoption, as  
139.3 established by the board. The notice must be sent to the address of the holder as the address  
139.4 appears or most recently appeared, as appropriate, on the corporation's records. The notice  
139.5 must be given to the shareholders of valid shares and putative shares, whether voting or  
139.6 nonvoting, as of the time of the defective corporate act, other than holders whose identities  
139.7 or addresses cannot be determined from the records of the corporation. The notice must  
139.8 contain a copy of the resolutions adopted under subdivision 2 or the information specified  
139.9 under subdivision 2, paragraph (a), clauses (1) to (5), or subdivision 3, clauses (1) to (3),  
139.10 as applicable, and a statement that any claim that the defective corporate act or putative  
139.11 shares ratified under this section is void or voidable due to the failure of authorization, or  
139.12 that a court should declare in the court's discretion that a ratification in accordance with this  
139.13 section is not effective or is effective only on certain conditions, must be brought within  
139.14 120 days from the latter of the validation effective time or the time at which the notice  
139.15 required by this subdivision is given.

139.16 (b) Notice is not required if notice of the ratification of the defective corporate act is  
139.17 given in accordance with subdivision 5 and, in the case of a corporation that has a class of  
139.18 shares listed on a national securities exchange, the notice required by this subdivision and  
139.19 subdivision 5 may be deemed given if disclosed in a document publicly filed by the  
139.20 corporation with the Securities and Exchange Commission pursuant to section 13, 14, or  
139.21 15(d) of the Securities Exchange Act of 1934, as amended, United States Code, title 15,  
139.22 section 78a, et seq., and rules and regulations promulgated under the Securities Exchange  
139.23 Act of 1934, as amended, or the corresponding provisions of any subsequent United States  
139.24 securities laws, rules, or regulations.

139.25 (c) If a defective corporate act has been approved by shareholders acting pursuant to  
139.26 section 302A.441, the notice required by this subdivision may be included in a notice  
139.27 required under section 302A.441, subdivision 3. If the notice is given under section  
139.28 302A.441, the notice must be sent to the shareholders entitled to the notice under section  
139.29 302A.441, subdivision 3, and to all holders of valid shares and putative shares to whom  
139.30 notice is required under this subdivision if the defective corporate act had been approved  
139.31 at a meeting and the record date for determining the shareholders entitled to notice of the  
139.32 meeting had been the date for determining the shareholders entitled to notice under paragraph  
139.33 (a) other than any shareholder who approved the written action in lieu of a meeting under  
139.34 section 302A.441 or any holder of putative shares who otherwise consented thereto in  
139.35 writing.

(d) For purposes of this subdivision and subdivision 5 only, notice to holders of putative shares, and notice to holders of valid shares and putative shares as of the time of the defective corporate act, is treated as notice to holders of valid shares for purposes of sections 302A.435 and 302A.441.

**Sec. 13. [302A.167] VALIDITY OF DEFECTIVE CORPORATE ACTS AND SHARES; PROCEEDINGS.**

Subdivision 1. **When permitted.** Subject to subdivision 5, upon application by the corporation, a successor entity to the corporation, a member of the board, a shareholder or beneficial owner of valid shares or putative shares, a shareholder or beneficial owner of valid shares or putative shares as of the time of a defective corporate act ratified pursuant to section 302A.166, or other person claiming to be substantially and adversely affected by a ratification pursuant to section 302A.166, a court may:

(1) determine the validity and effectiveness of any defective corporate act ratified pursuant to section 302A.166;

(2) determine the validity and effectiveness of the ratification of any defective corporate act pursuant to section 302A.166;

(3) determine the validity and effectiveness of any defective corporate act not ratified or not ratified effectively pursuant to section 302A.166;

(4) determine the validity of any corporate act or transaction and any shares or rights to purchase; and

(5) modify or waive any of the procedures set forth in section 302A.166 to ratify a defective corporate act.

Subd. 2. **Remedies.** In connection with an action under this section, a court may:

(1) declare that a ratification under section 302A.166 is not effective or is only effective at a time or upon conditions established by the court;

(2) validate and declare effective a defective corporate act or putative shares and impose conditions upon the court's validation;

(3) require measures to remedy or avoid harm to a person substantially and adversely affected by a ratification under section 302A.166 or from a court order pursuant to this section, excluding harm that would have resulted if the defective corporate act had been valid when approved or effectuated;

141.1 (4) order the secretary of state to accept an instrument for filing with an effective time  
141.2 specified by the court, which may be before or after the time of the order, provided that the  
141.3 filing date of the instrument must be determined in accordance with section 302A.011,  
141.4 subdivision 11;

141.5 (5) approve a share register for the corporation that includes any shares ratified or  
141.6 validated in accordance with this section or section 302A.166;

141.7 (6) declare that putative shares are valid shares or require a corporation to issue and  
141.8 deliver valid shares in place of any putative shares;

141.9 (7) order a meeting of holders of valid shares or putative shares and determine the right  
141.10 and power of persons claiming to hold valid shares or putative shares to vote at the ordered  
141.11 meeting;

141.12 (8) declare that a defective corporate act validated by a court is effective as of the time  
141.13 of the defective corporate act or at another time the court may determine;

141.14 (9) declare that putative shares validated by a court shall be deemed to be an identical  
141.15 share or fraction of a valid share as of the time originally issued or purportedly issued or at  
141.16 such other time as the court may determine; and

141.17 (10) make other orders regarding matters as the court deems proper under the  
141.18 circumstances.

141.19 Subd. 3. **Service.** Service of the application under subdivision 1 upon the registered  
141.20 agent of the corporation is deemed to be service upon the corporation, and no other party  
141.21 needs to be joined in order for a court to adjudicate the matter. In an action filed by the  
141.22 corporation, a court may require notice of the action be provided to other persons specified  
141.23 by the court and permit the other persons to intervene in the action.

141.24 Subd. 4. **Considerations.** In connection with resolving matters pursuant to subdivisions  
141.25 1 and 2, a court may consider the following:

141.26 (1) whether the defective corporate act was originally approved or effectuated with the  
141.27 good faith belief that the approval or effectuation was in compliance with the provisions of  
141.28 this chapter, the articles, or the bylaws;

141.29 (2) whether the corporation and board have treated the defective corporate act as a valid  
141.30 act or transaction and whether a person has acted in reliance on the public record that the  
141.31 defective corporate act was valid;

142.1 (3) whether any person may be or was harmed by the ratification or validation of the  
142.2 defective corporate act, excluding harm that would have resulted if the defective corporate  
142.3 act had been valid when approved or effectuated;

142.4 (4) whether any person is harmed by the failure to ratify or validate the defective corporate  
142.5 act; and

142.6 (5) any other factors or considerations the court deems just and equitable.

142.7 Subd. 5. **Statute of limitations.** An action asserting that (1) a defective corporate act or  
142.8 putative shares ratified in accordance with section 302A.166 is void or voidable due to a  
142.9 failure of authorization identified in the resolution adopted in accordance with section  
142.10 302A.166, subdivision 2 or 3, or (2) a court should declare in its discretion that a ratification  
142.11 in accordance with section 302A.166 not be effective or be effective only on certain  
142.12 conditions, is prohibited from being brought after the expiration of 120 days from the later  
142.13 of the validation effective time and the time notice, if any, that is required to be given  
142.14 pursuant to section 302A.166, subdivision 8, is given with respect to the ratification; except  
142.15 that this subdivision does not apply to an action asserting that a ratification was not  
142.16 accomplished in accordance with section 302A.166 or to any person to whom notice of the  
142.17 ratification was required to have been given pursuant to 302A.166, subdivision 5 or 8, but  
142.18 to whom the notice was not given.

142.19 Sec. 14. Minnesota Statutes 2024, section 302A.181, is amended by adding a subdivision  
142.20 to read:

142.21 Subd. 4. **Emergency bylaws.** (a) Unless the articles provide otherwise, bylaws may  
142.22 contain provisions that are effective only during an emergency. The emergency bylaws may  
142.23 contain provisions necessary to manage the corporation during the emergency, including:

142.24 (1) procedures for calling a meeting of the board;

142.25 (2) quorum requirements for the meeting;

142.26 (3) designation of additional or substitute directors; and

142.27 (4) procedures for the board to determine the duration of an emergency.

142.28 (b) All provisions of the regular bylaws that are not inconsistent with the emergency  
142.29 bylaws remain effective during the emergency.

142.30 (c) Corporate action taken in good faith in accordance with the emergency bylaws binds  
142.31 the corporation.

143.1 Sec. 15. Minnesota Statutes 2024, section 302A.201, subdivision 1, is amended to read:

143.2 Subdivision 1. **Board to manage.** The business and affairs of a corporation shall be  
143.3 managed by or under the direction of a board, subject to the provisions of subdivision 2 and  
143.4 section 302A.457, and except as may be otherwise provided in the articles. If a provision  
143.5 is made in the articles: (1) the powers and duties conferred or imposed upon the board of  
143.6 directors by this chapter must be exercised or performed to the extent and by the natural  
143.7 persons provided in the articles, (2) the directors have no duties, liabilities, or responsibilities  
143.8 as directors under this chapter with respect to or arising from the exercise or performance  
143.9 of, or from the failure to exercise or perform, the conferred or imposed powers and duties  
143.10 by the other persons, and (3) the other persons have all of the duties, liabilities, and  
143.11 responsibilities of directors under this chapter with respect to and arising from the exercise  
143.12 or performance of, or the failure to exercise or perform, the conferred or imposed powers  
143.13 and duties. The members of the first board may be named in the articles or elected by the  
143.14 incorporators pursuant to section 302A.171 or by the shareholders.

143.15 Sec. 16. Minnesota Statutes 2024, section 302A.237, is amended by adding a subdivision  
143.16 to read:

143.17 Subd. 3. **Agreements and other instruments; authorization.** When this chapter requires  
143.18 the board to approve or to take other action with respect to an agreement, instrument, plan,  
143.19 or document, the agreement, instrument, plan, or document may be approved by the board  
143.20 in final form or in substantially final form. If the board acts to approve or take other action  
143.21 with respect to an agreement, instrument, plan, or document that this chapter requires to be  
143.22 filed with the secretary of state or referenced in any certificate filed, the board may, at any  
143.23 time after providing the approval or taking other action and prior to the effectiveness of the  
143.24 filing with the secretary of state, adopt a resolution ratifying the agreement, instrument,  
143.25 plan, or document. The ratification under this subdivision is effective as of the time of the  
143.26 original approval or other action by the board and to satisfy any requirement under this  
143.27 chapter that the board approve or take other action with respect to the agreement, instrument,  
143.28 plan, or document in a specific manner or sequence.

143.29 Sec. 17. Minnesota Statutes 2024, section 302A.361, is amended to read:

143.30 **302A.361 STANDARD OF CONDUCT.**

143.31 Subdivision 1. **Standard; liability.** An officer shall discharge the duties of an office in  
143.32 good faith, in a manner the officer reasonably believes to be in the best interests of the  
143.33 corporation, and with the care an ordinarily prudent person in a like position would exercise

under similar circumstances. A person who so performs those duties is not liable by reason of being or having been an officer of the corporation. A person exercising the principal functions of an office or to whom some or all of the duties and powers of an office are delegated pursuant to section 302A.351 is deemed an officer for purposes of this section and sections 302A.467 and 302A.521.

**Subd. 2. Liability; elimination or limitation.** The articles of a corporation may provide that an officer's personal liability to the shareholders for monetary damages for breach, during the time the corporation is a publicly held corporation, of fiduciary duty as an officer may be eliminated or limited. The articles must not eliminate or limit the liability of an officer:

(1) for any breach of the officer's duty of loyalty to the corporation or the corporation's shareholders;

(2) for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;

(3) under section 80A.76;

(4) for any transaction from which the officer derived an improper personal benefit;

(5) in any action by or in the right of the corporation; or

(6) for any act or omission occurring prior to the date when the provision in the articles eliminating or limiting liability becomes effective.

Sec. 18. Minnesota Statutes 2024, section 302A.461, subdivision 4, is amended to read:

**Subd. 4. Right to inspect.** (a) A shareholder, beneficial owner, or a holder of a voting trust certificate of a corporation that is not a publicly held corporation has an absolute right, upon written demand, to examine and copy, in person or by a legal representative, at any reasonable time, and the corporation shall make available within ten days after receipt by an officer of the corporation of the written demand:

(1) the share register; and

(2) all documents referred to in subdivision 2.

(b) A shareholder, beneficial owner, or a holder of a voting trust certificate of a corporation that is not a publicly held corporation has a right, upon written demand, to examine and copy, in person or by a legal representative, other corporate records at any reasonable time only if the shareholder, beneficial owner, or holder of a voting trust certificate demonstrates a proper purpose for the examination.



(c) A shareholder, beneficial owner, or a holder of a voting trust certificate of a publicly held corporation has, upon written demand stating the purpose and acknowledged or verified in the manner provided in chapter 358, a right at any reasonable time to examine and copy the corporation's share register and other corporate records reasonably related to the stated purpose and described with reasonable particularity in the written demand upon demonstrating the stated purpose to be a proper purpose. The acknowledged or verified demand must be directed to the corporation at its registered office in this state or at its principal place of business.

(d) For purposes of this section, a "proper purpose" is one reasonably related to the person's interest as a shareholder, beneficial owner, or holder of a voting trust certificate of the corporation.

(e) If a corporation or an officer or director of the corporation violates this section, a court in Minnesota may, in an action brought by a shareholder, beneficial owner, or a holder of a voting trust certificate of the corporation, specifically enforce this section and award expenses, including attorney fees and disbursements, to the shareholder, beneficial owner, or a holder of a voting trust certificate.

Sec. 19. Minnesota Statutes 2024, section 302A.471, subdivision 1, is amended to read:

Subdivision 1. **Actions creating rights.** A shareholder of a corporation may dissent from, and obtain payment for the fair value of the shareholder's shares in the event of, any of the following corporate actions:

(a) unless otherwise provided in the articles, an amendment of the articles that materially and adversely affects the rights or preferences of the shares of the dissenting shareholder in that it:

(1) alters or abolishes a preferential right of the shares;

(2) creates, alters, or abolishes a right in respect of the redemption of the shares, including a provision respecting a sinking fund for the redemption or repurchase of the shares;

(3) alters or abolishes a preemptive right of the holder of the shares to acquire shares, securities other than shares, or rights to purchase shares or securities other than shares;

(4) excludes or limits the right of a shareholder to vote on a matter, or to cumulate votes, except as the right may be excluded or limited through the authorization or issuance of securities of an existing or new class or series with similar or different voting rights; except that an amendment to the articles of an issuing public corporation that provides that section

146.1 302A.671 does not apply to a control share acquisition does not give rise to the right to  
146.2 obtain payment under this section; ~~or~~

146.3 (5) eliminates the right to obtain payment under this subdivision; or

146.4 (6) pursuant to section 302A.201, subdivision 1, diminishes or abolishes the board's  
146.5 right to manage, or to direct the management of, the corporation's business and affairs;

146.6 (b) a sale, lease, transfer, or other disposition of property and assets of the corporation  
146.7 that requires shareholder approval under section 302A.661, subdivision 2, but not including  
146.8 a disposition in dissolution described in section 302A.725, subdivision 2, or a disposition  
146.9 pursuant to an order of a court, or a disposition for cash on terms requiring that all or  
146.10 substantially all of the net proceeds of disposition be distributed to the shareholders in  
146.11 accordance with their respective interests within one year after the date of disposition;

146.12 (c) a plan of merger, whether under this chapter or under chapter 322C, to which the  
146.13 corporation is a constituent organization, except as provided in subdivision 3, and except  
146.14 for a plan of merger adopted under section 302A.626;

146.15 (d) a plan of exchange, whether under this chapter or under chapter 322C, to which the  
146.16 corporation is a party as the corporation whose shares will be acquired by the acquiring  
146.17 organization, except as provided in subdivision 3;

146.18 (e) a plan of conversion is adopted by the corporation and becomes effective;

146.19 (f) an amendment of the articles in connection with a combination of a class or series  
146.20 under section 302A.402 that reduces the number of shares of the class or series owned by  
146.21 the shareholder to a fraction of a share if the corporation exercises its right to repurchase  
146.22 the fractional share so created under section 302A.423; or

146.23 (g) any other corporate action taken pursuant to a shareholder vote with respect to which  
146.24 the articles, the bylaws, or a resolution approved by the board directs that dissenting  
146.25 shareholders may obtain payment for their shares.

146.26 Sec. 20. Minnesota Statutes 2024, section 302A.471, subdivision 3, is amended to read:

146.27 Subd. 3. **Rights not to apply.** (a) Unless the articles, the bylaws, or a resolution approved  
146.28 by the board otherwise provide, the right to obtain payment under this section does not  
146.29 apply to a shareholder of (1) the surviving corporation in a merger with respect to shares  
146.30 of the shareholder that are not entitled to be voted on the merger and are not canceled or  
146.31 exchanged in the merger or (2) the corporation whose shares will be acquired by the acquiring

organization in a plan of exchange with respect to shares of the shareholder that are not entitled to be voted on the plan of exchange and are not exchanged in the plan of exchange.

(b) If a date is fixed according to section 302A.445, subdivision 1, for the determination of shareholders entitled to receive notice of and to vote on an action described in subdivision 1, only shareholders as of the date fixed, and beneficial owners as of the date fixed who hold through shareholders, as provided in subdivision 2, may exercise dissenters' rights.

(c) Notwithstanding subdivision 1, the right to obtain payment under this section, other than in connection with a plan of merger adopted under section 302A.613, subdivision 4, or 302A.621, is limited in accordance with the following provisions:

(1) The right to obtain payment under this section is not available for the holders of shares of any class or series of shares that is listed on ~~the New York Stock Exchange, NYSE MKT LLC, the Nasdaq Global Market, the NASDAQ Global Select Market, the Nasdaq Capital Market, or any successor to any such market~~ any national securities exchange registered with the United States Securities and Exchange Commission under Section 6 of the Securities Exchange Act of 1934, United States Code, title 15, section 78a, et seq.

(2) The applicability of clause (1) is determined as of:

(i) the record date fixed to determine the shareholders entitled to receive notice of, and to vote at, the meeting of shareholders to act upon the corporate action described in subdivision 1; or

(ii) the day before the effective date of corporate action described in subdivision 1 if there is no meeting of shareholders.

(3) Clause (1) is not applicable, and the right to obtain payment under this section is available pursuant to subdivision 1, for the holders of any class or series of shares who are required by the terms of the corporate action described in subdivision 1 to accept for such shares anything other than shares, or cash in lieu of fractional shares, of any class or any series of shares of a domestic or foreign corporation, or any other ownership interest of any other organization, that satisfies the standards set forth in clause (1) at the time the corporate action becomes effective.

Sec. 21. Minnesota Statutes 2024, section 302A.611, is amended by adding a subdivision to read:

Subd. 1a. **Additional remedies; shareholder representatives.** A plan of merger or exchange may provide:

148.1 (1) that: (i) a party to the plan that fails to perform the party's obligations under the plan  
148.2 in accordance with the terms and conditions of the plan, or that otherwise fails to comply  
148.3 with the terms and conditions of the plan, in each case required to be performed or complied  
148.4 with prior to the time the merger or exchange becomes effective, or that otherwise fails to  
148.5 consummate, or fails to cause the consummation of, the merger or exchange, whether prior  
148.6 to a specified date, upon satisfaction or, to the extent permitted by law, waiver of all  
148.7 conditions to consummation set forth in the plan or otherwise, is subject, in addition to any  
148.8 other remedies available at law or in equity, to penalties or consequences set forth in the  
148.9 plan of merger or exchange, which may include an obligation to pay to the other party or  
148.10 parties to the plan an amount representing or based on the loss of any premium or other  
148.11 economic entitlement the shareholders or holders of rights to purchase of the other party  
148.12 would be entitled to receive pursuant to the terms of the plan if the merger or exchange  
148.13 were consummated in accordance with the terms of the plan; and (ii) if, pursuant to the  
148.14 terms of the plan of merger or exchange, the corporation is entitled to receive payment from  
148.15 another party to the plan of any amount representing a penalty or consequence, the  
148.16 corporation is entitled to enforce the other party's payment obligation and upon receipt of  
148.17 a payment is entitled to retain the amount of the payment received; or

148.18 (2)(i) for the appointment, at or after the time at which the plan of merger or exchange  
148.19 is approved by the shareholders of the corporation in accordance with the requirements of  
148.20 this chapter, of one or more persons, which may include the surviving or resulting  
148.21 organization or any officer, representative, or agent of the surviving or resulting organization,  
148.22 as representative of the shareholders or the holders of rights to purchase of the corporation,  
148.23 including the shareholders and holders whose shares or rights to purchase must be canceled,  
148.24 converted, or exchanged in the merger or exchange and for the delegation to the person or  
148.25 persons of the sole and exclusive authority to take action and bring claims on behalf of the  
148.26 shareholders and the holders pursuant to the plan, including taking actions and bringing  
148.27 claims, including by entering into settlements, as the representative determines to enforce  
148.28 the rights of the shareholders and holders under the plan of merger or exchange, on the  
148.29 terms and subject to the conditions set forth in the plan; (ii) that an appointment is irrevocable  
148.30 and binding on all shareholders and holders from and after the approval of the plan of merger  
148.31 or exchange by the requisite vote of shareholders pursuant to this chapter; and (iii) that a  
148.32 provision adopted pursuant to this clause may not be amended after the merger or exchange  
148.33 has become effective or may be amended only with the consent or approval of persons  
148.34 specified in the plan of merger or exchange.

**ARTICLE 11****TRUSTS**

Section 1. Minnesota Statutes 2024, section 501A.01, is amended to read:

**501A.01 WHEN NONVESTED INTEREST, POWERS OF APPOINTMENT ARE  
INVALID; EXCEPTIONS.**

(a) A nonvested property interest is invalid unless:

(1) when the interest is created, it is certain to vest or terminate no later than 21 years after the death of an individual then alive; or

(2) the interest either vests or terminates within 90 years after its creation.

(b) A general power of appointment not presently exercisable because of a condition precedent is invalid unless:

(1) when the power is created, the condition precedent is certain to be satisfied or become impossible to satisfy no later than 21 years after the death of an individual then alive; or

(2) the condition precedent either is satisfied or becomes impossible to satisfy within 90 years after its creation.

(c) A nongeneral power of appointment or a general testamentary power of appointment is invalid unless:

(1) when the power is created, it is certain to be irrevocably exercised or otherwise to terminate no later than 21 years after the death of an individual then alive; or

(2) the power is irrevocably exercised or otherwise terminates within 90 years after its creation.

(d) In determining whether a nonvested property interest or a power of appointment is valid under paragraph (a), clause (1), paragraph (b), clause (1), or paragraph (c), clause (1), the possibility that a child will be born to an individual after the individual's death is disregarded.

(e) If, in measuring a period from the creation of a trust or other property arrangement, language in a governing instrument seeks to:

(1) disallow the vesting or termination of any interest trust beyond;

(2) postpone the vesting or termination of any interest or trust until; or

(3) operate in effect in any similar fashion upon,

150.1 the later of the expiration of a period of time not exceeding 21 years after the death of the  
150.2 survivor of specified lives in being at the creation of the trust or other property arrangement,  
150.3 or the expiration of a period of time that exceeds or might exceed 21 years after the death  
150.4 of the survivor of lives in being at the creation of the trust or other property arrangement;  
150.5 that language is inoperative to the extent it produces a period of time that exceeds 21 years  
150.6 after the death of the survivor of the specified lives.

150.7 (f) For any trust created on or after August 1, 2025, this section shall apply to a nonvested  
150.8 property interest or power of appointment contained in a trust by substituting the term "500  
150.9 years" for "90 years" in each place it appears in this section, unless the terms of the trust  
150.10 require that all beneficial interests in the trust vest or terminate within a lesser period.

150.11 Sec. 2. Minnesota Statutes 2024, section 501C.0301, is amended to read:

150.12 **501C.0301 REPRESENTATION: BASIC EFFECT.**

150.13 (a) Notice to a person who may represent and bind another person under sections  
150.14 501C.0302 to 501C.0305 has the same effect as if notice were given directly to the other  
150.15 person.

150.16 (b) The consent, agreement, or waiver of a person who may represent and bind another  
150.17 person under sections 501C.0302 to 501C.0305 is binding on the person represented unless  
150.18 the person represented objects to the representation before the consent, agreement, or waiver  
150.19 would otherwise have been effective. The provisions of this paragraph shall not apply to  
150.20 representation under section 501C.0302.

150.21 (c) Except as otherwise provided in sections 501C.0411 and 501C.0602, a person who  
150.22 under sections 501C.0302 to 501C.0305 may represent a settlor who lacks capacity may  
150.23 receive notice and give a binding consent on the settlor's behalf.

150.24 (d) A settlor may not represent and bind a beneficiary under sections 501C.0302 to  
150.25 501C.0305 with respect to the termination or modification of a trust under section 501C.0411,  
150.26 paragraph (a).

150.27 (e) The settlor or another person, including one or more beneficiaries of the trust,  
150.28 designated by the terms of the trust instrument to receive information from the trustee  
150.29 concerning the administration of the trust and the material facts necessary to protect the  
150.30 beneficiaries' interests in the manner described in section 501C.0813, paragraph (b), shall  
150.31 be a representative of the beneficiaries with respect to the limitations period on judicial  
150.32 proceedings against a trustee under section 501C.1005, paragraph (a).

151.1 Sec. 3. Minnesota Statutes 2024, section 501C.0302, is amended to read:

151.2 **501C.0302 REPRESENTATION BY HOLDER OF A ~~GENERAL~~ POWER OF**  
151.3 **APPOINTMENT.**

151.4 For purposes of giving notice, waiving notice, initiating a proceeding, granting consent  
151.5 or approval, or objecting with regard to any proceedings under this chapter, the sole holder  
151.6 or all co-holders of a presently exercisable or testamentary ~~general~~ power of appointment,  
151.7 whether general or special, power of revocation, or unlimited power of withdrawal are  
151.8 deemed to represent and act for beneficiaries to the extent that their interests as permissible  
151.9 appointees, takers in default, or otherwise are subject to the power.

151.10 Sec. 4. Minnesota Statutes 2024, section 501C.0407, is amended to read:

151.11 **501C.0407 EVIDENCE OF ORAL TRUST.**

151.12 The formal expression of intent to create a trust can be either written or oral subject to  
151.13 the requirements of sections 513.04 with respect to the conveyance of interest in land except  
151.14 up to a one-year lease and 524.2-502 with respect to a testamentary trust. The creation of  
151.15 an oral trust and its terms must be established by clear and convincing evidence.

151.16 Sec. 5. Minnesota Statutes 2024, section 501C.0411, is amended to read:

151.17 **501C.0411 MODIFICATION OR TERMINATION OF NONCHARITABLE**  
151.18 **IRREVOCABLE TRUST BY CONSENT.**

151.19 (a) A noncharitable irrevocable trust may be modified or terminated upon consent of  
151.20 the settlor and all beneficiaries, even if the modification or termination is inconsistent with  
151.21 a material purpose of the trust. A settlor's power to consent to a trust's modification or  
151.22 termination may be exercised by an agent under a power of attorney only to the extent  
151.23 expressly authorized by ~~the power of attorney or the terms of the trust~~, or if the trust  
151.24 instrument is silent with respect to consent to the trust's modification by an agent, then by  
151.25 a power of attorney, other than a statutory short form power of attorney executed in  
151.26 accordance with section 523.23, that expressly authorizes the agent to consent to a trust's  
151.27 modification; by the settlor's conservator with the approval of the court supervising the  
151.28 conservatorship if an agent is not so authorized; or by the settlor's guardian with the approval  
151.29 of the court supervising the guardianship if an agent is not so authorized and a conservator  
151.30 has not been appointed.

151.31 (b) A noncharitable irrevocable trust may be terminated upon consent of all of the  
151.32 beneficiaries if the court concludes that continuance of the trust is not necessary to achieve

152.1 any material purpose of the trust. A noncharitable irrevocable trust may be modified upon  
152.2 consent of all of the beneficiaries if the court concludes that modification is not inconsistent  
152.3 with a material purpose of the trust.

152.4 (c) The court is not precluded from modifying or terminating a trust because the trust  
152.5 instrument contains spendthrift provisions.

152.6 (d) Upon termination of a trust under paragraph (a) or (b), the trustee shall distribute the  
152.7 trust property as agreed by the beneficiaries.

152.8 (e) If not all of the beneficiaries consent to a proposed modification or termination of  
152.9 the trust under paragraph (a) or (b), the modification or termination may be approved by  
152.10 the court if the court is satisfied that:

152.11 (1) if all of the beneficiaries had consented, the trust could have been modified or  
152.12 terminated under this section; and

152.13 (2) the interests of a beneficiary who does not consent will be adequately protected.

152.14 Sec. 6. Minnesota Statutes 2024, section 501C.0414, is amended to read:

152.15 **501C.0414 MODIFICATION OR TERMINATION OF UNECONOMIC TRUST.**

152.16 (a) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust  
152.17 property having a total value less than ~~\$50,000~~ \$150,000 may terminate the trust if the  
152.18 trustee concludes that the value of the trust property is insufficient to justify the cost of  
152.19 administration.

152.20 (b) The court may modify or terminate a trust or remove the trustee and appoint a different  
152.21 trustee if it determines that the value of the trust property is insufficient to justify the cost  
152.22 of administration.

152.23 (c) Upon termination of a trust under this section, the trustee shall distribute the trust  
152.24 property in a manner consistent with the purposes of the trust.

152.25 (d) This section does not apply to an easement for conservation or preservation.

152.26 Sec. 7. Minnesota Statutes 2024, section 501C.0602, is amended to read:

152.27 **501C.0602 REVOCATION OR AMENDMENT OF REVOCABLE TRUST.**

152.28 (a) Unless the terms of a trust expressly provide that the trust is revocable, the settlor  
152.29 may not revoke or amend the trust.

152.30 (b) If a revocable trust is created or funded by more than one settlor:



153.1 (1) to the extent the trust consists of community property, the trust may be revoked by  
153.2 either spouse acting alone but may be amended only by joint action of both spouses;

153.3 (2) to the extent the trust consists of property other than community property, each settlor  
153.4 may revoke or amend the trust with regard to the portion of the trust property attributable  
153.5 to that settlor's contribution; and

153.6 (3) upon the revocation or amendment of the trust by fewer than all of the settlors, the  
153.7 trustee shall promptly notify the other settlors of the revocation or amendment.

153.8 (c) The settlor may revoke or amend a revocable trust:

153.9 (1) by substantial compliance with a method provided in the terms of the trust; or

153.10 (2) if the terms of the trust do not provide a method or the method provided in the terms  
153.11 is not expressly made exclusive, by:

153.12 (i) if the trust is created pursuant to a writing, by another writing manifesting clear and  
153.13 convincing evidence of the settlor's intent to revoke or amend the trust; or

153.14 (ii) if the trust is an oral trust, by any other method manifesting clear and convincing  
153.15 evidence of the settlor's intent.

153.16 (d) Upon revocation of a revocable trust, the trustee shall deliver the trust property as  
153.17 the settlor directs.

153.18 (e) A settlor's powers with respect to revocation, amendment, or distribution of trust  
153.19 property may be exercised by an agent under a power of attorney only to the extent expressly  
153.20 authorized by the terms of the trust, ~~or the power~~ if the trust instrument is silent with respect  
153.21 to revocation, amendment, or distribution of trust property by an agent, then by a power of  
153.22 attorney, other than a statutory short form power of attorney executed in accordance with  
153.23 section 523.23, that expressly authorizes the agent to exercise the settlor's powers with  
153.24 respect to revocation, amendment, or distribution of property.

153.25 (f) A conservator of the settlor may exercise a settlor's powers with respect to revocation,  
153.26 amendment, or distribution of trust property only with the approval of the court supervising  
153.27 the conservatorship.

153.28 (g) A trustee who does not know that a trust has been revoked or amended is not liable  
153.29 to the settlor or settlor's successors in interest for distributions made and other actions taken  
153.30 on the assumption that the trust had not been amended or revoked.

154.1 Sec. 8. Minnesota Statutes 2024, section 501C.0605, is amended to read:

154.2 **501C.0605 LIMITATION ON ACTION CONTESTING VALIDITY OF**  
154.3 **REVOCABLE TRUST; DISTRIBUTION OF TRUST PROPERTY.**

154.4 (a) A person may commence a judicial proceeding to contest the validity of a trust that  
154.5 was revocable immediately prior to the settlor's death within the earlier of:

154.6 (1) three years after the settlor's death; or

154.7 (2) 120 days after the trustee sent the person a copy of the trust instrument and a notice  
154.8 informing the person of the settlor's death, of the trust's existence, of the trustee's name and  
154.9 address, and of the time allowed for commencing a proceeding.

154.10 (b) Upon the death of the settlor of a trust that was revocable at the settlor's death, the  
154.11 trustee may proceed to distribute the trust property in accordance with the terms of the trust.  
154.12 The trustee is not subject to liability for doing so unless:

154.13 (1) the trustee knows of a pending judicial proceeding contesting the validity of the trust;  
154.14 or

154.15 (2) a potential contestant has notified the trustee of a possible judicial proceeding to  
154.16 contest the trust and a judicial proceeding is commenced within 60 days after the contestant  
154.17 sent the notification.

154.18 (c) A beneficiary of a trust that is determined to have been invalid, in whole or in part,  
154.19 is liable to return any distribution received, to the extent the invalidity applies to the  
154.20 distribution.

154.21 Sec. 9. Minnesota Statutes 2024, section 501C.0701, is amended to read:

154.22 **501C.0701 ACCEPTING OR DECLINING TRUSTEESHIP.**

154.23 (a) Except as otherwise provided in paragraph (c), a person designated as trustee accepts  
154.24 the trusteeship:

154.25 (1) by substantially complying with a method of acceptance provided in the terms of  
154.26 the trust; or

154.27 (2) if the terms of the trust do not provide a method, or the method provided in the terms  
154.28 is not expressly made exclusive, by accepting delivery of the trust property, exercising  
154.29 powers or performing duties as trustee, or otherwise indicating acceptance of the trusteeship.

154.30 (b) A person designated as trustee who has not yet accepted the trusteeship may reject  
154.31 the trusteeship. A designated trustee who does not accept the trusteeship within a reasonable

155.1 time after knowing of the designation, but not more than 120 days, is deemed to have rejected  
155.2 the trusteeship.

155.3 (c) A person designated as trustee, without accepting the trusteeship, may:

155.4 (1) act to preserve the trust property if, within a reasonable time after acting, the person  
155.5 sends a rejection of the trusteeship to the settlor or, if the settlor is dead or lacks capacity,  
155.6 to a qualified beneficiary; and

155.7 (2) inspect or investigate trust property to determine potential liability or for any other  
155.8 purpose.

155.9 Sec. 10. Minnesota Statutes 2024, section 501C.0808, subdivision 1, is amended to read:

155.10 Subdivision 1. **Definitions.** (a) The definitions in this section apply to this section.

155.11 (b) "Directing party" means ~~any~~ one or more persons acting as investment trust advisor,  
155.12 distribution trust advisor, or trust protector as provided in this section.

155.13 (c) "Distribution trust advisor" means one or more persons given authority by the  
155.14 governing instrument to ~~direct, consent to, veto, or otherwise exercise all or any portion of~~  
155.15 ~~the distribution powers and discretions of the trust, including but not limited to authority to~~  
155.16 ~~make discretionary distributions of income or principal~~ exercise the powers specified in  
155.17 subdivision 3.

155.18 (d) "Excluded fiduciary" means ~~any fiduciary~~ one or more fiduciaries that by the  
155.19 governing instrument ~~is~~ are directed to act in accordance with the exercise of specified  
155.20 powers by a directing party, in which case such specified powers shall be deemed granted  
155.21 not to the fiduciary but to the directing party and such fiduciary shall be deemed excluded  
155.22 from exercising such specified powers. If a governing instrument provides that a fiduciary  
155.23 as to one or more specified matters is to act, omit action, or make decisions only with the  
155.24 consent of a directing party, then such fiduciary is an excluded fiduciary with respect to  
155.25 such matters. A person may be an excluded fiduciary even if such person participated in  
155.26 the exercise of (1) a power described in section 501C.0111 relating to nonjudicial settlement  
155.27 agreements, (2) a power described in section 502.851 relating to decanting, (3) a permitted  
155.28 trustee amendment, or (4) a similar power that invokes the provisions of this section with  
155.29 respect to any new or existing trust.

155.30 (e) "Fiduciary" means ~~any person~~ one or more persons expressly given one or more  
155.31 fiduciary duties by the governing instrument or by this section, including but not limited to  
155.32 a trustee.

(f) "Governing instrument" means the instrument stating the terms of a trust, including but not limited to any court order, or nonjudicial settlement agreement establishing, construing, or modifying the terms of the trust in accordance with section 501C.0111 or 502.851, or other applicable law.

(g) "Investment trust advisor" means ~~any~~ one or more persons given authority by the governing instrument to ~~direct, consent to, or veto the exercise of all or any portion of the investment powers of the trust~~ exercise the powers specified in subdivision 2.

(h) "Power" means authority to take or withhold an action or decision, including but not limited to an expressly specified power, the implied power necessary to exercise a specified power, and authority inherent in a general grant of discretion.

(i) "Trust protector" means one or more persons given one or more of the powers specified in subdivision 4, ~~whether or not designated with the title of trust protector by the governing instrument.~~

Sec. 11. Minnesota Statutes 2024, section 501C.0808, subdivision 2, is amended to read:

**Subd. 2. Powers of investment trust advisor.** An investment trust advisor may be designated in the governing instrument of a trust. The powers of an investment trust advisor may be exercised or not exercised in the sole and absolute discretion of the investment trust advisor, and are binding on all other persons, including but not limited to each beneficiary, fiduciary, excluded fiduciary, and any other party having an interest in the trust. The governing instrument may use the title "investment trust advisor" or any similar name or description demonstrating the intent to provide for the office and function of an investment trust advisor. The governing instrument may provide that the investment trust advisor has the authority to direct, consent to, or veto the exercise of all or any portion of the investment powers of the trustee. Unless the terms of the governing instrument provide otherwise, the investment trust advisor has the authority to:

(1) direct the trustee with respect to the retention, purchase, transfer, assignment, sale, or encumbrance of trust property and the investment and reinvestment of principal and income of the trust;

(2) direct the trustee with respect to all management, control, and voting powers related directly or indirectly to trust assets, including but not limited to voting proxies for securities held in trust;

(3) ~~select and determine reasonable compensation of~~ any one or more advisors, managers, consultants, or counselors, including which may be the trustee, and ~~to~~ delegate to them any

157.1 of the powers of the investment trust advisor in accordance with section 501C.0807 and  
157.2 determine their reasonable compensation for investment services; and

157.3 (4) determine the frequency and methodology for valuing any asset for which there is  
157.4 no readily available market value.

157.5 Sec. 12. Minnesota Statutes 2024, section 501C.0808, subdivision 3, is amended to read:

157.6 Subd. 3. **Powers of distribution trust advisor.** A distribution trust advisor may be  
157.7 designated in the governing instrument of a trust. The powers of a distribution trust advisor  
157.8 may be exercised or not exercised in the sole and absolute discretion of the distribution trust  
157.9 advisor, and are binding on all other persons, including but not limited to each beneficiary,  
157.10 fiduciary, excluded fiduciary, and any other party having an interest in the trust. The  
157.11 governing instrument may use the title "distribution trust advisor" or any similar name or  
157.12 description demonstrating the intent to provide for the office and function of a distribution  
157.13 trust advisor. The governing instrument may provide that the distribution trust advisor has  
157.14 the authority to direct, consent to, veto, or otherwise exercise all or any portion of the  
157.15 distribution powers and discretions of the trustee. Unless the terms of the governing  
157.16 instrument provide otherwise, the distribution trust advisor has authority to:

157.17 (1) direct the trustee with regard to all decisions relating directly or indirectly to  
157.18 discretionary distributions of income or principal to or for one or more beneficiaries; and

157.19 (2) direct the trustee to terminate the trust, including determination of how the trustee  
157.20 shall distribute the trust property to be consistent with the purposes of the trust.

157.21 Sec. 13. Minnesota Statutes 2024, section 501C.0808, subdivision 4, is amended to read:

157.22 Subd. 4. **Powers of trust protector.** A trust protector may be designated in the governing  
157.23 instrument of a trust. The powers of a trust protector may be exercised or not exercised in  
157.24 the sole and absolute discretion of the trust protector, and are binding on all other persons,  
157.25 including but not limited to each beneficiary, investment trust advisor, distribution trust  
157.26 advisor, fiduciary, excluded fiduciary, and any other party having an interest in the trust.  
157.27 The governing instrument may use the title "trust protector" or any similar name or  
157.28 description demonstrating the intent to provide for the office and function of a trust protector.  
157.29 The powers granted to a trust protector by the governing instrument may include but are  
157.30 not limited to authority to do any one or more of the following:

158.1 (1) modify or amend the governing instrument to achieve favorable tax status or respond  
158.2 to changes in the Internal Revenue Code, federal laws, state law, or the rulings and regulations  
158.3 under such laws;

158.4 (2) increase, decrease, or modify the interests of any beneficiary or beneficiaries of the  
158.5 trust;

158.6 (3) modify the terms of any power of appointment granted by the trust; provided,  
158.7 however, such modification or amendment may not grant a beneficial interest to any  
158.8 individual, class of individuals, or other parties not specifically provided for under the trust  
158.9 instrument;

158.10 (4) remove, appoint, or remove and appoint, a trustee, investment trust advisor,  
158.11 distribution trust advisor, another directing party, investment committee member, or  
158.12 distribution committee member, including designation of a plan of succession for future  
158.13 holders of any such office;

158.14 ~~(5) terminate the trust, including determination of how the trustee shall distribute the~~  
158.15 ~~trust property to be consistent with the purposes of the trust;~~

158.16 ~~(6)~~ (5) change the situs of the trust, the governing law of the trust, or both;

158.17 ~~(7)~~ (6) appoint one or more successor trust protectors, including designation of a plan  
158.18 of succession for future trust protectors;

158.19 ~~(8)~~ (7) interpret terms of the trust instrument at the request of the trustee;

158.20 ~~(9)~~ (8) advise the trustee on matters concerning a beneficiary;

158.21 ~~(10)~~ (9) amend or modify the governing instrument to take advantage of laws governing  
158.22 restraints on alienation, distribution of trust property, or to improve the administration of  
158.23 the trust; or

158.24 ~~(11) veto or direct trust distributions; or~~

158.25 ~~(12)~~ (10) provide direction regarding notification of qualified beneficiaries.

158.26 If a charity is a current beneficiary or a presumptive remainder beneficiary of the trust,  
158.27 a trust protector must give notice to the attorney general's charitable trust division at least  
158.28 60 days before taking any of the actions authorized under clause (2), (3), (4), or (5), ~~or (6)~~.  
158.29 The attorney general's charitable trust division may, however, waive this notice requirement.

159.1 Sec. 14. Minnesota Statutes 2024, section 501C.0808, subdivision 5, is amended to read:

159.2 Subd. 5. **Duty and liability of directing party.** (a) A directing party who is a distribution  
159.3 trust advisor or an investment trust advisor is a fiduciary of the trust subject to the same  
159.4 duties and standards applicable to a trustee of a trust as provided by applicable law ~~unless~~  
159.5 ~~the governing instrument provides otherwise, but the governing instrument may not, however,~~  
159.6 ~~relieve or exonerate a directing party from the duty to act or withhold acting as the directing~~  
159.7 ~~party in good faith reasonably believes is in the best interests of the trust., including but not~~  
159.8 limited to the limitation period for actions against a trustee, the effect of providing a report  
159.9 or account, and the defenses available to a trustee in an action for breach of trust against  
159.10 the trustee. The terms of the governing instrument may vary the duty or liability of an  
159.11 investment trust advisor or a distribution trust advisor, but only to the same extent the terms  
159.12 of the trust could vary the duty or liability of a trustee in a like position and under similar  
159.13 circumstances.

159.14 (b) A trust protector is not a fiduciary of the trust unless the governing instrument provides  
159.15 otherwise, provided that a trust protector shall be a fiduciary subject to paragraph (a) if the  
159.16 governing instrument grants the trust protector any of the powers of an investment trust  
159.17 advisor under subdivision 2 or a distribution trust advisor under subdivision 3, but only to  
159.18 the extent of the power or powers granted.

159.19 Sec. 15. Minnesota Statutes 2024, section 501C.0808, subdivision 6, is amended to read:

159.20 Subd. 6. **Duty and liability of excluded fiduciary.** (a) The excluded fiduciary shall act  
159.21 in accordance with the governing instrument and shall take reasonable steps to comply with  
159.22 the directing party's exercise of the powers granted to the directing party by the governing  
159.23 instrument. Unless otherwise provided in the governing instrument, an excluded fiduciary  
159.24 has no duty to monitor, review, inquire, investigate, recommend, evaluate, or warn with  
159.25 respect to a directing party's exercise of or failure to exercise any power granted to the  
159.26 directing party by the governing instrument, including but not limited to, any power related  
159.27 to the acquisition, disposition, retention, management, or valuation of any asset or investment.  
159.28 Except as otherwise provided in this section or the governing instrument, an excluded  
159.29 fiduciary is not liable, either individually or as a fiduciary, for any action, inaction, consent,  
159.30 or failure to consent by a directing party, including but not limited to, any of the following:

159.31 (1) if a governing instrument provides that an excluded fiduciary is to follow the direction  
159.32 of a directing party, and the excluded fiduciary acts in accordance with the direction, then  
159.33 except in cases of willful misconduct on the part of the excluded fiduciary in complying  
159.34 with the direction of the directing party, the excluded fiduciary is not liable for any loss

160.1 resulting directly or indirectly from following the direction, including but not limited to,  
160.2 compliance regarding the valuation of assets for which there is no readily available market  
160.3 value;

160.4 (2) if a governing instrument provides that an excluded fiduciary is to act or omit to act  
160.5 only with the consent of a directing party, then except in cases of willful misconduct on the  
160.6 part of the excluded fiduciary, the excluded fiduciary is not liable for any loss resulting  
160.7 directly or indirectly from any act taken or omitted as a result of the directing party's failure  
160.8 to provide consent after having been requested to do so by the excluded fiduciary; or

160.9 (3) if a governing instrument provides that, or if for any other reason, an excluded  
160.10 fiduciary is required to assume the role or responsibilities of a directing party, or if the  
160.11 excluded fiduciary appoints a directing party or successor to a directing party, then except  
160.12 in cases of willful misconduct on the part of the excluded fiduciary, the excluded fiduciary  
160.13 is not liable for any loss resulting directly or indirectly from its actions in carrying out the  
160.14 roles and responsibilities of the directing party.

160.15 (b) Any excluded fiduciary is also relieved from any obligation to review or evaluate  
160.16 any direction from a distribution trust advisor or to perform investment or suitability reviews,  
160.17 inquiries, or investigations or to make recommendations or evaluations with respect to  
160.18 investments to the extent the directing party, custodial account owner, or authorized designee  
160.19 of a custodial account owner had authority to direct the acquisition, disposition, or retention  
160.20 of any such investment. If the excluded fiduciary offers such communication to the directing  
160.21 party or any investment person selected by the investment trust advisor, the action may not  
160.22 be deemed to constitute an undertaking by the excluded fiduciary to monitor or otherwise  
160.23 participate in actions within the scope of the advisor's authority or to constitute any duty to  
160.24 do so.

160.25 (c) An excluded fiduciary is also relieved of any duty to communicate with, warn, or  
160.26 apprise any beneficiary or third party concerning instances in which the excluded fiduciary  
160.27 would or may have exercised the excluded fiduciary's own discretion in a manner different  
160.28 from the manner directed by the directing party.

160.29 (d) Absent a contrary provision in the governing instrument, the actions of the excluded  
160.30 fiduciary, including any communications with the directing party or others, or carrying out,  
160.31 recording, or reporting actions taken at the directing party's direction pertaining to matters  
160.32 within the scope of authority of the directing party, shall be deemed to be administrative  
160.33 actions taken by the excluded fiduciary solely to allow the excluded fiduciary to perform  
160.34 those duties assigned to the excluded fiduciary under the governing instrument. An



161.1 administrative action described under this paragraph may not be deemed to constitute an  
161.2 undertaking by the excluded fiduciary to monitor, participate, or otherwise take any fiduciary  
161.3 responsibility for actions within the scope of authority of the directing party.

161.4 (e) Any person acting in the role of excluded fiduciary or directing party is an interested  
161.5 person who may petition the district court and invoke its jurisdiction as provided in sections  
161.6 501C.0201 to 501C.0208 for those matters specified in section 501C.0202, and the provisions  
161.7 of section 501C.0202 shall be construed and applied so that the references in that section  
161.8 to a "trustee" include the excluded fiduciary or directing party, as applicable.

161.9 Sec. 16. Minnesota Statutes 2024, section 501C.0808, subdivision 8, is amended to read:

161.10 Subd. 8. **Duty to inform excluded fiduciary and directing parties.** (a) Each directing  
161.11 party shall keep the excluded fiduciary and any other directing party reasonably informed  
161.12 regarding the administration of the trust with respect to any specific duty or function being  
161.13 performed by the directing party to the extent that the duty or function would normally be  
161.14 performed by the excluded fiduciary or to the extent that providing such information to the  
161.15 excluded fiduciary or other directing party is reasonably necessary for the excluded fiduciary  
161.16 or other directing party to perform its duties. The directing party shall provide such  
161.17 information as reasonably requested by the excluded fiduciary or other directing party.  
161.18 Neither the performance nor the failure to perform of a directing party's duty to inform as  
161.19 provided in this subdivision affects the limitation on the liability of the excluded fiduciary  
161.20 as provided in this section.

161.21 (b) Each excluded fiduciary shall keep the directing party or parties reasonably informed  
161.22 regarding the administration of the trust with respect to any specific duty or function  
161.23 performed by the excluded fiduciary to the extent that providing such information to the  
161.24 directing party or parties is reasonably necessary for the directing party to perform its duties.  
161.25 The excluded fiduciary shall provide such information as reasonably requested by a directing  
161.26 party. Neither the performance of nor the failure to perform an excluded fiduciary's duty to  
161.27 inform as provided in this subdivision affects the liability of the directing party as provided  
161.28 in this section.

161.29 Sec. 17. Minnesota Statutes 2024, section 501C.0808, is amended by adding a subdivision  
161.30 to read:

161.31 Subd. 9a. **Office of directing party.** Unless the terms of a governing instrument provide  
161.32 otherwise, the rules applicable to a trustee apply to a directing party regarding the following  
161.33 matters:

- 162.1 (1) acceptance under section 501C.0701;
- 162.2 (2) giving of bond to secure performance under section 501C.0702;
- 162.3 (3) when more than one person is acting in the role of a directing party, the provisions
- 162.4 applicable to cotrustees under section 501C.0703;
- 162.5 (4) reasonable compensation under section 501C.0708;
- 162.6 (5) resignation under section 501C.0705;
- 162.7 (6) removal under section 501C.0706; and
- 162.8 (7) vacancy and appointment of successor under section 501C.0704.

162.9 Sec. 18. Minnesota Statutes 2024, section 501C.1013, subdivision 4, is amended to read:

162.10 Subd. 4. **Effect.** When a certificate of trust is recorded in a county where real property

162.11 is situated, or in the case of personal property, when it is presented to a third party, the

162.12 certificate of trust serves to document the existence of the trust, the identity of the trustees,

162.13 the powers of the trustees and any limitations on those powers, and other matters the

162.14 certificate of trust sets out, as though the full trust instrument had been recorded or presented.

162.15 Until amended or revoked under subdivision 5, or until the full trust instrument is recorded

162.16 or presented, a certificate of trust is prima facie proof as to matters contained in it and any

162.17 party may rely upon the continued effectiveness of the certificate, and the subsequent

162.18 revocation or amendment of a certificate of trust shall not affect transactions entered into

162.19 in reliance on a prior certificate of trust.

162.20 Sec. 19. Minnesota Statutes 2024, section 501C.1014, is amended by adding a subdivision

162.21 to read:

162.22 Subd. 5. **Affidavit of trustee.** An affidavit of a trustee or of trustees of an inter vivos

162.23 trust or a testamentary trust in support of a personal property transaction may be substantially

162.24 in the form of the affidavit provided in subdivision 1 or 2, as long as the affidavit sets forth

162.25 a description of the personal property and includes paragraphs 2, 3(a) and (b), changing the

162.26 property reference to the personal property described, 4, 5, 6, and 7 of the form of the

162.27 affidavit provided in subdivision 1 or 2.

162.28 Sec. 20. Minnesota Statutes 2024, section 501C.1105, subdivision 1, is amended to read:

162.29 Subdivision 1. **Expenses.** Unless a will or trust instrument provides otherwise and subject

162.30 to subdivision 2, all expenses incurred in connection with the settlement of a decedent's

162.31 estate, including debts, funeral expenses, estate taxes, interest and penalties concerning

163.1 taxes, family allowances, fees of attorneys and personal representatives, and court costs  
163.2 must be charged against the principal of the estate.

163.3 Sec. 21. Minnesota Statutes 2024, section 501C.1105, is amended by adding a subdivision  
163.4 to read:

163.5 Subd. 4. **Decedent's estate.** For purposes of this section, the "decedent's estate" includes  
163.6 the estate of the decedent and any trust that was revocable by the decedent at the time of  
163.7 the decedent's death.

163.8 Sec. 22. Minnesota Statutes 2024, section 502.851, subdivision 1, is amended to read:

163.9 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

163.10 (b) "Appointed trust" means an irrevocable trust which receives principal from an invaded  
163.11 trust under subdivision 3 or 4, including another trust created by the settlor of the invaded  
163.12 trust, under the terms of the invaded trust or any other trust instrument, or by the trustees,  
163.13 in that capacity, of the invaded trust. For purposes of creating another trust, any requirement  
163.14 that a trust instrument be signed by the settlor shall be deemed satisfied by the signature of  
163.15 the trustee of the appointed trust. In the discretion of the authorized trustee, the appointed  
163.16 trust may be the same trust as the invaded trust with modified terms which does not require  
163.17 the trustee of the appointed trust to refer to the trust by a different name or obtain a separate  
163.18 tax identification number when applicable.

163.19 (c) "Authorized trustee" means, as to an invaded trust, any trustee or trustees with  
163.20 authority to pay trust principal to or for one or more current beneficiaries other than a trustee  
163.21 who is the settlor, or a beneficiary to whom income or principal must be paid currently or  
163.22 in the future, or who is or will become eligible to receive a distribution of income or principal  
163.23 in the discretion of the trustee, other than by the exercise of a power of appointment held  
163.24 in a nonfiduciary capacity.

163.25 (d) "Current beneficiary" or "beneficiaries" means the person or persons, or as to a class,  
163.26 any person or persons who are or will become members of that class, to whom the trustees  
163.27 may distribute principal at the time of the exercise of the power, provided that the interest  
163.28 of a beneficiary to whom income, but not principal, may be distributed at the discretion of  
163.29 the trustee of the invaded trust, may be continued in the appointed trust.

163.30 (e) "Invade" means the power to pay directly to the beneficiary of a trust or make  
163.31 application for the benefit of the beneficiary.

164.1 (f) "Invaded trust" means any existing irrevocable inter vivos or testamentary trust whose  
164.2 principal is appointed under subdivision 3 or 4.

164.3 (g) "Person or persons interested in the invaded trust" means all qualified beneficiaries  
164.4 as defined in section 501C.0103, paragraph (m).

164.5 (h) "Principal" includes the income of the trust at the time of the exercise of the power  
164.6 that is not currently required to be distributed, including accrued and accumulated income.

164.7 (i) "Unlimited discretion" means the unlimited power to distribute principal. A power  
164.8 to distribute principal that includes words such as best interests, welfare, comfort, or  
164.9 happiness shall not be considered a limitation of the power to distribute principal.

164.10 Sec. 23. Minnesota Statutes 2024, section 502.851, subdivision 2, is amended to read:

164.11 Subd. 2. ~~Power of appointment; effect when more or less extensive than authorized~~  
164.12 Savings provision. An exercise of a power of appointment is not void if the exercise is:

164.13 ~~(1) more extensive than was authorized but is valid to the extent authorized by the~~  
164.14 ~~instrument creating its power; or~~

164.15 ~~(2) less extensive than authorized by the instrument creating the power, unless the donor~~  
164.16 ~~has manifested a contrary intention.~~

164.17 (a) If exercise of the power to invade trust principal under subdivision 3 or 4 would be  
164.18 effective under this section except that the appointed trust instrument in part does not comply  
164.19 with this section, the exercise of the power is effective and the following rules apply with  
164.20 respect to the principal of the appointed trust attributable to the exercise of the power:

164.21 (1) a provision in the appointed trust instrument that is not permitted under this section  
164.22 is void to the extent necessary to comply with this section; and

164.23 (2) a provision required by this section to be in the appointed trust instrument that is not  
164.24 contained in the trust instrument is deemed to be included in the trust instrument to the  
164.25 extent necessary to comply with this section.

164.26 (b) If a trustee or other fiduciary of an appointed trust determines that paragraph (a)  
164.27 applies to a prior exercise of the power to invade trust principal under subdivision 3 or 4,  
164.28 the fiduciary shall take corrective action consistent with the fiduciary's duties.

164.29 Sec. 24. Minnesota Statutes 2024, section 502.851, subdivision 3, is amended to read:

164.30 Subd. 3. **Authorized trustee with unlimited discretion.** (a) An authorized trustee with  
164.31 unlimited discretion to invade trust principal may appoint part or all of the principal to a

165.1 trustee of an appointed trust for, and only for the benefit of, one, more than one, or all of  
165.2 the current beneficiaries of the invaded trust, to the exclusion of any one or more of the  
165.3 current beneficiaries. The successor and remainder beneficiaries of the appointed trust ~~may~~  
165.4 ~~be none~~, must be one, more than one, or all of the successor and remainder beneficiaries of  
165.5 the invaded trust, and may be to the exclusion of any one, more than one, or all of such  
165.6 successor and remainder beneficiaries.

165.7 (b) An authorized trustee exercising the power under paragraph (a) may grant a  
165.8 discretionary power of appointment in the appointed trust to one or more of the current  
165.9 beneficiaries of the invaded trust, provided that the beneficiary granted a power to appoint  
165.10 may receive principal outright under the terms of the invaded trust.

165.11 (c) If the authorized trustee grants a power of appointment, the class of permissible  
165.12 appointees in favor of whom the beneficiary may exercise the power of appointment granted  
165.13 in the appointed trust may be broader or otherwise different from the current, successor,  
165.14 and remainder beneficiaries of the invaded trust.

165.15 (d) If the beneficiary or beneficiaries of the invaded trust are described by a class, the  
165.16 beneficiary or beneficiaries of the appointed trust may include present or future members  
165.17 of the class.

165.18 Sec. 25. Minnesota Statutes 2024, section 502.851, subdivision 4, is amended to read:

165.19 Subd. 4. **Authorized trustee without unlimited discretion.** (a) An authorized trustee  
165.20 with the power to invade trust principal but without unlimited discretion may appoint part  
165.21 or all of the principal of the trust to a trustee of an appointed trust, provided that the current  
165.22 beneficiaries of the appointed trust shall be the same as the current beneficiaries of the  
165.23 invaded trust and the successor and remainder beneficiaries shall be the same as the successor  
165.24 and remainder beneficiaries of the invaded trust.

165.25 (b) If the authorized trustee exercises the power under this subdivision, the appointed  
165.26 trust shall include the same language authorizing the trustee to distribute the income or  
165.27 invade the principal of the appointed trust as in the invaded trust.

165.28 (c) If the authorized trustee exercises the power under this subdivision to extend the  
165.29 term of the appointed trust beyond the term of the invaded trust, for any period after the  
165.30 invaded trust would have otherwise terminated under the provisions of the invaded trust,  
165.31 the appointed trust, in addition to the language required to be included in the appointed trust  
165.32 pursuant to paragraph (b), may also include language providing the trustee with unlimited  
165.33 discretion to invade the principal of the appointed trust during this extended term.

(d) If the beneficiary or beneficiaries of the invaded trust are described by a class, the beneficiary or beneficiaries of the appointed trust shall include present ~~or~~ and future members of the class.

(e) If the authorized trustee exercises the power under this subdivision and if the invaded trust grants a power of appointment to a beneficiary of the trust, the appointed trust shall grant the power of appointment in the appointed trust and the class of permissible appointees shall be the same as in the invaded trust.

Sec. 26. Minnesota Statutes 2024, section 502.851, subdivision 11, is amended to read:

**Subd. 11. Requirements for exercise of power to appoint; notice.** (a) The exercise of the power to appoint to an appointed trust under subdivision 3 or 4 must be evidenced by an instrument in writing, signed, and dated, ~~and acknowledged~~ by the authorized trustee. The exercise of the power shall be effective 60 days after the date of delivery of notice as specified in paragraph (c), unless each person entitled to notice agrees in writing to an earlier effective date or waives in writing the right to object to the exercise of the power.

(b) An authorized trustee may exercise the power authorized by subdivision 3 or 4 without the consent of the settlor or the persons interested in the invaded trust and without court approval, provided that the authorized trustee may seek court approval for the exercise with notice to all persons interested in the invaded trust.

(c) A copy of the instrument exercising the power, a copy of the appointed trust, and a copy of the invaded trust shall be delivered to:

(1) any person having the right, pursuant to the terms of the invaded trust, to remove or replace the authorized trustee exercising the power under subdivision 3 or 4; ~~and~~

(2) all persons interested in the invaded trust; and

(3) any person who would be considered the owner of all or any portion of the appointed trust under sections 671 to 679 of the Internal Revenue Code.

(d) Notice of an exercise of the power must be given in the same manner as provided in section 501C.0109 and is subject to the provisions of section 501C.0301.

(e) The instrument exercising the power shall state whether the appointment is of all the assets comprising the principal of the invaded trust or only a part of the assets comprising the principal of the invaded trust and, if a part, the approximate percentage of the value of the principal of the invaded trust that is subject to the appointment.

167.1 (f) A person entitled to notice may object to the authorized trustee's exercise of the power  
167.2 under this section by serving a written notice of objection upon the authorized trustee prior  
167.3 to the effective date of the exercise of the power. The failure to object shall not constitute  
167.4 a consent.

167.5 (g) If the authorized trustee does not receive a written objection to the proposed exercise  
167.6 from a person entitled to notice within the applicable period, the authorized trustee is not  
167.7 liable to any person who received the required notice for the exercise of the power.

167.8 (h) If the authorized trustee receives a written objection within the applicable period,  
167.9 either the authorized trustee or any person entitled to notice may petition the court to have  
167.10 the proposed exercise of a power performed as proposed, performed with modifications, or  
167.11 denied. In a proceeding, a person objecting to the proposed exercise has the burden of proof  
167.12 as to whether the authorized trustee's proposed exercise should not be performed. A person  
167.13 who has not objected is not estopped from opposing the proposed exercise in the proceeding.  
167.14 If the authorized trustee decides not to implement the proposed exercise, the trustee shall  
167.15 notify all persons entitled to notice of the decision not to exercise the power and the reasons  
167.16 for the decision, and the authorized trustee's decision not to implement the proposed exercise  
167.17 does not itself give rise to liability to any person interested in the invaded trust. A person  
167.18 entitled to notice may petition the court to have the exercise of a power performed and has  
167.19 the burden of proof as to whether it should be performed.

167.20 (i) A copy of the instrument exercising the power and a copy of each of the invaded trust  
167.21 and the appointed trust shall be filed with records of the appointed trust and the invaded  
167.22 trust.

167.23 Sec. 27. Minnesota Statutes 2024, section 502.851, subdivision 15, is amended to read:

167.24 Subd. 15. **Prohibitions.** (a) An authorized trustee may not exercise a power authorized  
167.25 by subdivision 3 or 4 to effect any of the following:

167.26 (1) to reduce, limit, or modify any beneficiary's current right to a mandatory distribution  
167.27 of income or principal, a mandatory annuity or unitrust interest, a current right to withdraw  
167.28 a percentage of the value of the trust, or a current right to withdraw a specified dollar amount;  
167.29 provided, however, and subject to the other limitations in this section, an authorized trustee  
167.30 may exercise a power authorized by subdivision 3 or 4 to appoint to an appointed trust that  
167.31 is a supplemental needs trust that conforms to the provisions of section 501C.1205;

167.32 (2) notwithstanding section 501C.1008, paragraph (b), to decrease or indemnify against  
167.33 a trustee's liability or exonerate a trustee from liability for failure to exercise reasonable

168.1 care, diligence, and prudence, except that the appointed trust may divide and reallocate  
168.2 fiduciary powers among fiduciaries, including one or more trustees, distribution trust  
168.3 advisors, investment trust advisors, trust protectors, or other persons, and relieve a fiduciary  
168.4 from liability for an act or failure to act of another fiduciary as permitted under section  
168.5 501C.0808;

168.6 (3) to alter or eliminate a provision granting another person the right to remove or replace  
168.7 the authorized trustee exercising the power under subdivision 3 or 4, unless notice has been  
168.8 provided to the persons under subdivision 11, paragraph (c), or approval is granted by a  
168.9 court having jurisdiction over the trust;

168.10 (4) to make a binding and conclusive fixation of the value of any asset for purposes of  
168.11 distribution, allocation, or otherwise;

168.12 (5) to extend the term of the appointed trust beyond any permissible period of the rule  
168.13 against perpetuities of the invaded trust, and any exercise of the power which extends the  
168.14 term of the appointed trust beyond the permissible period of the rule against perpetuities of  
168.15 the invaded trust shall void the entire exercise of the power; or

168.16 (6) to jeopardize:

168.17 (i) the deduction or exclusion originally claimed with respect to any contribution to the  
168.18 invaded trust that qualified for the annual exclusion under section 2503(b) of the Internal  
168.19 Revenue Code; the marital deduction under section 2056(a) or 2523(a) of the Internal  
168.20 Revenue Code; or the charitable deduction under section 170(a), 642(c), 2055(a), or 2522(a)  
168.21 of the Internal Revenue Code;

168.22 (ii) the qualification of a transfer as a direct skip under section 2642(c) of the Internal  
168.23 Revenue Code; ~~or~~

168.24 (iii) the qualification as a foreign grantor trust under section 672(f)(2)(A) of the Internal  
168.25 Revenue Code; or

168.26 ~~(iii)~~ (iv) any other specific tax benefit for which a contribution originally qualified for  
168.27 income, gift, estate, or generation-skipping transfer purposes under the Internal Revenue  
168.28 Code.

168.29 (b) If the property of the invaded trust includes shares of stock in an S corporation, as  
168.30 defined in section 1361 of the Internal Revenue Code, and the invaded trust is, or but for  
168.31 the exercise of power to invade the trust principal under this section would be, a permitted  
168.32 shareholder under any provision of section 1361 of the Internal Revenue Code, the authorized  
168.33 trustee may exercise the power with respect to part or all of the S corporation stock only if



169.1 any appointed trust receiving the stock is a permitted shareholder under section 1361(c)(2)  
169.2 of the Internal Revenue Code. If the property of the invaded trust includes shares of stock  
169.3 in an S corporation and the invaded trust is, or but for the exercise of power to invade the  
169.4 trust principal under this section would be, a qualified subchapter S trust within the meaning  
169.5 of section 1361(d) of the Internal Revenue Code, the appointed trust instrument must not  
169.6 include or omit a term that prevents the appointed trust from qualifying as a qualified  
169.7 subchapter S trust.

169.8 Sec. 28. Minnesota Statutes 2024, section 502.851, subdivision 16, is amended to read:

169.9 Subd. 16. **Compensation; commissions.** For the purposes of this section: ~~(1)~~, unless a  
169.10 court otherwise directs, an authorized trustee may not exercise a power authorized by  
169.11 subdivision 3 or 4 to change the provisions regarding the determination of the compensation  
169.12 of any trustee. The commissions or other compensation payable to the trustees of the invaded  
169.13 trust may continue to be paid to the trustees of the appointed trust during the term of the  
169.14 appointed trust and shall be determined in the same manner as in the invaded trust.

169.15 ~~(2) No trustee shall receive any paying commission or other compensation for appointing~~  
169.16 ~~of property from the invaded trust to an appointed trust pursuant to subdivision 3 or 4.~~

169.17 Sec. 29. Minnesota Statutes 2024, section 524.2-114, is amended to read:

169.18 **524.2-114 PARENT BARRED FROM INHERITING IN CERTAIN**  
169.19 **CIRCUMSTANCES.**

169.20 (a) A parent is barred from inheriting from or through a child of the parent if:

169.21 (1) the parent's parental rights were terminated and the parent-child relationship was not  
169.22 judicially reestablished; ~~or~~

169.23 (2) the child died before reaching 18 years of age and there is clear and convincing  
169.24 evidence that immediately before the child's death the parental rights of the parent could  
169.25 have been terminated under law of this state other than this chapter on the basis of  
169.26 nonsupport, abandonment, abuse, neglect, or other actions or inactions of the parent toward  
169.27 the child; or

169.28 (3) the child died after reaching 18 years of age and there is clear and convincing evidence  
169.29 that:

169.30 (i) during the years of the child's minority, the parental rights of the parent could have  
169.31 been terminated under laws of this state other than this chapter on the basis of nonsupport,

170.1 abandonment, abuse, neglect, or other actions or inactions of the parent toward the child;  
170.2 and

170.3 (ii) in the year preceding the child's death, the parent and child were estranged. For  
170.4 purposes of this subdivision, "estranged" means having a relationship characterized by  
170.5 enmity, hostility, or indifference.

170.6 (b) For the purpose of intestate succession from or through the deceased child, a parent  
170.7 who is barred from inheriting under this section is treated as if the parent predeceased the  
170.8 child.

170.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
170.10 applies to actions commenced on or after that date.

170.11 Sec. 30. Minnesota Statutes 2024, section 524.2-804, subdivision 1, is amended to read:

170.12 Subdivision 1. **Revocation upon dissolution.** Except as provided by the express terms  
170.13 of a governing instrument, other than a trust instrument under section 501C.1207, executed  
170.14 prior to the dissolution or annulment of an individual's marriage, a court order, a contract  
170.15 relating to the division of the marital property made between individuals before or after  
170.16 their marriage, dissolution, or annulment, or a plan document governing a qualified or  
170.17 nonqualified retirement plan, the dissolution or annulment of a marriage revokes any  
170.18 revocable:

170.19 (1) disposition, beneficiary designation, or appointment of property made in a governing  
170.20 instrument by an individual to the individual's former spouse ~~in a governing instrument~~ or  
170.21 any members of the former spouse's family who are not also members of the individual's  
170.22 family;

170.23 (2) provision in a governing instrument conferring a general or nongeneral power of  
170.24 appointment on an individual's former spouse; and

170.25 (3) nomination in a governing instrument, nominating an individual's former spouse or  
170.26 any members of the former spouse's family who are not also members of the individual's  
170.27 family to serve in any fiduciary or representative capacity, including a personal representative,  
170.28 executor, trustee, conservator, agent, or guardian.

## ARTICLE 12

## MORTGAGE FORECLOSURE

Section 1. Minnesota Statutes 2024, section 272.45, is amended to read:

**272.45 TAXES PAID BY TENANT, OCCUPANT, OR OTHER PERSON BECOME LIEN, UPON NOTICE FILED WITH COUNTY RECORDER OR REGISTRAR OF TITLES.**

When any past due or delinquent tax on land is paid by any occupant, tenant, or person with ~~an~~ a legal or equitable interest in the land other than a lien, or a person acting on that person's behalf, which, by agreement or otherwise, ought to have been paid by the owner, lessor, or other party in interest, such occupant, tenant, or person may recover by action the amount which such owner, lessor, or party in interest ought to have paid, with interest thereon at the rate of 12 percent per annum, or may retain the same from any rent due or accruing from the person to such owner or lessor for land on which such tax is so paid. A person making a payment under this section may file with the county recorder or registrar of titles of the proper county a ~~notice~~ sworn statement stating the amount and date of such payment, with a copy of the receipt attached, and stating the legal or equitable interest claimed in the land, with a description of the land against which the taxes were charged; and the same shall thereupon be a lien as of the date of recording of the sworn statement upon such land in favor of the person paying the same until the same is paid. The county recorder shall record such ~~notice~~ sworn statement in the indices maintained by the county recorder. The registrar of titles shall record the ~~notice~~ sworn statement on the certificate of title for the land. Upon the payment of any such lien, the person filing such ~~notice~~ sworn statement shall satisfy the same of record.

Sec. 2. Minnesota Statutes 2024, section 580.10, is amended to read:

**580.10 SURPLUS.**

Subdivision 1. Demand for surplus. In all cases not provided for in section 580.09, and except as required by subdivision 3, if, after sale of any real estate, made as herein prescribed, there remains in the hands of the officer making the sale any surplus money, after satisfying the mortgage, with interest, taxes paid, and costs of sale, the surplus shall be paid over by such officer, on demand, to the mortgagor, the mortgagor's legal representatives or assigns. Any surplus of \$100 or greater shall be held by the sheriff for the duration of the time allowed for redemption under section 580.23 or 582.032, whichever is applicable, and if requested by the owner, applied toward a redemption as described in subdivision 3. If there is no redemption under section 580.23 or 582.032, a surplus of \$100 or greater shall be paid

172.1 first to junior creditors with liens of record at the time of the sheriff's sale in order of priority,  
172.2 if demanded by a junior creditor within the time allowed for redemption under section  
172.3 580.23 or 582.032, whichever is applicable, and thereafter to the owner of record at the time  
172.4 of the sheriff's sale, or as provided by court order under section 580.28. A demand by a  
172.5 party other than the owner shall be accompanied by an affidavit stating the amount remaining  
172.6 unpaid and the interest creating a right to the surplus.

172.7 Subd. 2. **Notice of surplus.** When there is a surplus of \$100 or greater, the sheriff shall  
172.8 notify the owner by mail sent to the property address, or, if no street address is assigned for  
172.9 the property on the property tax statement, to the taxpayer's address on the property tax  
172.10 statement, that a surplus exists and to call the sheriff's office for more information about  
172.11 the surplus and how to make a claim to the surplus. The notice shall also include contact  
172.12 information for the Minnesota Homeownership Center and a statement to call the Minnesota  
172.13 Homeownership Center for information about redemption and surplus.

172.14 Subd. 3. **Request by owner to have surplus applied.** At any time during the owner's  
172.15 redemption period, the owner of record at the time of the sheriff's sale may submit a written  
172.16 request to the sheriff to have the surplus applied to the redemption amount. The right to  
172.17 have the surplus applied to the redemption amount is not transferable to any subsequent  
172.18 owner.

172.19 Subd. 4. **Surplus less than \$100.** If a surplus remains under \$100, the sheriff may pay  
172.20 the surplus amount to the owner of record at the time of the sheriff's sale.

172.21 Subd. 5. **Resolution of competing claims.** If there are competing claims or if it appears  
172.22 to the sheriff that any claim is not meritorious, the sheriff may apply to the court in the  
172.23 county in which the sale was made and set forth by petition the facts then known to the  
172.24 sheriff, and the names and addresses of the owner and all known claimants to the surplus,  
172.25 at no cost to the sheriff. The sheriff shall retain the surplus until further order of the court  
172.26 under section 580.28. If a hearing is scheduled, the sheriff may participate in an advisory  
172.27 capacity. The sheriff shall be represented by the county attorney. The sheriff shall give  
172.28 notice of the opening of the court file to the holders of the claims by service of the petition  
172.29 in the manner of a summons under the Rules of Civil Procedure. Failure of an owner to  
172.30 participate in the court action does not waive the right of that owner to the surplus.

173.1 Sec. 3. Minnesota Statutes 2024, section 580.225, is amended to read:

173.2 **580.225 SATISFACTION OF ~~JUDGMENT~~ MORTGAGE.**

173.3 The amount received from foreclosure sale under this chapter is full satisfaction of the  
173.4 mortgage debt, except as provided in section 582.30.

173.5 Sec. 4. Minnesota Statutes 2024, section 580.24, is amended to read:

173.6 **580.24 REDEMPTION BY CREDITOR.**

173.7 (a) If no redemption is made by the mortgagor, the mortgagor's personal representatives  
173.8 or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged  
173.9 premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within  
173.10 ~~seven~~ 14 days after the expiration of the redemption period determined under section 580.23  
173.11 or 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem,  
173.12 in the order of priority of their respective liens, within ~~seven~~ 14 days after the time allowed  
173.13 the prior lienholder by paying the amount required under this section. However, no creditor  
173.14 is entitled to redeem unless, one week or more prior to the expiration of the period allowed  
173.15 for redemption by the mortgagor, the creditor:

173.16 (1) records with each county recorder and registrar of titles where the foreclosed mortgage  
173.17 is recorded a notice of the creditor's intention to redeem;

173.18 (2) records with each county recorder and registrar of titles where the notice of the  
173.19 creditor's intention to redeem is recorded all documents necessary to create the lien on the  
173.20 mortgaged premises and to evidence the creditor's ownership of the lien, including a copy  
173.21 of any money judgment necessary to create the lien; and

173.22 (3) after complying with clauses (1) and (2), delivers to the sheriff who conducted the  
173.23 foreclosure sale or the sheriff's successor in office a copy of each of the documents required  
173.24 to be recorded under clauses (1) and (2), with the office, date and time of filing for record  
173.25 stated on the first page of each document.

173.26 The sheriff shall maintain for public inspection all documents delivered to the sheriff  
173.27 and shall note the date of delivery on each document. The sheriff may charge a fee of \$100  
173.28 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain  
173.29 copies of documents delivered to the sheriff for a period of six months after the end of the  
173.30 mortgagor's redemption period.

173.31 (b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the  
173.32 prior redemption period must be included in computing the ~~seven-day~~ 14-day redemption

period. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day must be omitted from the computation. The order of redemption by judgment creditors subsequent to the foreclosed mortgage shall be determined by the order in which their judgments were entered as memorials on the certificate of title for the foreclosed premises or docketed in the office of the district court administrator if the property is not registered under chapter 508 or 508A, regardless of the homestead status of the property. All mechanic's lienholders who have coordinate liens shall have one combined ~~seven-day~~ 14-day period to redeem.

(c) The amount required to redeem from the holder of the sheriff's certificate of sale is the amount required under section 580.23. The amount required to redeem from a ~~person~~ creditor holding a certificate of redemption is:

(1) the amount paid to redeem as shown on the certificate of redemption; plus

(2) interest on that amount to the date of redemption at the rates stated on the certificate of sale and the affidavit provided by section 580.25, clause (3), or six percent if no rate is otherwise stated; plus

(3) the amount claimed due on the ~~person's~~ creditor's lien, as shown on the affidavit under section 580.25, clause (3).

(d) If the sheriff determines there is a dispute or question of validity about a redemption, the sheriff may accept the amount required to redeem, together with documents in support of the redemption, from one or more creditors competing for or claiming a right to redeem, without executing and delivering a certificate of redemption, and the sheriff may commence an action under section 580.28 at no cost to the sheriff. A creditor subject to a dispute or question of validity about a redemption may submit the matter for adjudication of the court under section 580.28. If the sheriff does not execute and deliver a certificate of redemption under this section, all further junior creditor redemption periods are stayed until determined by the court, and all junior creditors who have recorded notices of intent to redeem should be included in the action under section 580.28. The amount required to redeem may be paid to the holder of the sheriff's certificate of sale or the certificate of redemption, as the case may be, or to the sheriff for the holder.

**EFFECTIVE DATE.** This section is effective for redemptions occurring after January 1, 2026.

175.1 Sec. 5. Minnesota Statutes 2024, section 580.25, is amended to read:

175.2 **580.25 CREDITOR REDEMPTION, HOW MADE.**

175.3 Redemption shall be made as provided in this section.

175.4 The ~~person~~ creditor desiring to redeem shall pay the amount required by law for the  
175.5 redemption, and shall produce to the person or officer receiving the redemption payment:

175.6 (1) a copy of the docket of the judgment, or of the recorded deed or mortgage, or of the  
175.7 record or files evidencing any other lien under which the ~~person~~ creditor claims a right to  
175.8 redeem;

175.9 (2) a copy of any recorded assignment necessary to evidence the ~~person's~~ creditor's  
175.10 ownership of the lien. If the redemption is under an assignment of a judgment, the assignment  
175.11 shall be filed in the court entering the judgment, as provided by law, and the ~~person~~ creditor  
175.12 so redeeming shall produce a copy of it and of the record of its filing, and the copy of the  
175.13 docket shall show that the proper entry was made upon the docket. No further evidence of  
175.14 the assignment of the judgment is required unless the mortgaged premises or part of it is  
175.15 registered property, in which case the judgment and all assignments of the judgment must  
175.16 be entered as a memorial upon the certificate of title to the mortgaged premises and a copy  
175.17 of the judgment and each assignment with the certificate of record endorsed on it must be  
175.18 produced; and

175.19 (3) an affidavit of the ~~person~~ creditor or the ~~person's~~ creditor's agent, ~~showing the amount~~  
175.20 ~~then actually claimed due on the person's~~ identifying the lien and required to be paid on the  
175.21 ~~lien in order to redeem from the person~~ under which the creditor claims a right to redeem  
175.22 and stating the amount then actually claimed due and owing on the lien and stating the  
175.23 interest rate on the lien. Additional fees and charges may be claimed due only as provided  
175.24 in section 582.03. The sheriff receiving the affidavit may furnish a copy of the affidavit to  
175.25 any interested party, upon request.

175.26 If redemption is made to the sheriff, the sheriff may charge a fee of \$250 for issuing the  
175.27 certificate of redemption and any related service. No other fee may be charged by the sheriff  
175.28 for a redemption.

175.29 Within 24 hours after a redemption is made, or as soon as reasonably possible, the person  
175.30 redeeming shall cause the documents so required to be produced to be recorded with the  
175.31 county recorder, or registrar of titles, or both when appropriate, who may receive fees as  
175.32 prescribed in section 357.18 or 508.82. If the redemption is made at any place other than  
175.33 the county seat, it is sufficient forthwith to deposit the documents in the nearest post office,

176.1 addressed to the recorder or registrar of titles, with the postage prepaid within 24 hours after  
176.2 redemption is made or as soon as reasonably possible. A person recording documents  
176.3 produced for redemption shall, on the same day, deliver copies of the documents to the  
176.4 sheriff for public inspection. The sheriff may receive a fee of \$20 for the documents delivered  
176.5 following a redemption. The sheriff shall note the date of delivery on the documents and  
176.6 shall maintain for public inspection all documents delivered to the sheriff for a period of  
176.7 six months after the end of the mortgagor's redemption period.

176.8 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January  
176.9 1, 2026.

176.10 Sec. 6. Minnesota Statutes 2024, section 580.26, is amended to read:

176.11 **580.26 CERTIFICATE OF REDEMPTION; RECORD.**

176.12 The person or officer from whom such redemption is made shall make and deliver to  
176.13 the person redeeming a certificate executed and acknowledged in the same manner as a  
176.14 conveyance, containing:

176.15 (1) if redeemed under section 580.23 or 582.032, the name of the ~~person~~ mortgagor or  
176.16 the mortgagor's legal representative or assignee redeeming, and if redeemed under section  
176.17 580.25, the name of the creditor redeeming, and the amount paid ~~by the person on such~~  
176.18 redemption to redeem;

176.19 (2) a description of the sale for which such redemption is made, and of the property  
176.20 redeemed;

176.21 (3) a statement of the claim upon which such redemption is made and, if upon a lien,  
176.22 the amount claimed to be due thereon at the date of redemption.

176.23 If redemption is made by the owner of the property sold, the owner's heirs, personal  
176.24 representatives, or assigns, such certificate shall be recorded within ~~four days~~ one week  
176.25 after the expiration of the period allowed by law to the owner for redemption and, if made  
176.26 by a creditor holding a lien, the certificate shall be recorded within ~~four days~~ one week after  
176.27 such redemption. Unless so recorded, the certificate shall be void ~~as~~ only against any person  
176.28 in good faith redeeming from the same person or lien.

176.29 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January  
176.30 1, 2026.



177.1 Sec. 7. Minnesota Statutes 2024, section 580.28, is amended to read:

177.2 **580.28 ACTION TO SET ASIDE MORTGAGE; FORECLOSURE; REDEMPTION.**

177.3 When an action is brought wherein it is claimed that any mortgage as to the plaintiff or  
177.4 person for whose benefit the action is brought is fraudulent or void, or has been paid or  
177.5 discharged, in whole or in part, or the relative priority or the validity of liens, redemption  
177.6 rights, or rights to any surplus is disputed, if such mortgage has been foreclosed by  
177.7 advertisement, and the time for redemption from the foreclosure sale will expire before final  
177.8 judgment in such action, the plaintiff or beneficiary having the right to redeem, for the  
177.9 purpose of saving such right in case the action fails, may deposit with the sheriff before the  
177.10 time of redemption expires the amount for which the mortgaged premises were sold, with  
177.11 interest thereon to the time of deposit, together with ~~a bond to the holder of the sheriff's~~  
177.12 ~~certificate of sale, in an amount and with sureties to be approved by the sheriff, conditioned~~  
177.13 ~~to pay all interest that may accrue or be allowed on such deposit if the action fail~~ a separate  
177.14 deposit with the sheriff of one year's interest on the amount deposited. The person shall, in  
177.15 writing, notify such sheriff that ~~the person claims the mortgage to be fraudulent or void, or~~  
177.16 ~~to have been paid or discharged, in whole or in part, as the case may be, and that such action~~  
177.17 ~~is pending, and direct the sheriff to retain such money and bond until final judgment or~~  
177.18 other order of the court. In case such action fails If so ordered by the court, such deposit  
177.19 shall operate as a redemption of the premises from such foreclosure sale, and entitle the  
177.20 plaintiff to a certificate thereof. Such foreclosure, deposit, ~~bond~~, and notice shall be brought  
177.21 to the attention of the court by supplemental complaint in the action, and the judgment shall  
177.22 determine the validity of the foreclosure sale, and the rights of the parties to the moneys  
177.23 ~~and bond~~ so deposited, which shall be paid and delivered by the sheriff as directed by such  
177.24 judgment upon delivery to the sheriff of a certified copy thereof. The remedy herein provided  
177.25 shall be in addition to other remedies now existing.

177.26 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January  
177.27 1, 2026.

177.28 Sec. 8. Minnesota Statutes 2024, section 582.03, subdivision 1, is amended to read:

177.29 Subdivision 1. **Allowable costs collectable upon redemption.** The holder of any sheriff's  
177.30 certificate of sale, from a foreclosure by advertisement or action of a mortgage or lien or  
177.31 execution, or the holder of any certificate of redemption as a junior creditor during the  
177.32 period of redemption, may pay and claim the following on redemption: any taxes or  
177.33 assessments on which any penalty would otherwise accrue, and any costs of a hazard  
177.34 insurance policy for the holder's interest in the mortgaged premises incurred for the period

178.1 of holding the sheriff's certificate, any costs incurred when an order to reduce a mortgagor's  
178.2 redemption period under section 582.032 is entered, including costs and disbursements  
178.3 awarded under section 582.032, subdivision 9, any fees paid to the county recorder, registrar  
178.4 of titles, or sheriff to obtain or record the certificates of sale or redemption or notices of  
178.5 intention to redeem, any reasonable fees paid to licensed real estate brokers for broker price  
178.6 opinions or to licensed appraisers for appraisals, any deed tax paid to file a certificate of  
178.7 redemption, reasonable attorney fees incurred after the foreclosure sale not to exceed one-half  
178.8 of the amount authorized by section 582.01, any costs incurred under section 582.031, and  
178.9 any interest or installment of principal upon any prior or superior mortgage, lien, or contract  
178.10 for deed in default or that becomes due during the period of redemption. In all such cases,  
178.11 the costs so paid and claimed due, with interest from the date of payment at the rate stated  
178.12 in the certificate of sale or at six percent if no rate is stated, shall be a part of the sum required  
178.13 to be paid to redeem from such sale. No other costs, fees, interest, or other amount may be  
178.14 added to the amount necessary to redeem.

178.15 **EFFECTIVE DATE.** This section is effective for affidavits filed with the sheriff after  
178.16 January 1, 2026.

178.17 Sec. 9. Minnesota Statutes 2024, section 582.03, subdivision 2, is amended to read:

178.18 Subd. 2. **Affidavit of allowable costs.** Any payments made and claimed due under  
178.19 subdivision 1 shall be proved by the affidavit of the holder of the sheriff's certificate or its  
178.20 agent or attorney, itemizing each of the allowable costs and the date of payment and  
178.21 describing the premises. The affidavit must be filed with the sheriff of the county in which  
178.22 the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon  
178.23 written request by the sheriff, the holder of the sheriff's certificate or certificate of redemption  
178.24 shall provide an affidavit of allowable costs to the sheriff within seven days of the date of  
178.25 the request by the sheriff. If the mortgagor does not redeem within seven days after the  
178.26 affidavit is filed, the holder of the sheriff's certificate may file a supplemental affidavit if  
178.27 additional allowable costs are incurred during the redemption period. If the holder of the  
178.28 sheriff's certificate or certificate of redemption fails to respond to the sheriff's request within  
178.29 seven days, the sheriff may calculate a redemption amount pursuant to section 580.23,  
178.30 subdivision 1, and issue a certificate of redemption for that amount. If the time allowed to  
178.31 redeem is less than seven days from the expiration of the redemption period, the sheriff  
178.32 shall make a reasonable effort to request the affidavit of allowable costs in writing from the  
178.33 holder of the sheriff's certificate, its agent, or attorney before issuing a certificate of  
178.34 redemption. If the affidavit of allowable costs is not provided more than one business day  
178.35 before the expiration of the redemption period, at any time one business day or less before

the expiration of the redemption period, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. The amount calculated by the sheriff, absent malfeasance by the sheriff, binds the holder of the sheriff's certificate even if the amount calculated by the sheriff is less than the actual amount due.

**EFFECTIVE DATE.** This section is effective for affidavits filed with the sheriff after January 1, 2026.

Sec. 10. Minnesota Statutes 2024, section 582.043, subdivision 6, is amended to read:

**Subd. 6. Dual tracking.** (a) If the servicer has received a loss mitigation application and the subject mortgage loan has not already been referred to an attorney for foreclosure, a servicer shall not refer the subject mortgage loan to an attorney for foreclosure while the mortgagor's application is pending, unless:

(1) the servicer determines that the mortgagor is not eligible for any loss mitigation option, the servicer informs the mortgagor of the determination in writing, and the applicable appeal period has expired without an appeal or the appeal has been properly denied;

(2) where a written offer is made and a written acceptance is required, the mortgagor fails to accept the loss mitigation offer within the time frame specified in the offer or within 14 days after the date of the offer, whichever is longer; or

(3) the mortgagor declines the loss mitigation offer in writing.

(b) If the servicer receives a loss mitigation application after the subject mortgage loan has been referred to an attorney for foreclosure, but before a foreclosure sale has been scheduled, a servicer shall not move for an order of foreclosure, seek a foreclosure judgment, or conduct a foreclosure sale unless:

(1) the servicer determines that the mortgagor is not eligible for a loss mitigation option, the servicer informs the mortgagor of this determination in writing, and the applicable appeal period has expired without an appeal or the appeal has been properly denied;

(2) where a written offer is made and a written acceptance is required, the mortgagor fails to accept the loss mitigation offer within the time frame specified in the offer or within 14 days after the date of the offer, whichever is longer; or

(3) the mortgagor declines a loss mitigation offer in writing.

(c) If the servicer receives a loss mitigation application after the foreclosure sale has been scheduled, but before midnight of the seventh business day prior to the foreclosure

180.1 sale date, the servicer must halt the foreclosure sale and evaluate the application. If required  
180.2 to halt the foreclosure sale and evaluate the application, the servicer may cancel the  
180.3 foreclosure sale or postpone the foreclosure sale under section 580.07, subdivision 1, but  
180.4 must not move for an order of foreclosure, seek a foreclosure judgment, or conduct a  
180.5 foreclosure sale unless 60 days have passed since the occurrence of one of the following,  
180.6 whichever is applicable:

180.7 (1) the servicer determines that the mortgagor is not eligible for a loss mitigation option,  
180.8 the servicer informs the mortgagor of this determination in writing, and the applicable appeal  
180.9 period has expired without an appeal or the appeal has been properly denied;

180.10 (2) where a written offer is made and a written acceptance is required, the mortgagor  
180.11 fails to accept the loss mitigation offer within the time frame specified in the offer or within  
180.12 14 days after the date of the offer, whichever is longer; or

180.13 (3) the mortgagor declines a loss mitigation offer in writing.

180.14 (d) A servicer shall not move for an order of foreclosure or conduct a foreclosure sale  
180.15 under any of the following circumstances:

180.16 (1) the mortgagor is in compliance with the terms of a trial or permanent loan  
180.17 modification, or other loss mitigation option; or

180.18 (2) a short sale has been approved by all necessary parties and proof of funds or financing  
180.19 has been provided to the servicer.

180.20 **ARTICLE 13**  
180.21 **CIVIL LAW**

180.22 Section 1. Minnesota Statutes 2024, section 144.223, is amended to read:

180.23 **144.223 REPORT OF MARRIAGE.**

180.24 Data relating to the number of certificates of marriage registered ~~shall~~ must be reported  
180.25 to the state registrar by the local registrar or designee of the county board in each of the 87  
180.26 registration districts ~~pursuant to the rules of the commissioner. The information in clause~~  
180.27 ~~(1) necessary to compile the report shall be furnished by the applicant prior to the issuance~~  
180.28 ~~of the marriage license. The report shall contain the following:~~ in a format and with the  
180.29 frequency determined by the state registrar.

180.30 ~~(1) personal information on bride and groom:~~

180.31 ~~(i) name;~~

- 181.1 ~~(ii) residence;~~
- 181.2 ~~(iii) date and place of birth;~~
- 181.3 ~~(iv) if previously married, how terminated; and~~
- 181.4 ~~(v) signature of applicant, date signed, and Social Security number; and~~
- 181.5 ~~(2) information concerning the marriage:~~
- 181.6 ~~(i) date of marriage;~~
- 181.7 ~~(ii) place of marriage; and~~
- 181.8 ~~(iii) civil or religious ceremony.~~

181.9 Sec. 2. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

181.10 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)

181.11 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~  
181.12 ~~state office~~ created as an agency in the executive branch, with powers and duties established  
181.13 by law. The office shall be responsible for:

181.14 (1) establishing and maintaining a system for providing appellate representation to  
181.15 parents in juvenile protection matters, as provided in section 260C.163, subdivision 3,  
181.16 paragraph (c), and in Tribal court jurisdictions;

181.17 (2) providing training to all parent attorneys practicing in the state on topics relevant to  
181.18 their practice and establishing practice standards and training requirements for parent  
181.19 attorneys practicing in the state; and

181.20 (3) collaborating with the Minnesota Department of Children, Youth, and Families to  
181.21 coordinate and secure federal Title IV-E support for counties and Tribes interested in  
181.22 accessing federal funding.

181.23 (b) The office shall be governed by a board as provided in subdivision 3.

181.24 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

181.25 Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)

181.26 The State Board of Appellate Counsel and Training is established to direct the Statewide  
181.27 Office of Appellate Counsel and Training. The board shall consist of seven members,  
181.28 including:

181.29 (1) four public members appointed by the governor; and

182.1 (2) three members appointed by the supreme court, at least one of whom must have  
182.2 experience representing parents in juvenile court and who include two attorneys admitted  
182.3 to practice law in the state and one public member.

182.4 (b) The appointing authorities may not appoint any of the following to be a member of  
182.5 the board:

182.6 (1) a person who is a judge;

182.7 (2) a person who is a registered lobbyist;

182.8 (3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

182.9 (4) a person who serves as counsel for children in juvenile court;

182.10 (5) a person under contract with or employed by the Department of Children, Youth,  
182.11 and Families or a county department of human or social services; or

182.12 (6) a current city or county attorney or assistant city or county attorney.

182.13 (c) All members shall demonstrate an interest in maintaining a high quality, independent  
182.14 appellate defense system for parents in juvenile protection proceedings who are unable to  
182.15 obtain adequate representation, a robust program for parent attorneys in Minnesota, and an  
182.16 efficient coordination effort, in collaboration with the Department of Children, Youth, and  
182.17 Families, to secure and utilize Title IV-E funding. At least one member of the board appointed  
182.18 by the governor must be a representative from a federally recognized Indian Tribe. No more  
182.19 than five members of the board may belong to the same political party. At least three  
182.20 members of the board shall be from judicial districts other than the First, Second, Fourth,  
182.21 and Tenth Judicial Districts. To the extent practicable, the membership of the board must  
182.22 include persons with disabilities, reflect the ethnic diversity of the state, take into  
182.23 consideration race and gender, and include persons from throughout the state. The members  
182.24 shall be well acquainted with representing parents in district court and appellate proceedings  
182.25 related to child protection matters as well as the law that affects a parent attorney's work,  
182.26 including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil  
182.27 Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family  
182.28 Preservation Act. The terms, compensation, and removal of members shall be as provided  
182.29 in section 15.0575. The governor shall designate one member to serve as the initial chair.  
182.30 Upon the expiration of the initial chair's term, board members shall elect a chair from among  
182.31 the membership and the chair shall serve a term of two years.

183.1 Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

183.2 Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys;**  
183.3 **other employees.** (a) Beginning January 1, 2024, and for every four years after that date,  
183.4 the board shall appoint a head appellate counsel in charge of executing the responsibilities  
183.5 of the office who shall provide for sufficient appellate counsel for parents and other personnel  
183.6 necessary to discharge the functions of the office. The head appellate counsel shall serve a  
183.7 four-year term and may be removed only for cause upon the order of the board. The head  
183.8 appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state,  
183.9 and serve in the unclassified service of the state. Vacancies of the office shall be filled by  
183.10 the appointing authority for the unexpired term. The head appellate counsel shall devote  
183.11 full time to the performance of duties and shall not engage in the general practice of law.  
183.12 The ~~compensation~~ salary of the head appellate counsel shall be set ~~by the board and shall~~  
183.13 ~~be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision  
183.14 3.

183.15 (b) ~~Consistent with the decisions of the board,~~ The head appellate counsel shall employ  
183.16 ~~assistants or hire independent contractors~~ or appoint attorneys to serve as assistant appellate  
183.17 counsel for parents. Each assistant appellate counsel ~~and independent contractor~~ serves at  
183.18 the pleasure of the head appellate counsel. The ~~compensation of~~ salary ranges for assistant  
183.19 appellate counsel ~~and independent contractors~~ shall be set ~~by the board and shall be~~  
183.20 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management  
183.21 and Budget.

183.22 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to  
183.23 practice law in this state. A person serving as appellate counsel practicing in Tribal court  
183.24 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant  
183.25 appellate counsel and contracted appellate counsel may engage in the general practice of  
183.26 law where not employed or contracted to provide services on a full-time basis.

183.27 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision  
183.28 2, employ or hire the following:

183.29 (1) one managing appellate attorney;

183.30 (2) two staff attorneys;

183.31 (3) one director of training;

183.32 (4) one program administrator to support Title IV-E reimbursement in collaboration  
183.33 with the Department of Children, Youth, and Families; and

184.1 (5) one office administrator.

184.2 (e) ~~Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure  
184.3 of the head appellate counsel. ~~The~~ Other employees shall serve in the classified service.  
184.4 Compensation ~~of each employee~~ for all employees shall be set by the board ~~and shall be~~  
184.5 ~~commensurate with county attorneys in the state.~~ in accordance with the collective bargaining  
184.6 agreements or compensation plans covering the terms and conditions for executive branch  
184.7 employees.

184.8 (f) Any person serving as managing appellate attorney, staff attorney, and director of  
184.9 training shall be a qualified attorney licensed to practice law in the state.

184.10 (g) A person serving as the program administrator and office administrator must be  
184.11 chosen solely on the basis of training, experience, and qualifications.

184.12 Sec. 5. Minnesota Statutes 2024, section 517.04, is amended to read:

184.13 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

184.14 Civil marriages may be solemnized throughout the state by an individual who has attained  
184.15 the age of 21 years and ~~is a judge of a court of record, a retired judge of a court of record,~~  
184.16 ~~a court administrator, a retired court administrator with the approval of the chief judge of~~  
184.17 ~~the judicial district, a former court commissioner who is employed by the court system or~~  
184.18 ~~is acting pursuant to an order of the chief judge of the commissioner's judicial district, the~~  
184.19 ~~residential school superintendent of the Minnesota State Academy for the Deaf and the~~  
184.20 ~~Minnesota State Academy for the Blind, a licensed or ordained minister of any religious~~  
184.21 ~~denomination, an individual~~ who registers as a civil marriage officiant with a local registrar  
184.22 in a county of this state, ~~or by any mode recognized in section 517.18. For purposes of this~~  
184.23 ~~section, a court of record includes the Office of Administrative Hearings under section~~  
184.24 14.48. The county where the civil marriage officiant is registered must be endorsed upon  
184.25 and recorded with each certificate of civil marriage.

184.26 Sec. 6. Minnesota Statutes 2024, section 517.08, subdivision 1a, is amended to read:

184.27 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the  
184.28 parties upon a form provided for the purpose and shall contain the following information:

184.29 (1) the full names of the parties ~~and the sex of each party;~~

184.30 (2) their post office addresses and county and state of residence;

184.31 (3) their full ages and dates of birth;



185.1 (4) if either party has previously been married, the party's married name,~~and~~ from the  
185.2 most recent marriage; the date, place, and court in which the civil marriage was dissolved  
185.3 or annulled; or the date and place of death of the former spouse;

185.4 (5) whether the parties are related to each other, and, if so, their relationship;

185.5 (6) the address of the parties after the civil marriage is entered into to which the local  
185.6 registrar shall send a certified copy of the civil marriage certificate;

185.7 (7) the full names the parties will have after the civil marriage is entered into and the  
185.8 parties' Social Security numbers. The Social Security numbers must be collected for the  
185.9 application but must not appear on the civil marriage license. If a party listed on a civil  
185.10 marriage application does not have a Social Security number, the party must certify on the  
185.11 application, or a supplement to the application, that the party does not have a Social Security  
185.12 number;

185.13 (8) if one party to the civil marriage license has a felony conviction under Minnesota  
185.14 law or the law of another state or federal jurisdiction, the party may not change the party's  
185.15 name through the marriage application process and must follow the process in section 259.13  
185.16 to change the party's name; and

185.17 (9) notice that a party who has a felony conviction under Minnesota law or the law of  
185.18 another state or federal jurisdiction may not use a different name after a civil marriage  
185.19 except as authorized by section 259.13, and that doing so is a gross misdemeanor.

185.20 Sec. 7. Minnesota Statutes 2024, section 517.08, subdivision 1b, is amended to read:

185.21 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall  
185.22 examine upon oath the parties applying for a license relative to the legality of the  
185.23 contemplated civil marriage. The local registrar may examine the parties upon oath in person,  
185.24 by phone, remotely using web conferencing technology, or by requiring a verified statement  
185.25 signed by both parties attesting to the legality of the marriage. The local registrar may accept  
185.26 civil marriage license applications signed by both parties that are submitted by mail,  
185.27 facsimile, or electronic filing. Both parties must present proof of age to the local registrar.  
185.28 If one party is unable to appear in person, the party appearing may complete the absent  
185.29 applicant's information. The local registrar shall provide a copy of the civil marriage  
185.30 application to the party who is unable to appear, who must verify the accuracy of the  
185.31 appearing party's information in a notarized statement. The verification statement must be  
185.32 accompanied by a copy of proof of age of the party. The civil marriage license must not be  
185.33 released until the verification statement and proof of age has been received by the local

186.1 registrar. If the local registrar is satisfied that there is no legal impediment to it, including  
186.2 the restriction contained in section 259.13, the local registrar shall issue the license,  
186.3 containing the full names of the parties before and after the civil marriage, and county and  
186.4 state of residence, with the county seal attached, and make a record of the date of issuance.  
186.5 The license shall be valid for a period of six months. Except as provided in paragraph (b),  
186.6 The local registrar shall collect from the applicant a fee of \$115 for administering the oath,  
186.7 issuing, recording, and filing all papers required, and preparing and transmitting to the state  
186.8 registrar of vital records the reports of civil marriage required by this section. If the license  
186.9 should not be used within the period of six months due to illness or other extenuating  
186.10 circumstances, it may be surrendered to the local registrar for cancellation, and in that case  
186.11 a new license shall issue upon request of the parties of the original license without fee. A  
186.12 local registrar who knowingly issues or signs a civil marriage license in any manner other  
186.13 than as provided in this section shall pay to the parties aggrieved an amount not to exceed  
186.14 \$1,000.

186.15 (b) The civil marriage license fee for parties who have completed at least 12 hours of  
186.16 premarital education is \$40. In order to qualify for the reduced license fee, the parties must  
186.17 submit at the time of applying for the civil marriage license a statement that is signed, dated,  
186.18 and notarized or marked with a church seal from the person who provided the premarital  
186.19 education on their letterhead confirming that it was received. The premarital education must  
186.20 be provided by a licensed or ordained minister or the minister's designee, a person authorized  
186.21 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage  
186.22 and family therapy under section 148B.33. The education must include the use of a premarital  
186.23 inventory and the teaching of communication and conflict management skills.

186.24 (c) The statement from the person who provided the premarital education under paragraph  
186.25 (b) must be in the following form:

186.26 "I, ..... (name of educator), confirm that ..... (names of both  
186.27 parties) received at least 12 hours of premarital education that included the use of a premarital  
186.28 inventory and the teaching of communication and conflict management skills. I am a licensed  
186.29 or ordained minister, a person authorized to solemnize civil marriages under Minnesota  
186.30 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under  
186.31 Minnesota Statutes, section 148B.33."

186.32 The names of the parties in the educator's statement must be identical to the legal names  
186.33 of the parties as they appear in the civil marriage license application. Notwithstanding  
186.34 section 138.17, the educator's statement must be retained for seven years, after which time  
186.35 it may be destroyed.

187.1 Sec. 8. Minnesota Statutes 2024, section 517.09, subdivision 1, is amended to read:

187.2 Subdivision 1. **General.** ~~No particular form is required to solemnize a civil marriage,~~  
187.3 ~~except the parties~~ Both applicants shall declare in the presence of a person who is not the  
187.4 same individual as the applicant or the witness, authorized to solemnize civil marriages and  
187.5 two attending witnesses that each takes the other as spouse; ~~or the civil marriage shall be~~  
187.6 ~~solemnized in a manner provided by section 517.18.~~

187.7 Sec. 9. Minnesota Statutes 2024, section 517.10, is amended to read:

187.8 **517.10 CERTIFICATE; WITNESSES.**

187.9 The person solemnizing a civil marriage shall ~~prepare~~ complete and sign a marriage  
187.10 certificate provided by the local registrar. The certificate shall contain the full names of the  
187.11 parties before and after the civil marriage, the birth dates of the parties, and county and state  
187.12 of residences of the parties and the date and place of the civil marriage. The certificate shall  
187.13 also contain the signatures of the applicants' legal names after marriage and at least two of  
187.14 the witnesses present at the civil marriage who shall be at least 16 years of age. The person  
187.15 solemnizing the civil marriage shall immediately make a record of such civil marriage, and  
187.16 file such certificate with the local registrar of the county in which the license was issued  
187.17 within five days after the ceremony. The local registrar shall record such certificate in the  
187.18 county civil marriage records.

187.19 Sec. 10. **[517.102] FEES FOR MARRIAGE RECORDS.**

187.20 (a) The fee for a certified marriage record or a letter of no record is \$20 per copy. The  
187.21 fee for an uncertified marriage record is \$20. These fees must be retained by the local  
187.22 registrar issuing the records. The fee is payable at the time of application and is  
187.23 nonrefundable.

187.24 (b) If an applicant makes an error in the marriage record and requests an amendment of  
187.25 the marriage record, the fee for amending the error in the marriage record is \$40. The fee  
187.26 is payable at the time of application and is nonrefundable.

187.27 (c) If a local registrar makes an error in the marriage record, the local registrar must  
187.28 amend the marriage record at no cost to the applicant.

187.29 Sec. 11. **[517.103] AMENDMENT OF MARRIAGE RECORDS.**

187.30 (a) To request an amendment of an error in a marriage record, a person must submit the  
187.31 following documentation to the local registrar:

188.1 (1) an affidavit stating the reason for an amendment of the marriage record; and

188.2 (2) documentation supporting the amendment.

188.3 (b) A local registrar may amend a marriage record if the local registrar:

188.4 (1) receives an affidavit and documentation supporting the amendment of a marriage  
188.5 record; and

188.6 (2) the local registrar determines that the affidavit and supporting documentation establish  
188.7 that the marriage record contains an error.

188.8 (c) The local registrar must retain and maintain an affidavit and documentation upon  
188.9 which the amendment of a marriage record was based, including the date of the amendment  
188.10 and the legal name of the authorized person making the amendment.

188.11 (d) The local registrar must not amend a marriage record if:

188.12 (1) an applicant fails to submit the documentation required for amending a marriage  
188.13 record; or

188.14 (2) the local registrar has reason to question the validity or completeness of the applicant's  
188.15 affidavit or supporting documentation.

188.16 Sec. 12. Minnesota Statutes 2024, section 524.5-120, is amended to read:

188.17 **524.5-120 BILL OF RIGHTS FOR PERSONS SUBJECT TO GUARDIANSHIP**  
188.18 **OR CONSERVATORSHIP.**

188.19 The person subject to guardianship or person subject to conservatorship retains all rights  
188.20 not restricted by court order and these rights must be enforced by the court. These rights  
188.21 include the right to:

188.22 (1) treatment with dignity and respect;

188.23 (2) due consideration of current and previously stated personal desires and preferences,  
188.24 including but not limited to medical treatment preferences, cultural practices, religious  
188.25 beliefs, and other preferences and opinions in decisions made by the guardian or conservator;

188.26 (3) participate in decision making about and receive timely and appropriate health care  
188.27 and medical treatment that does not violate known preferences or conscientious, religious,  
188.28 or moral beliefs of the person subject to guardianship or person subject to conservatorship;

188.29 (4) exercise control of all aspects of life unless delegated specifically to the guardian or  
188.30 conservator by court order;

189.1 (5) guardianship or conservatorship services individually suited to the conditions and  
189.2 needs of the person subject to guardianship or the person subject to conservatorship;

189.3 (6) petition the court to prevent or initiate a change in abode;

189.4 (7) care, comfort, social and recreational needs, employment and employment supports,  
189.5 training, education, habilitation, and rehabilitation care and services, within available  
189.6 resources;

189.7 (8) be consulted concerning, and to decide to the extent possible, the reasonable care  
189.8 and disposition of the clothing, furniture, vehicles, and other personal property and effects  
189.9 of the person subject to guardianship or person subject to conservatorship, to object to the  
189.10 disposition of personal property and effects, and to petition the court for a review of the  
189.11 guardian's or conservator's proposed disposition;

189.12 (9) personal privacy;

189.13 (10) communicate, visit, or interact with others, including receiving visitors ~~or~~, making  
189.14 or receiving telephone calls, sending or receiving personal mail, ~~or~~ sending or receiving  
189.15 electronic communications including through social media, or participating in social activities;  
189.16 unless. If the guardian has good cause to believe a restriction of communication, visitation,  
189.17 or interaction is necessary because interaction with the person poses a risk of significant  
189.18 physical, psychological, or financial harm to the person subject to guardianship, and there  
189.19 is no other means to avoid the significant harm, the guardian must submit to the court a  
189.20 written petition supporting the guardian's belief. The court must hold a hearing within five  
189.21 days of receiving the petition. The court may order a restriction of communication, visitation,  
189.22 or interaction with the person who is the subject of the guardian's petition to the extent  
189.23 necessary to prevent the risk of significant harm. In all cases, the guardian shall provide  
189.24 written notice of the restrictions imposed ~~to~~ by the court; to the person subject to  
189.25 guardianship; and to the person subject to restrictions. The guardian may impose a restriction  
189.26 on communication, visitation, or interaction without filing a petition with the court if the  
189.27 restriction is necessary to prevent immediate harm to the person subject to guardianship  
189.28 and the guardian notifies the court, the person subject to guardianship, and the person subject  
189.29 to the restriction. The person subject to guardianship or the person subject to restrictions  
189.30 may petition the court to remove or modify the restrictions;

189.31 (11) marry and procreate, unless court approval is required;

189.32 (12) elect or object to sterilization as provided in section 524.5-313, paragraph (c), clause  
189.33 (4), item (iv);

(13) at any time, petition the court for termination or modification of the guardianship or conservatorship, and any decisions made by the guardian or conservator in relation to powers granted, or for other appropriate relief;

(14) be represented by an attorney in any proceeding or for the purpose of petitioning the court;

(15) vote, unless restricted by the court;

(16) be consulted concerning, and make decisions to the extent possible, about personal image and name, unless restricted by the court; and

(17) execute a health care directive, including both health care instructions and the appointment of a health care agent, if the court has not granted a guardian any of the powers or duties under section 524.5-313, paragraph (c), clause (1), (2), or (4).

Sec. 13. Minnesota Statutes 2024, section 524.5-311, is amended to read:

**524.5-311 EMERGENCY GUARDIAN.**

(a) If the court finds that compliance with the procedures of this article will likely result in substantial harm to the respondent's health, safety, or welfare, and that no other person appears to have authority and willingness to act in the circumstances, the court, on petition by a person interested in the respondent's welfare, may appoint an emergency guardian whose authority may not exceed 60 days and who may exercise only the powers specified in the order. A county that is acting under section 626.557, subdivision 10, by petitioning for appointment of an emergency guardian on behalf of a vulnerable adult may be granted authority to act for a period not to exceed 90 days. An emergency guardian's appointment under this section may only be extended once for a period not to exceed 60 days if the court finds good cause for the continuation of the guardianship. Immediately upon receipt of the petition for an emergency guardianship, the court shall appoint a lawyer to represent the respondent in the proceeding. Except as otherwise provided in paragraph (b), reasonable notice of the time and place of a hearing on the petition must be given to the respondent, interested parties, and any other persons as the court directs.

(b) An emergency guardian may be appointed without notice to the respondent and the respondent's lawyer only if the court finds from affidavit or other sworn testimony that the respondent will be substantially harmed before a hearing on the appointment can be held and the petitioner made good faith efforts to provide notice to the respondent or respondent's lawyer. If the court appoints an emergency guardian without notice to the respondent, the respondent must be given notice of the appointment within 48 hours after the appointment.

191.1 The court shall hold a hearing on the appropriateness of the appointment within five days  
191.2 after the appointment.

191.3 (c) Appointment of an emergency guardian, with or without notice, is not a determination  
191.4 of the respondent's incapacity.

191.5 (d) The court may remove an emergency guardian at any time. An emergency guardian  
191.6 shall make any report the court requires. In other respects, the provisions of this article  
191.7 concerning guardians apply to an emergency guardian.

191.8 (e) Any documents or information disclosing or pertaining to health or financial  
191.9 information shall be filed as confidential documents, consistent with the bill of particulars  
191.10 under section 524.5-121.

191.11 (f) If the respondent is a patient in a hospital or a resident of a care facility, a rebuttable  
191.12 presumption exists that there is no risk of substantial harm to the respondent's health, safety,  
191.13 or welfare. If the rebuttable presumption is overcome, the court shall hold a hearing on the  
191.14 appropriateness of the appointment within five days after the appointment.

191.15 Sec. 14. Minnesota Statutes 2024, section 524.5-313, is amended to read:

191.16 **524.5-313 POWERS AND DUTIES OF GUARDIAN.**

191.17 (a) A guardian shall be subject to the control and direction of the court at all times and  
191.18 in all things.

191.19 (b) The court shall grant to a guardian only those powers necessary to provide for the  
191.20 demonstrated needs of the person subject to guardianship.

191.21 (c) The court may appoint a guardian if it determines that all the powers and duties listed  
191.22 in this section are needed to provide for the needs of the incapacitated person. The court  
191.23 may also appoint a guardian if it determines that a guardian is needed to provide for the  
191.24 needs of the incapacitated person through the exercise of some, but not all, of the powers  
191.25 and duties listed in this section. The duties and powers of a guardian or those which the  
191.26 court may grant to a guardian include, but are not limited to:

191.27 (1) the power to have custody of the person subject to guardianship and the power to  
191.28 establish a place of abode within or outside the state, except as otherwise provided in this  
191.29 clause. The person subject to guardianship or any interested person may petition the court  
191.30 to prevent or to initiate a change in abode. A person subject to guardianship may not be  
191.31 admitted to a regional treatment center by the guardian except:

191.32 (i) after a hearing under chapter 253B;

192.1 (ii) for outpatient services; or

192.2 (iii) for the purpose of receiving temporary care for a specific period of time not to

192.3 exceed 90 days in any calendar year;

192.4 (2) the duty to provide for the care, comfort, and maintenance needs of the person subject

192.5 to guardianship, including food, clothing, shelter, health care, social and recreational

192.6 requirements, and, whenever appropriate, training, education, and habilitation or

192.7 rehabilitation. The guardian has no duty to pay for these requirements out of personal funds.

192.8 Whenever possible and appropriate, the guardian should meet these requirements through

192.9 governmental benefits or services to which the person subject to guardianship is entitled,

192.10 rather than from the estate of the person subject to guardianship;

192.11 (3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal

192.12 effects of the person subject to guardianship, and, if other property requires protection, the

192.13 power to seek appointment of a conservator of the estate. The guardian must give notice by

192.14 mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or

192.15 other personal effects of the person subject to guardianship. The notice must inform the

192.16 person of the right to object to the disposition of the property within ten days of the date of

192.17 mailing and to petition the court for a review of the guardian's proposed actions. Notice of

192.18 the objection must be served by mail or personal service on the guardian and the person

192.19 subject to guardianship unless the person subject to guardianship is the objector. The guardian

192.20 served with notice of an objection to the disposition of the property may not dispose of the

192.21 property unless the court approves the disposition after a hearing;

192.22 (4)(i) the power to give any necessary consent to enable the person subject to guardianship

192.23 to receive necessary medical or other professional care, counsel, treatment, or service, except

192.24 that no guardian may give consent for psychosurgery, electroshock, sterilization, or

192.25 experimental treatment of any kind unless the procedure is first approved by order of the

192.26 court as provided in this clause. The guardian shall not consent to any medical care for the

192.27 person subject to guardianship which violates the known conscientious, religious, or moral

192.28 belief of the person subject to guardianship;

192.29 (ii) a guardian who believes a procedure described in item (i) requiring prior court

192.30 approval to be necessary for the proper care of the person subject to guardianship, shall

192.31 petition the court for an order and, in the case of a public guardianship under chapter 252A,

192.32 obtain the written recommendation of the commissioner of human services. The court shall

192.33 fix the time and place for the hearing and shall give notice to the person subject to

192.34 guardianship in such manner as specified in section 524.5-308 and to interested persons.



193.1 The court shall appoint an attorney to represent the person subject to guardianship who is  
193.2 not represented by counsel, provided that such appointment shall expire upon the expiration  
193.3 of the appeal time for the order issued by the court under this section or the order dismissing  
193.4 a petition, or upon such other time or event as the court may direct. In every case the court  
193.5 shall determine if the procedure is in the best interest of the person subject to guardianship.  
193.6 In making its determination, the court shall consider a written medical report which  
193.7 specifically considers the medical risks of the procedure, whether alternative, less restrictive  
193.8 methods of treatment could be used to protect the best interest of the person subject to  
193.9 guardianship, and any recommendation of the commissioner of human services for a public  
193.10 person subject to guardianship. The standard of proof is that of clear and convincing evidence;

193.11 (iii) in the case of a petition for sterilization of a person with developmental disabilities  
193.12 subject to guardianship, the court shall appoint a licensed physician, a psychologist who is  
193.13 qualified in the diagnosis and treatment of developmental disability, and a social worker  
193.14 who is familiar with the social history and adjustment of the person subject to guardianship  
193.15 or the case manager for the person subject to guardianship to examine or evaluate the person  
193.16 subject to guardianship and to provide written reports to the court. The reports shall indicate  
193.17 why sterilization is being proposed, whether sterilization is necessary and is the least intrusive  
193.18 method for alleviating the problem presented, and whether it is in the best interest of the  
193.19 person subject to guardianship. The medical report shall specifically consider the medical  
193.20 risks of sterilization, the consequences of not performing the sterilization, and whether  
193.21 alternative methods of contraception could be used to protect the best interest of the person  
193.22 subject to guardianship;

193.23 (iv) any person subject to guardianship whose right to consent to a sterilization has not  
193.24 been restricted under this section or section 252A.101 may be sterilized only if the person  
193.25 subject to guardianship consents in writing or there is a sworn acknowledgment by an  
193.26 interested person of a nonwritten consent by the person subject to guardianship. The consent  
193.27 must certify that the person subject to guardianship has received a full explanation from a  
193.28 physician or registered nurse of the nature and irreversible consequences of the sterilization;

193.29 (v) a guardian or the public guardian's designee who acts within the scope of authority  
193.30 conferred by letters of guardianship under section 252A.101, subdivision 7, and according  
193.31 to the standards established in this chapter or in chapter 252A shall not be civilly or criminally  
193.32 liable for the provision of any necessary medical care, including, but not limited to, the  
193.33 administration of psychotropic medication or the implementation of aversive and deprivation  
193.34 procedures to which the guardian or the public guardian's designee has consented;

194.1 (5) in the event there is no duly appointed conservator of the estate of the person subject  
194.2 to guardianship, the guardian shall have the power to approve or withhold approval of any  
194.3 contract, except for necessities, which the person subject to guardianship may make or wish  
194.4 to make;

194.5 (6) the duty and power to exercise supervisory authority over the person subject to  
194.6 guardianship in a manner which limits civil rights and restricts personal freedom only to  
194.7 the extent necessary to provide needed care and services. A guardian may not restrict the  
194.8 ability of the person subject to guardianship to communicate, visit, or interact with others,  
194.9 including receiving visitors ~~or~~, making or receiving telephone calls, sending or receiving  
194.10 personal mail, or sending or receiving electronic communications including through social  
194.11 media, or participating in social activities,~~unless. If~~ the guardian has good cause to believe  
194.12 a restriction of communication, visitation, or interaction is necessary because interaction  
194.13 with the person poses a risk of significant physical, psychological, or financial harm to the  
194.14 person subject to guardianship, and there is no other means to avoid such significant harm,  
194.15 the guardian must submit to the court a written petition supporting the guardian's belief.  
194.16 The court must hold a hearing within five days of receiving the petition. The court may  
194.17 order a restriction of communication, visitation, or interaction with the person who is the  
194.18 subject of the guardian's petition to the extent necessary to prevent the risk of significant  
194.19 harm. In all cases, the guardian shall provide written notice of the restrictions imposed ~~to~~  
194.20 ~~by the court,~~ to the person subject to guardianship; and to the person subject to restrictions.  
194.21 The guardian may impose a restriction on communication, visitation, or interaction without  
194.22 filing a petition with the court if the restriction is necessary to prevent immediate harm to  
194.23 the person subject to guardianship and the guardian notifies the court, the person subject to  
194.24 guardianship, and the person subject to the restriction. The person subject to guardianship  
194.25 or the person subject to restrictions may petition the court to remove or modify the  
194.26 restrictions;

194.27 (7) if there is no acting conservator of the estate for the person subject to guardianship,  
194.28 the guardian has the power to apply on behalf of the person subject to guardianship for any  
194.29 assistance, services, or benefits available to the person subject to guardianship through any  
194.30 unit of government;

194.31 (8) unless otherwise ordered by the court, the person subject to guardianship retains the  
194.32 right to vote;

194.33 (9) the power to establish an ABLE account for a person subject to guardianship or  
194.34 conservatorship. By this provision a guardian only has the authority to establish an ABLE  
194.35 account, but may not administer the ABLE account in the guardian's capacity as guardian.

195.1 The guardian may appoint or name a person to exercise signature authority over an ABLE  
195.2 account, including the individual selected by the eligible individual or the eligible individual's  
195.3 agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or  
195.4 representative payee, whether an individual or organization, appointed by the SSA, in that  
195.5 order; and

195.6 (10) if there is no conservator appointed for the person subject to guardianship, the  
195.7 guardian has the duty and power to institute suit on behalf of the person subject to  
195.8 guardianship and represent the person subject to guardianship in expungement proceedings,  
195.9 harassment proceedings, and all civil court proceedings, including but not limited to  
195.10 restraining orders, orders for protection, name changes, conciliation court, housing court,  
195.11 family court, probate court, and juvenile court, provided that a guardian may not settle or  
195.12 compromise any claim or debt owed to the estate without court approval.

195.13 Sec. 15. **[604.33] CAUSE OF ACTION; NONCONSENSUAL REMOVAL OF A**  
195.14 **SEXUALLY PROTECTIVE DEVICE.**

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

195.17 (b) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, or  
195.18 the breast of a female.

195.19 (c) "Sexually protective device" means an internal or external condom, spermicide,  
195.20 diaphragm, cervical cap, contraceptive sponge, dental dam, or any other physical barrier  
195.21 device intended to prevent pregnancy or sexually transmitted infection. Sexually protective  
195.22 device does not include an intrauterine device or any hormonal birth control method.

195.23 Subd. 2. Cause of action. A cause of action for nonconsensual removal of a sexually  
195.24 protective device exists against the following:

195.25 (1) a person who intentionally removed a sexually protective device and caused contact  
195.26 between the sexual organ from which the sexually protective device was removed and the  
195.27 intimate part of another person who did not consent to the removal of the sexually protective  
195.28 device; or

195.29 (2) a person who intentionally removed a sexually protective device from another person's  
195.30 sexual organ without the other person's consent and caused contact between the sexual organ  
195.31 from which the sexually protective device was removed and their own intimate part.

195.32 Subd. 3. Damages. The court may award the following damages to a prevailing plaintiff  
195.33 from a person found liable under subdivision 2:

- 196.1 (1) general and special damages, including damages for mental anguish;  
196.2 (2) punitive damages;  
196.3 (3) statutory damages in an amount up to \$10,000;  
196.4 (4) injunctive relief and any other equitable relief the court deems just and appropriate;  
196.5 and  
196.6 (5) costs, disbursements, and reasonable attorney fees.

196.7 Subd. 4. **Confidentiality.** The court shall allow confidential filings to protect the privacy  
196.8 of the plaintiff in cases filed under this section.

196.9 Subd. 5. **Other laws and remedies.** (a) The rights and remedies provided in this section  
196.10 are in addition to any other rights and remedies provided by law.

196.11 (b) Nothing in this section affects or modifies the rights and obligations under chapter  
196.12 518A.

196.13 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes  
196.14 of action accruing on or after that date.

196.15 Sec. 16. **[626.5574] ORDER FOR PROTECTION AGAINST FINANCIAL**  
196.16 **EXPLOITATION OF A VULNERABLE ADULT.**

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

196.19 (b) "Conservator" has the meaning given in section 524.5-102, subdivision 3.

196.20 (c) "Financial exploitation" has the meaning given in section 626.5572, subdivision 9.

196.21 (d) "Guardian" has the meaning given in section 524.5-102, subdivision 5.

196.22 (e) "Lead investigative agency" has the meaning given in section 626.5572, subdivision  
196.23 13.

196.24 (f) "Petitioner" means any of the following:

196.25 (1) a vulnerable adult currently experiencing or in imminent danger of financial  
196.26 exploitation;

196.27 (2) the guardian or conservator of a vulnerable adult currently experiencing or in imminent  
196.28 danger of financial exploitation;

196.29 (3) a person or organization acting on behalf of the vulnerable adult with the consent of  
196.30 the vulnerable adult or his or her guardian or conservator;

197.1 (4) an agent under a validly executed power of attorney with the authority specifically  
197.2 granted in the power of attorney; or

197.3 (5) a person who simultaneously files a petition under section 524.5-409, subdivision  
197.4 2, for appointment of an emergency conservator with respect to the vulnerable adult.

197.5 (g) "Vulnerable adult" has the meaning given in section 626.5572, subdivision 21.

197.6 Subd. 2. **Jurisdiction; petition.** (a) A petitioner may petition the court for an order for  
197.7 protection against financial exploitation of a vulnerable adult seeking injunctive relief and  
197.8 any other equitable remedy the court deems appropriate with the court located in the county  
197.9 where the petitioner, respondent, or the vulnerable adult resides. There are no residency  
197.10 requirements that apply to a petition filed under this section. Actions under this section shall  
197.11 be given docket priorities by the court.

197.12 (b) A petition for relief under this section must:

197.13 (1) allege the existence of financial exploitation, or the imminent danger of financial  
197.14 exploitation, of the vulnerable adult;

197.15 (2) include the specific facts and circumstances for which relief is sought, including the  
197.16 relationship between the vulnerable adult and respondent;

197.17 (3) state whether the vulnerable adult has ever applied for or received an order for  
197.18 protection under this section or section 518B.01, or a restraining order under section 609.748;  
197.19 and

197.20 (4) state whether there are any pending actions between the vulnerable adult and the  
197.21 respondent.

197.22 (c) A person temporarily or permanently vacating a residence or household in an attempt  
197.23 to avoid financial exploitation does not affect the person's right to petition for an order under  
197.24 this section.

197.25 (d) The court shall provide simplified forms and clerical assistance to help with the  
197.26 writing and filing of a petition under this section.

197.27 Subd. 3. **Filing fee.** The filing fees for an order for protection against financial  
197.28 exploitation for a vulnerable adult under this section are waived for the petitioner and  
197.29 respondent.

197.30 Subd. 4. **Hearing.** Upon receipt of the petition, the court shall order a hearing which  
197.31 shall be held no later than 14 days from the date of the order for the hearing unless a

198.1 temporary ex parte order is issued under subdivision 8. If the court issues a temporary ex  
198.2 parte order, the hearing must be held as provided under subdivision 8.

198.3 Subd. 5. **Service.** (a) Except as provided in paragraph (b), the petition and any order  
198.4 issued under this section must be served on the respondent as provided in section 518B.01,  
198.5 subdivisions 8, 8a, and 9a. If the petitioner is not the vulnerable adult, the petitioner must  
198.6 serve the vulnerable adult with a copy of the petition, notice of any hearing, and any orders  
198.7 issued under this section. If any assets or lines of credit are ordered to be frozen, the petitioner  
198.8 must serve the depository or financial institution with the order.

198.9 (b) If service on the respondent is not possible as provided in paragraph (a), the petitioner  
198.10 may serve the respondent through the method used to contact the vulnerable adult. The  
198.11 petitioner must provide to the court the reasons that service was not possible under section  
198.12 518B.01, subdivision 8, 8a, or 9a.

198.13 Subd. 6. **Maltreatment report required.** Unless a report was made before a petition  
198.14 was filed under this section, the petitioner must file a report pursuant to section 626.557  
198.15 within 24 hours of filing a petition under this section. This section does not modify or  
198.16 supersede mandated reporting requirements under section 626.557.

198.17 Subd. 7. **Factors.** In determining whether to award relief to the petitioner, the court may  
198.18 consider and evaluate all relevant factors, including any of the following:

198.19 (1) the existence of a current or previous order for protection issued under this section  
198.20 or section 518B.01, a current or previous harassment restraining order issued under section  
198.21 609.748, or any previous or current similar order issued by another jurisdiction;

198.22 (2) any history of financial exploitation by the respondent upon the vulnerable adult  
198.23 identified in the petition or any other vulnerable adult;

198.24 (3) any history of the vulnerable adult's previous financial exploitation by the respondent  
198.25 or any other person;

198.26 (4) the capacity of the vulnerable adult to make decisions related to their finances and  
198.27 property;

198.28 (5) the susceptibility of the vulnerable adult to undue influence; or

198.29 (6) the respondent's criminal history.

198.30 Subd. 8. **Temporary ex parte order.** (a) The court may issue a temporary order for  
198.31 protection ex parte if the court finds that:

199.1 (1) there is an immediate and present danger of financial exploitation of the vulnerable  
199.2 adult;

199.3 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy  
199.4 at law;

199.5 (3) there is a substantial likelihood of success on the merits;

199.6 (4) the threatened injury to the vulnerable adult outweighs possible harm to the  
199.7 respondent; and

199.8 (5) a temporary order protects the vulnerable adult's financial security.

199.9 (b) A denial of a petition for an ex parte order must be by written order and must note  
199.10 the grounds for denial. When the only ground for denial is failure to demonstrate the  
199.11 immediate and present danger of financial exploitation of a vulnerable adult, the court must  
199.12 set a full hearing on the petition for an order for protection at the earliest possible date and  
199.13 within 14 days of the date of the court's denial order. Nothing in this paragraph limits a  
199.14 petitioner's right to promptly amend a petition consistent with court rules.

199.15 (c) An ex parte temporary order may be effective for a fixed period not to exceed 14  
199.16 days unless good cause is shown to extend the order. The ex parte temporary order may be  
199.17 extended once for up to an additional 14 days. A full hearing, as provided by this section,  
199.18 must be set for a date no later than the date when the ex parte temporary order expires.

199.19 Subd. 9. **Relief.** (a) The court may grant relief as provided under this section, if upon  
199.20 notice and hearing and consideration of all relevant factors, the court finds that:

199.21 (1) the vulnerable adult is the victim of financial exploitation or the vulnerable adult is  
199.22 in imminent danger of becoming a victim of financial exploitation;

199.23 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy  
199.24 at law;

199.25 (3) the threatened injury to the vulnerable adult outweighs possible harm to the  
199.26 respondent; and

199.27 (4) an order protects the vulnerable adult's financial security.

199.28 (b) In addition to any other injunctive or equitable relief the court deems appropriate,  
199.29 the court may grant any or all of the following relief in either a temporary ex parte or final  
199.30 order issued under this section:

199.31 (1) prohibit the respondent from direct or indirect contact with the vulnerable adult;

200.1 (2) restrain the respondent from committing any acts of financial exploitation against  
200.2 the vulnerable adult;

200.3 (3) hold financial accounts in accordance with chapter 45A or freeze any assets of the  
200.4 vulnerable adult in any depository or financial institution whether titled solely in the  
200.5 vulnerable adult's name, solely in the respondent's name, jointly with the respondent, in  
200.6 conservatorship, or in a trust, provided that:

200.7 (i) assets held by a conservator for the vulnerable adult may be frozen only by an order  
200.8 entered by the court overseeing the conservatorship proceeding;

200.9 (ii) assets held by a trust may be frozen only by an order of the court if all the trustees  
200.10 of the trust are served with process and are given reasonable notice before any hearing on  
200.11 the petition; and

200.12 (iii) assets held solely in the name of the respondent may only be frozen on an ex parte  
200.13 basis if the petition and affidavit demonstrate to the court probable cause that such assets  
200.14 are traceable to the financial exploitation of the vulnerable adult, that such assets are likely  
200.15 to be returned to the vulnerable adult after a final evidentiary hearing, and that no other  
200.16 adequate remedy at law is reasonably available;

200.17 (4) freeze any line of credit of the vulnerable adult at any depository or financial  
200.18 institution whether listed solely in the vulnerable adult's name or jointly with the respondent,  
200.19 provided that:

200.20 (i) lines of credit held by a conservator for the vulnerable adult may be frozen only by  
200.21 an order entered by the court overseeing the conservatorship proceeding; and

200.22 (ii) lines of credit held by a trust may be frozen only by an order of the court if all the  
200.23 trustees of the trust are served with process and are given reasonable notice before any  
200.24 hearing on the petition;

200.25 (5) if the court has ordered an asset and credit freeze, ordering that living expenses of  
200.26 the vulnerable adult continue to be paid;

200.27 (6) award to the vulnerable adult the temporary exclusive use and possession of the  
200.28 dwelling that the vulnerable adult and the respondent share or bar the respondent from the  
200.29 residence of the vulnerable adult;

200.30 (7) provide necessary directives to law enforcement agencies; and

200.31 (8) provide any terms the court deems necessary for the protection of the vulnerable  
200.32 adult or the vulnerable adult's assets.



201.1 Subd. 10. **Modifying or vacating an order; extensions and subsequent orders.** Upon  
201.2 application and notice to all parties as required under this section, the court may vacate an  
201.3 order, modify the terms of an existing order for protection, extend relief granted in an  
201.4 existing order for protection, or, if an order for protection has expired, issue a new order.

201.5 Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24  
201.6 hours of issuance of an order or continuance of an order under this section, the court  
201.7 administrator must forward the order for protection and any continuance of the order for  
201.8 protection to the local law enforcement agency with jurisdiction over the residence of the  
201.9 vulnerable adult and the lead investigative agency that received the report pursuant to  
201.10 subdivision 6. Section 518B.01, subdivision 13, applies to orders granted under this section.

201.11 Subd. 12. **Title to real property.** Nothing in this section affects title to real property.

201.12 Subd. 13. **Violation of an order for protection.** (a) A person is guilty of a misdemeanor  
201.13 if the person:

201.14 (1) knows of the existence of an order for protection issued under this section;

201.15 (2) is prohibited from direct or indirect contact with a vulnerable adult or restrained from  
201.16 committing any acts of financial exploitation against a vulnerable adult as provided in  
201.17 subdivision 9, paragraph (b); and

201.18 (3) violates the order by committing such conduct.

201.19 (b) A person who violates paragraph (a) within ten years of a previous conviction or  
201.20 adjudication of delinquency for a violation of this subdivision or section 609.2335, is guilty  
201.21 of a gross misdemeanor.

201.22 (c) A person who violates paragraph (a) within ten years of the first of two or more  
201.23 previous convictions or adjudications of delinquency for a violation of this subdivision or  
201.24 section 609.2335, is guilty of a felony and may be sentenced to imprisonment for not more  
201.25 than five years or to payment of a fine of not more than \$10,000, or both.

201.26 Subd. 14. **Admissibility of testimony in criminal proceeding.** Any testimony offered  
201.27 by a respondent in a hearing pursuant to this section is inadmissible in a criminal proceeding.

201.28 Subd. 15. **Other remedies available.** Any proceeding under this section shall be in  
201.29 addition to other civil or criminal remedies.

201.30 Sec. 17. **REPEALER.**

201.31 Minnesota Statutes 2024, sections 517.05; and 517.18, are repealed.

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ARTICLE 14

STATUTORY FORMS FOR GARNISHMENT

Section 1. Minnesota Statutes 2024, section 550.136, subdivision 6, is amended to read:

Subd. 6. **Earnings exemption notice.** Before the first levy on earnings under this chapter, the judgment creditor shall serve upon the judgment debtor no less than ten days before the service of the writ of execution, a notice that the writ of execution may be served on the judgment debtor's employer. The notice must: (1) be substantially in the form set forth below; (2) be served personally, in the manner of a summons and complaint, or by first class mail to the last known address of the judgment debtor; (3) inform the judgment debtor that an execution levy may be served on the judgment debtor's employer in ten days, and that the judgment debtor may, within that time, cause to be served on the judgment creditor a signed statement under penalties of perjury asserting an entitlement to an exemption from execution; (4) inform the judgment debtor of the earnings exemptions contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief set forth in this chapter to which the debtor may be entitled if a judgment creditor in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the execution process. The notice requirement of this subdivision does not apply to a levy on earnings being retained by an employer pursuant to a garnishment previously served in compliance with chapter 571.

The ten-day notice informing a judgment debtor that a writ of execution may be used to levy the earnings of an individual must be substantially in the following form:

STATE OF MINNESOTA

COUNTY OF .....

.....(Judgment Creditor)

against

.....(Judgment Debtor)

and

.....(Third Party)

DISTRICT COURT

..... JUDICIAL DISTRICT

EXECUTION EXEMPTION

NOTICE AND NOTICE OF INTENT TO

LEVY ON EARNINGS

State of Minnesota

County of: .....

District Court

Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name

.....

Execution Exemption

Article 14 Section 1.

202

203.1 against **Notice and Notice of**  
203.2 Debtor's full name **Intent to Levy on Earnings**

203.3 .....

203.4 and

203.5 Third Party (bank, employer, or other)

203.6 .....

203.7 ~~PLEASE TAKE NOTICE that a levy may be served upon your employer or other third~~  
203.8 ~~parties, without any further court proceedings or notice to you, ten days or more from the~~  
203.9 ~~date hereof. Your earnings are completely exempt from execution levy if you are now a~~  
203.10 ~~recipient of relief based on need, if you have been a recipient of relief within the last six~~  
203.11 ~~months, or if you have been an inmate of a correctional institution in the last six months.~~

203.12 ~~Relief based on need includes Minnesota Family Investment Program (MFIP), Emergency~~  
203.13 ~~Assistance (EA), Work First, Medical Assistance (MA), General Assistance (GA), Emergency~~  
203.14 ~~General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency~~  
203.15 ~~Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

203.16 ~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~  
203.17 ~~it, and send it to the judgment creditor's attorney.~~

203.18 ~~You may wish to contact the attorney for the judgment creditor in order to arrange for~~  
203.19 ~~a settlement of the debt or contact an attorney to advise you about exemptions or other~~  
203.20 ~~rights.~~

203.21 **Notice: A levy may be served on your employer or other third parties. A levy means**  
203.22 **that part of your earnings can be taken to pay off debts that you owe. This can happen**  
203.23 **in 10 days or more after you get this notice. This can happen without any other court action**  
203.24 **or notice to you. But some of your money may be protected.**

203.25 **Your earnings cannot be taken if:**

203.26 **(i) you are getting government assistance based on need,**

203.27 **(ii) you got any government assistance based on need in the last 6 months, or**

203.28 **(iii) you were an inmate of a correctional institution in the last 6 months.**

203.29 **These are called exemptions. Your money is NOT protected unless you fill out the**  
203.30 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**  
203.31 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

203.32 **You can also contact the creditor or their lawyer to talk about a settlement of the debt.**

- 204.1 Examples of government assistance based on need:
- 204.2 (i) **MFIP** - Minnesota Family Investment Program
- 204.3 (ii) **DWP** - MFIP Diversionary Work Program
- 204.4 (iii) **SNAP** - Supplemental Nutrition Assistance Program
- 204.5 (iv) **GA** - General Assistance
- 204.6 (v) **EGA** - Emergency General Assistance
- 204.7 (vi) **MSA** - Minnesota Supplemental Aid
- 204.8 (vii) **MSA-EA** - MSA Emergency Assistance
- 204.9 (viii) **EA** - Emergency Assistance
- 204.10 (ix) **Energy or Fuel Assistance**
- 204.11 (x) **Work Participation Cash Benefit**
- 204.12 (xi) **MA** - Medical Assistance
- 204.13 (xii) **MinnesotaCare**
- 204.14 (xiii) **Medicare Part B** - Premium Payments help
- 204.15 (xiv) **Medicare Part D** - Extra
- 204.16 (xv) **SSI** - Supplemental Security Income
- 204.17 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), MN Working family
- 204.18 credit
- 204.19 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit)

204.20 **PENALTIES**

204.21 **Warnings and Fines**

- 204.22 (1) ~~Be advised that~~ Even if you claim an exemption, ~~an execution~~ a levy may still be
- 204.23 served on your employer. If ~~your earnings are levied on~~ they take money from you after
- 204.24 you claim an exemption, you may ~~petition~~ ask the court ~~for a determination of~~ to review
- 204.25 your exemption. If the court finds that the ~~judgment~~ creditor ~~disregarded~~ ignored your
- 204.26 claim of exemption in bad faith, you ~~will be~~ are entitled to costs, reasonable ~~attorney~~
- 204.27 lawyer fees, actual damages, and ~~an amount not~~ a fine up to ~~exceed~~ \$100. Bad faith is
- 204.28 when someone does something wrong on purpose.

205.1 (2) ~~HOWEVER, BE WARNED BUT~~ if you claim an exemption, the judgment creditor  
205.2 can also ~~petition~~ ask the court for a determination of to review your exemption, ~~and~~. If  
205.3 the court finds that you claimed an exemption in bad faith, you ~~will be assessed~~ are  
205.4 charged costs and reasonable ~~attorney's~~ lawyer fees ~~plus an amount not~~ and a fine up to  
205.5 ~~exceed~~ \$100.

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution levy, thus requiring the judgment creditor to petition the court to resolve the problem, you will be liable to the judgment creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100.~~

205.10 (3) If you get this notice, then do something in bad faith to try to block or stop the levy  
205.11 and the creditor has to take you to court because of it, you will have to pay the creditor's  
205.12 costs, and reasonable lawyer fees, and a fine up to \$100.

205.13 DATED: \_\_\_\_\_

205.14 \_\_\_\_\_  
(Attorney for Judgment Creditor)

205.15 \_\_\_\_\_  
 205.16 Address

205.17 \_\_\_\_\_

205.18 Telephone

205.19 Date: .....

205.20 Creditor's Signature: .....  
205.21 (or creditor's lawyer's signature)

205.22 Creditor's Name: .....  
205.23 (or creditor's lawyer's name)

205.24 Street Address: .....

205.25 City/State/Zip: .....

205.26 Phone: ..... Fax: .....

205.27 Email: .....

205.28 **JUDGMENT Debtor's Exemption Claim Notice**

205.29 I ~~hereby~~ claim that my earnings are exempt from execution because: (check all that  
205.30 apply)

205.31 (1) ... I am ~~presently a recipient of relief~~ getting government assistance based on need.  
205.32 (Specify State the program, case number if you know it, and the county ~~from which~~  
205.33 ~~relief is being received~~ you got it from.)

206.1

.....

206.2

Program

Case Number (if known)

County

206.3

Program: .....

Case #: .....

County: .....

206.4

Program: .....

Case #: .....

County: .....

206.5

Program: .....

Case #: .....

County: .....

206.6

(2) ... I am not ~~now receiving relief~~ getting assistance based on need right now, but I

206.7

~~have received relief~~ did get government assistance based on need within the last ~~six~~ 6

206.8

months. (Specify State the program, case number if you know it, and the county you got

206.9

it from which relief has been received.)

206.10

.....

206.11

Program

Case Number (if known)

County

206.12

Program: .....

Case #: .....

County: .....

206.13

Program: .....

Case #: .....

County: .....

206.14

Program: .....

Case #: .....

County: .....

206.15

(3) ... I ~~have been~~ was an inmate of a correctional institution within the last ~~six~~ 6 months.

206.16

(Specify State the correctional institution and location.)

206.17

.....

206.18

Correctional Institution .....

Location .....

206.19

~~I hereby authorize any agency that has distributed relief to me or any correctional~~

206.20

~~institution in which I was an inmate to disclose to the above-named judgment creditor or~~

206.21

~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~

206.22

~~based on need or an inmate of a correctional institution within the last six months. I have~~

206.23

~~mailed or delivered a copy of this form to the judgment creditor or judgment creditor's~~

206.24

~~attorney.~~

206.25

.....

206.26

Debtor

206.27

.....

206.28

Address

206.29

.....

206.30

Debtor Telephone Number

206.31

I give my permission to any agency listed above to give information about my benefits

206.32

to the creditor named above, or to the creditor's lawyer. The information will ONLY be if

206.33

I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the

207.1    last 6 months, I give my permission to the correctional institution to tell the creditor named

207.2    above or the creditor's lawyer that I was an inmate there.

207.3    Date: .....

207.4    Debtor's Signature: .....

207.5    Debtor's Name: .....

207.6    Street Address: .....

207.7    City/State/Zip: .....

207.8    Phone: .....

207.9    Email: .....

207.10    Sec. 2. Minnesota Statutes 2024, section 550.136, subdivision 9, is amended to read:

207.11        Subd. 9. **Execution earnings disclosure form and worksheet.** The judgment creditor

207.12    shall provide to the sheriff for service upon the judgment debtor's employer an execution

207.13    earnings disclosure form and an earnings disclosure worksheet with the writ of execution,

207.14    that must be substantially in the form set forth below.

207.15    ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

207.16    ~~COUNTY OF .....~~ ~~..... JUDICIAL DISTRICT~~

207.17    ~~FILE NO. ....~~

207.18    ~~..... (Judgment Creditor)~~

207.19    ~~against~~ ~~EARNINGS~~

207.20    ~~..... (Judgment Debtor)~~ ~~EXECUTION~~

207.21    ~~and~~ ~~DISCLOSURE~~

207.22    ~~..... (Third Party)~~

207.23    State of Minnesota District Court

207.24    County of: ..... Judicial District: .....

207.25    Court File Number: .....

207.26    Case Type: .....

207.27    Creditor's full name

207.28    ..... Earnings Execution Disclosure

207.29    and For Non-Child Support Judgments

207.30    Debtor's full name

207.31    .....

207.32    Third Party (bank, employer, or other)

207.33    .....

This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form for their own information.

The employer is also called the "third party garnishee" or "third party." The debtor is also called a "judgment debtor." If the debtor asks how the calculations in this document were made, the employer **must** provide information about it.

~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or payable to an employee for personal services or compensation paid or payable to the producer for the sale of agricultural products; milk or milk products; or fruit or other horticultural products produced when the producer is operating a family farm, a family farm corporation, or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement.~~

~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. (Amounts required by law to be withheld do not include items such as health insurance, charitable contributions, or other voluntary wage deductions.)~~

## DEFINITIONS

"Earnings": what is paid or payable to an employee, independent contractor, or self-employed person for personal services (a job). Also called compensation. Compensation can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance payment, fees, or other. It includes periodic payments from a pension or retirement. It can also be compensation paid or payable to a producer for the sale of agricultural products. This can be things like milk or milk products, or fruit or other horticultural products. Or things produced in the operation of a family farm, a family farm corporation, or an authorized farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

"Disposable Earnings": the part of a person's earnings that are left after subtracting the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld do not include things like health insurance, charitable contributions, or other voluntary wage deductions.

"Payday": For the purpose of execution, "payday(s)" means the date(s) upon which the date when the employer pays earnings to the debtor in the ordinary course of business for doing their job. If the judgment debtor has no regular payday, ~~payday(s)~~ then "payday" means the 15th and the last day of each month.



209.1       **The Third Party/Employer Must Answer The Following Questions:**

209.2       (1) Right now, do you now owe, or within 90 days from the date the execution levy was  
209.3 served on you, will you or may you owe money to the judgment debtor for earnings?

209.4               Yes .....               No .....

209.5       (2) ~~Does the judgment debtor earn more than \$... per week? (this amount is the greater~~  
209.6 ~~of \$9.50 per hour or the federal minimum wage per week)~~

209.7       (2) Within 90 days from the date you were served with the levy, will you or may you  
209.8 owe money to the debtor for earnings?

209.9               Yes .....               No .....

209.10       (3) Does the debtor earn more than the current Minnesota or federal minimum wage per  
209.11 week? (use the number that is more)

209.12               Yes .....               No .....

209.13       A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the  
209.14 questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings  
209.15 Disclosure Affirmation below and return this disclosure form to the sheriff. You must return  
209.16 it within 20 days after it was served on you.

209.17       B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings  
209.18 Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must  
209.19 also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.

209.20       **Earnings Disclosure Affirmation**

209.21       I, ..... (person signing Affirmation), am the third party/employer or I am  
209.22 authorized by the third party/employer to complete this earnings disclosure and have done  
209.23 so truthfully and to the best of my knowledge.

209.24       Date: .....

209.25       Third Party's Name: .....

209.26       Third Party's Signature: .....

209.27       Phone: ..... Fax: .....

209.28       Email: .....

209.29       **Instructions for Completing the Earnings Disclosure Worksheet**

209.30       ~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~  
209.31 ~~below and return this disclosure to the sheriff within 20 days after it was served on you,~~  
209.32 ~~and you do not need to answer the remaining questions.~~

210.1 ~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form~~  
210.2 ~~and the Earnings Disclosure Worksheet as follows:~~

210.3 For each payday that falls within 90 days from the date the ~~execution~~ levy was served  
210.4 on you, you **must** calculate the amount of earnings to be ~~retained by completing steps~~  
210.5 ~~3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.~~  
210.6 ~~UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH~~  
210.7 ~~INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS~~  
210.8 ~~DISCLOSURE WERE MADE~~ withheld. Enter the amounts on the Earnings Disclosure  
210.9 Worksheet.

210.10 You **must**:

210.11 (1) Withhold the amount of earnings listed in Column I on the Earnings Disclosure  
210.12 Worksheet each payday.

210.13 (2) After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all  
210.14 the money withheld. Sign the Affirmation at the end of the worksheet before returning.

210.15 (3) Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the  
210.16 last payday that falls within the 90-day period.

210.17 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period  
210.18 is over, you need to do the last disclosure and withholdings within 10 days of their last  
210.19 payday that you withheld money.

210.20 ~~Each payday, you must retain the amount of earnings listed in column I on the Earnings~~  
210.21 ~~Disclosure Worksheet.~~

210.22 ~~You must pay the attached earnings and return this earnings disclosure form and the~~  
210.23 ~~Earnings Disclosure Worksheet to the sheriff and deliver a copy of the disclosure and~~  
210.24 ~~worksheet to the judgment debtor within ten days after the last payday that falls within~~  
210.25 ~~the 90-day period. If the judgment is wholly satisfied or if the judgment debtor's~~  
210.26 ~~employment ends before the expiration of the 90-day period, your disclosure and~~  
210.27 ~~remittance should be made within ten days after the last payday for which earnings were~~  
210.28 ~~attached.~~

210.29 ~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure~~  
210.30 ~~Worksheet.~~

210.31 (3) COLUMN A: ~~Enter the date of judgment debtor's payday.~~

210.32 (4) COLUMN B: ~~Enter judgment debtor's gross earnings for each payday.~~

211.1	(5)	COLUMN C.	Enter judgment debtor's disposable earnings for each
211.2			payday.
211.3	(6)	COLUMN D.	Enter 25 percent of disposable earnings. (Multiply
211.4			column C by .25.)
211.5	(7)	COLUMN E.	Enter here the greater of 40 times \$9.50 or 40 times the
211.6			hourly federal minimum wage (\$.....) times the
211.7			number of work weeks included in each payday. (Note:
211.8			If a payday includes days in excess of whole work
211.9			weeks, the additional days should be counted as a
211.10			fraction of a work week equal to the number of
211.11			workdays in excess of a whole work week divided by
211.12			the number of workdays in a normal work week.)
211.13	(8)	COLUMN F.	Subtract the amount in column E from the amount in
211.14			column C, and enter here.
211.15	(9)	COLUMN G.	Enter here the lesser of the amount in column D and the
211.16			amount in column F.
211.17	(10)	COLUMN H.	Enter here any amount claimed by you as a setoff,
211.18			defense, lien, or claim, or any amount claimed by any
211.19			other person as an exemption or adverse interest which
211.20			would reduce the amount of earnings owing to the
211.21			judgment debtor. (Note: Any indebtedness to you
211.22			incurred within ten days prior to your receipt of the first
211.23			execution levy on a debt may not be set off against the
211.24			earnings otherwise subject to this levy. Any wage
211.25			assignment made by the judgment debtor within ten
211.26			days prior to your receipt of the first execution levy on
211.27			a debt is void.)
211.28			You must also describe your claim(s) and the claims of
211.29			others, if known, in the space provided below the
211.30			worksheet and state the name(s) and address(es) of these
211.31			persons.
211.32			Enter zero in column H if there are no claims by you or
211.33			others which would reduce the amount of earnings
211.34			owing to the judgment debtor.
211.35	(11)	COLUMN I.	Subtract the amount in column H from the amount in
211.36			column G and enter here. This is the amount of earnings
211.37			that you must remit for the payday for which the
211.38			calculations were made.

211.39 AFFIRMATION

211.40 I, ..... (person signing Affirmation), am the third party/employer or I am

211.41 authorized by the third party/employer to complete this earnings disclosure, and have done

211.42 so truthfully and to the best of my knowledge.

211.43 DATED: ..... ..

211.44 Signature

211.45 .....

211.46 Title

212.1

.....

212.2Telephone Number

212.3EARNINGS DISCLOSURE WORKSHEET

.....

212.4Debtor's Name

212.5

Calculating Percentage of Disposable Earnings

212.6

Note to Creditor: You must fill out this chart before sending this form to the employer.

212.7

Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

212.8

Minimum Wage = \$MW/hour.

212.9		then this percentage of the disposable
212.10	if the weekly gross earnings are:	earnings are withheld:
212.11	Less than [40 X MW]	0%
212.12	[40 X MW + .01] to [60 X MW]	10%
212.13	[60 X MW + .01] to [80 X MW]	15%
212.14	[80 x MW + .01] or more	25%

212.15

Employer: Use this creditor's calculation chart to know what percentage of earnings

212.16

should be withheld.

212.17

Earnings Disclosure Worksheet

212.18

.....

212.19

Debtor's name

212.20		B - Gross	C - Disposable
212.21	A - Payday Date	Earnings	Earnings
212.22	1. ....	\$ .....	\$ .....
212.23	2. ....	.....	.....
212.24	3. ....	.....	.....
212.25	4. ....	.....	.....
212.26	5. ....	.....	.....
212.27	6. ....	.....	.....
212.28	7. ....	.....	.....
212.29	8. ....	.....	.....
212.30	9. ....	.....	.....
212.31	10. ....	.....	.....

212.32

Column A. Enter the debtor's payday.

212.33

Column B. Enter the debtor's gross earnings for each payday.

212.34

Column C. Enter the debtor's disposable earnings for each payday.

213.1	D <del>25</del> - % of	E - Greater of <del>40</del>	
213.2	<u>withholding of</u>	<del>X \$9.50 or 40 X</del>	
213.3	Column C (Use the	MN or Fed.	F - Column C
213.4	<u>creditor's calculation)</u>	Min. Wage	minus Column E
213.5	1. ....	.....	.....
213.6	2. ....	.....	.....
213.7	3. ....	.....	.....
213.8	4. ....	.....	.....
213.9	5. ....	.....	.....
213.10	6. ....	.....	.....
213.11	7. ....	.....	.....
213.12	<del>8.</del> .....	.....	.....
213.13	<del>9.</del> .....	.....	.....
213.14	<del>10.</del> .....	.....	.....
213.15	<b>Column D.</b> Enter the percentage of disposable earnings that will be withheld. Get this		
213.16	<u>number from the creditor's calculation chart.</u>		
213.17	<b>Column E.</b> Calculate 40 times the current MN minimum wage (or 40 times the current		
213.18	<u>federal minimum wage) times the number of work weeks in each payday. Enter the bigger</u>		
213.19	<u>number here. <b>Note:</b> If a payday has extra days that are more than a full work week, count</u>		
213.20	<u>those extra days as part of a work week. Do this by dividing the number of extra workdays</u>		
213.21	<u>by the number of workdays in a normal week.</u>		
213.22	<b>Column F.</b> Subtract the amount in Column E from the amount in Column C and enter		
213.23	<u>here.</u>		
213.24		H - Setoff, Lien,	
213.25	G - Lesser of	Adverse	I - Column G
213.26	Column D and	Interest, or	minus Column
213.27	Column F	Other Claims	H
213.28	1. ....	.....	.....
213.29	2. ....	.....	.....
213.30	3. ....	.....	.....
213.31	4. ....	.....	.....
213.32	5. ....	.....	.....
213.33	6. ....	.....	.....
213.34	7. ....	.....	.....
213.35	<del>8.</del> .....	.....	.....
213.36	<del>9.</del> .....	.....	.....
213.37	<del>10.</del> .....	.....	.....
213.38	TOTAL OF COLUMN I \$ .....		

- 214.1        **Column G.** Look at Column D and Column F. Enter the smaller amount of the two here
- 214.2        in Column G.
- 214.3        **Column H.** Enter any amount claimed by you that would lower the amount of earnings
- 214.4        that will go to the debtor. Things like:
- 214.5        (i) a setoff,
- 214.6        (ii) a defense,
- 214.7        (iii) a lien,
- 214.8        (iv) a claim, or
- 214.9        (v) any amount claimed by any other person as an exemption or adverse interest.
- 214.10       **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces
- 214.11       after this worksheet.
- 214.12       Enter zero in Column H if there are no claims by you or others which would lower the
- 214.13       amount of earnings owed to the debtor.
- 214.14       **Note:** Any debt that happened within 10 days before you got the first levy on a debt
- 214.15       may not be set off against the earnings that are affected by this levy. Any wage assignment
- 214.16       made by the debtor within 10 days before you got the first levy on a debt is void. Wage
- 214.17       assignment is when a debtor voluntarily agrees to money being taken out of their earnings.
- 214.18       **Column I.** Subtract the amount in Column H from the amount in Column G and enter
- 214.19       here. This is the amount of earnings that go to the creditor.
- 214.20       **\*If you entered any amount in Column H for any payday(s) payday, you must describe**
- 214.21       those claims below either your claims, or the claims of others. It doesn't matter if they are
- 214.22       your claims, or the claims of others. For amounts claimed claims by others, you must both
- 214.23       state list the names and addresses of such persons each, and the nature of describe their
- 214.24       claim claims, if known you know.
- 214.25       .....
- 214.26       .....
- 214.27       .....
- 214.28       .....
- 214.29       **Earnings Worksheet Affirmation**

215.1

I, ..... (person signing Affirmation), am the third ~~party~~ party/employer or I am

215.2

authorized by the third ~~party~~ party/employer to complete this earnings disclosure ~~worksheet~~,

215.3

and have done so truthfully and to the best of my knowledge.

215.4

.....

215.5

Signature

215.6

Dated: ..... (..) .....

215.7

TitlePhone Number

215.8

Date: .....

215.9

Third Party's Name: .....

215.10

Third Party's Signature: .....

215.11

Phone: ..... Fax: .....

215.12

Email: .....

215.13

Sec. 3. Minnesota Statutes 2024, section 550.143, subdivision 2, is amended to read:

215.14

Subd. 2. **Disclosure form.** Along with the writ of execution, the notice, instructions,

215.15

and the exemption notice described in subdivision 3, the sheriff shall serve upon the financial

215.16

institution an execution disclosure form which must be substantially in the following form:

215.17

STATE OF MINNESOTA

215.18

COUNTY OF ..... JUDICIAL DISTRICT

215.19

.....(Judgment Creditor)

215.20

against

215.21

.....(Judgment Debtor)

215.22

and

215.23

.....(Third Party)

215.24

State of Minnesota

215.25

County of: ..... Judicial District: .....

215.26

Court File Number: .....

215.27

Case Type: .....

215.28

Creditor's full name

215.29

..... Execution Disclosure

215.30

against

215.31

Debtor's full name

215.32

.....

215.33

and

216.1 Third Party (bank, employer, or other)

216.2 .....

216.3 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you  
216.4 because you might be holding property that belongs to the debtor, or you might owe money  
216.5 to the debtor.

216.6 You are the "third party" or "garnishee." The "debtor" is the person who owes money.  
216.7 The debtor is also called the "judgment debtor." The creditor is the person the debtor owes  
216.8 money to. The creditor is also called the "judgment creditor." The debtor owes  
216.9 \$..... to the creditor.

216.10 You must list any money or property you owe the debtor on the lines below and sign  
216.11 the affirmation. Write "none" on the line if that is your answer. You must then return this  
216.12 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

216.13 ~~On the ..... day of ....., ....., the time of service of execution herein, there was due~~  
216.14 ~~and owing the judgment debtor from the third party the following:~~

216.15 Fill in the date you got this disclosure:

216.16 ..... (month) ..... (day), ..... (year)

216.17 On the date you got this disclosure, you owed the debtor:

216.18 ~~(1) Money. Enter on the line below any amounts due and owing the judgment debtor,~~  
216.19 ~~except earnings, from the third party. Write down the amount of money you owe the debtor~~  
216.20 ~~(except earnings).~~

216.21 .....

216.22 (2) Property. Write a short description of any personal property, instruments, or papers  
216.23 belonging to the debtor that you have in your possession. List the monetary value of each  
216.24 thing.

216.25 .....

216.26 ~~(2) (3) Setoff. Enter on the line below the amount of any setoff, defense, lien, or claim~~  
216.27 ~~which the third party claims against the amount set forth on line (1). State the facts by which~~  
216.28 ~~such setoff, defense, lien, or claim is claimed. (Any indebtedness to a third party incurred~~  
216.29 ~~by the judgment debtor within ten days prior to the receipt of the first execution levy on a~~  
216.30 ~~debt is void as to the judgment creditor.) If you claim a setoff, defense, lien, or claim against~~  
216.31 the amount on lines (1) and (2) above, enter that amount on the line below. State the facts  
216.32 about your claim. **Note:** Any payment the debtor makes to the garnishee within the 10 days



217.1 before they get the first garnishment order on that debt can't be used to lower the amount  
217.2 that is being garnished.

217.3 .....

217.4 ~~(3)~~ (4) Exemption. Enter any amounts or property that the debtor claims is exempt on  
217.5 the line below any amounts or property claimed by the judgment debtor to be exempt from  
217.6 execution.

217.7 .....

217.8 ~~(4)(5)~~ Adverse Interest. Enter on the line below any amounts ~~claimed by other persons~~  
217.9 ~~by reason of ownership or interest in the judgment of the~~ debtor's property that other people  
217.10 claim they own or have interest in.

217.11 .....

217.12 ~~(5)~~ (6) Enter on the line below the total of lines ~~(2), (3), and (4)~~ (3), (4), and (5) on the

217.13 line below.

217.14 .....

217.15 ~~(6)~~ (7) Enter on the line below the difference obtained (never less than zero) when line

217.16 ~~(5)~~ (6) is subtracted from the amount on line sum of lines (1) and (2) on the line below.

217.17 .....

217.18 (7) ~~Enter on the line below~~ (8) Figure out 110 percent of the amount of the judgment  
217.19 creditor's claim which ~~remains~~ is still unpaid. Enter it on the line below.

217.20 .....

217.21 ~~(8) Enter on the line below the lesser of line (6) and line (7). You are hereby instructed~~  
217.22 ~~to remit this amount only if it is \$10 or more.~~

217.23 (9) Look at (7) and (8). Put the smaller number on the line below. Hold this amount only  
217.24 if it is \$10 or more.

217.25 .....

217.26 **AFFIRMATION**

217.27 I, ..... (person signing Affirmation), am the ~~third party~~ garnishee or I am  
217.28 authorized by the ~~third party~~ garnishee to complete this ~~nonearnings~~ non-earnings  
217.29 garnishment disclosure, and have done so truthfully and to the best of my knowledge.

218.1 ~~Dated:~~.....

218.2 Signature

218.3 .....

218.4 Title

218.5 .....

218.6 Telephone Number

218.7 Date: .....

218.8 Name: .....

218.9 Signature: .....

218.10 Title: .....

218.11 Phone: ..... Email: .....

218.12 Sec. 4. Minnesota Statutes 2024, section 550.143, subdivision 3a, is amended to read:

218.13 Subd. 3a. **Form of notice.** The notice required by subdivision 3 must be provided as a

218.14 separate form and must be substantially in the following form:

218.15 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

218.16 ~~COUNTY OF~~.....~~JUDICIAL DISTRICT~~

218.17 .....(~~Creditor~~)

218.18 .....(~~Debtor~~)

218.19 .....(~~Financial institution~~)

218.20 State of Minnesota District Court

218.21 County of: ..... Judicial District: .....

218.22 Court File Number: .....

218.23 Case Type: .....

218.24 Creditor's full name

218.25 ..... Notice of Levied Funds

218.26 Debtor's full name

218.27 .....

218.28 Third Party (bank, employer, or other)

218.29 .....

218.30 **IMPORTANT NOTICE**

218.31 ~~**YOUR FUNDS HAVE BEEN LEVIED**~~

218.32 **Money in Your Account Has Been Frozen**

218.33 The creditor has frozen money in your account at your ~~financial institution~~ bank.

218.34 **Your account balance is \$.....**

219.1       **The amount being held is \$.....**

219.2       The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

219.3       **Some of your money in your account may be protected (the legal word is exempt).**

219.4       **You may be able to get it sooner than 14 days if you act quickly and follow the**  
219.5       **instructions on the next page.**

219.6       The attached exemption form lists some different ~~sources of~~ ways money in your account  
219.7       that may be protected. If your money is comes from ~~one or more of these sources~~ a benefit  
219.8       on this list, ~~place~~ put a check ~~on the line on the form next to the sources of your money in~~  
219.9       the box next to it. ~~If it is from one of these sources,~~ The creditor ~~cannot~~ can't take it.

219.10       BUT, if you want the bank to unfreeze your money, **you must follow the instructions**  
219.11       **and return the exemption form and with copies of your bank statements from the last**  
219.12       **60 days to have the bank unfreeze your money.** Instructions and the form are attached. If  
219.13       you ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the  
219.14       money to ~~the Sheriff~~ your creditor. If your creditor gets an order from the court or writ of  
219.15       execution, your bank gives the money to them. If that happens and ~~if~~ your money is protected,  
219.16       you can still get it back from the creditor later, ~~but that is not as easy to do as filling in the~~  
219.17       ~~form now.~~ But filling out the form now is easiest.

219.18                       ~~See next pages for instructions and the exemption form.~~

219.19       See the attached *Exemption Form Instructions* and *Exemption Form* for your next steps.

219.20       Sec. 5. Minnesota Statutes 2024, section 550.143, subdivision 3b, is amended to read:

219.21       Subd. 3b. **Form of instructions.** The instructions required by this section must be in a  
219.22       separate form and must be substantially in the following form:

219.23                               **Exemption Form Instructions**

219.24       **Note:** The creditor is who you owe the money to. You are the debtor.

219.25       1. Fill out **both** of the attached exemption forms in this packet.

219.26       If you check one of the lines, you should also give proof. Use proof that ~~shows~~ show  
219.27       that some or all of the money in your account is from one or more of the protected sources.  
219.28       This might be letters or account statements. Creditors may ask for a hearing if they question  
219.29       your exemptions.

219.30       **To avoid a hearing:**

219.31               (i) Case numbers should be added to the form.

220.1           (ii) Copies of documents should be sent with the form.

220.2           **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies  
220.3 of your bank statements for the past 60 days before the ~~levy~~ garnishment. Send them to the  
220.4 creditor's lawyer (or to the creditor, if there isn't a lawyer). Keep a copy of your bank  
220.5 statements in case there are questions about your claim. If you ~~do not~~ don't send bank  
220.6 statements to the creditor's ~~attorney~~ lawyer (or to the creditor, ~~if no attorney~~) ~~bank statements~~  
220.7 along with your exemption claim, the financial institution may ~~release~~ give your money to  
220.8 the ~~Sheriff~~ creditor. They would do this once the creditor gives them a court order saying  
220.9 they have to turn over the funds.

220.10       2. **Sign** the exemption forms. **Make ~~one~~ a copy to keep for yourself**.

220.11       3. **Mail or deliver** the other copies of the form by (insert date).

220.12       **Both Copies Must Be Mailed or Delivered the Same Day.**

220.13       One copy of the form and the copies of your bank statements go to:

220.14       .....

220.15       ~~(Insert name of creditor or creditor's attorney)~~

220.16       .....

220.17       ~~(Insert address of creditor or creditor's attorney)~~

220.18       One copy goes to:

220.19       .....

220.20       ~~(Insert name of bank)~~

220.21       .....

220.22       ~~(Insert address of bank)~~

220.23       Creditor's Name: .....

220.24       (or creditor's lawyer's name)

220.25       Street Address: .....

220.26       City/State/Zip: .....

220.27       Phone: ..... Fax: .....

220.28       Email: .....

220.29       One copy goes to:

220.30       Bank's Name: .....

221.1 Street Address: .....

221.2 City/State/Zip: .....

221.3 Phone: ..... Fax: .....

221.4 Email: .....

221.5 **How The Process Works**

221.6 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

221.7 14 days after the date of this letter some or all of your money may be turned over to the  
221.8 creditor ~~or to the sheriff~~. This happens once they get an order from the court telling the bank  
221.9 to do this.

221.10 **If You Do Send in the Exemption Form and Bank Statements:**

221.11 Any money that is NOT protected can be turned over to the ~~sheriff~~ creditor once they  
221.12 get an order from the court.

221.13 **If the Creditor Does Not Object to Your Claimed Exemptions:**

221.14 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after  
221.15 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the  
221.16 creditor's lawyer to send a release letter to the bank.

221.17 **If the Creditor Objects to Your Claimed Exemptions:**

221.18 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The  
221.19 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You  
221.20 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

221.21 The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~  
221.22 if your money is protected or not. Some reasons a creditor may object are because you ~~did~~  
221.23 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~  
221.24 got. Be sure to include these when you send your exemption form.

221.25 You may want to talk to a lawyer for advice about this process. If you are low income  
221.26 you can call Legal Aid statewide at 1(877) 696-6529.

221.27 **PENALTIES:**

221.28 **Warnings and Fines**

221.29 If you claim that your money is protected and a court decides you made that claim in  
221.30 bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,  
221.31 ~~and an additional amount of~~ a fine up to \$100. Bad faith is when someone does something

222.1

wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government

222.2

benefits ~~that~~ and you ~~do not receive~~ don't.

222.3

If the creditor made a bad faith objection to your claim that your money is protected,

222.4

the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~

222.5

~~amount of a fine~~ up to \$100.

222.6

Sec. 6. Minnesota Statutes 2024, section 550.143, subdivision 3c, is amended to read:

222.7

Subd. 3c. **Form of exemption form.** The exemption form required by this subdivision

222.8

must be sent as a separate form and must be in substantially the following form:

222.9

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

222.10

~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

222.11

~~.....(Creditor)~~

222.12

~~.....(Debtor)~~

222.13

~~.....(Financial institution)~~

222.14

State of Minnesota District Court

222.15

County of: ..... Judicial District: .....

222.16

Court File Number: .....

222.17

Case Type: .....

222.18

Creditor's full name

222.19

..... Exemption Form

222.20

against

222.21

Debtor's full name

222.22

.....

222.23

Bank's name

222.24

.....

222.25

~~EXEMPTION FORM~~

222.26

**A. How Much Money is Protected (Exempt)**

222.27

..... I claim ALL of the money being frozen by the bank is protected.

222.28

..... I claim SOME of the money is protected. The amount I claim is protected is \$.....

222.29

**B. Why The Money is Protected**

222.30

My money is protected because I get it from one or more of the following places:

222.31

*(Check all that apply)*

222.32

Earnings (Wages)

222.33

ALL or SOME of my wages may be protected.

222.34

..... Some of my wages are protected because they were only deposited in my account

222.35

in the last 20 days.

- 223.1 For wages that were deposited in your account within the last 20 days, the amount  
 223.2 protected is whichever is more:
- 223.3 (i) 75% or more of your wages (after taxes are taken out), or  
 223.4 (ii) The current minimum wage times 40 per week. You can find the current minimum  
 223.5 wage here: <https://www.dli.mn.gov/minwage>.
- 223.6 All of my wages are protected because:
- 223.7 ..... I get government benefits (a list of government benefits is on the next page)  
 223.8 ..... I am getting other assistance based on need  
 223.9 ..... I have gotten government benefits in the last 6 months  
 223.10 ..... I was in jail or prison in the last 6 months
- 223.11 If you check one of these 4 boxes, your wages are only protected for 60 days after  
 223.12 they are deposited in your account. You **MUST send the creditor copies of bank**  
 223.13 **statements** that show what was in your account **for the 60 days right before the**  
 223.14 **bank froze your money.**
- 223.15 ..... **Government benefits**
- 223.16 Government benefits ~~include, but are not limited to,~~ the following can include many  
 223.17 things. For example:
- 223.18 ~~MFIP - Minnesota Family Investment Program,~~  
 223.19 ~~MFIP Diversionary Work Program,~~  
 223.20 ~~Work participation cash benefit,~~  
 223.21 ~~GA - General Assistance,~~  
 223.22 ~~EA - emergency assistance,~~  
 223.23 ~~MA - medical assistance,~~  
 223.24 ~~EGA - emergency general assistance,~~  
 223.25 ~~MSA - Minnesota Supplemental Aid,~~  
 223.26 ~~MSA-EA - MSA Emergency Assistance,~~  
 223.27 ~~Supplemental Nutrition Assistance Program (SNAP),~~  
 223.28 ~~SSI - Supplemental Security Income,~~  
 223.29 ~~MinnesotaCare,~~  
 223.30 ~~Medicare Part B premium payments,~~  
 223.31 ~~Medicare Part D extra help,~~  
 223.32 ~~Energy or fuel assistance.~~
- 223.33 (i) MFIP - Minnesota Family Investment Program  
 223.34 (ii) DWP - MFIP Diversionary Work Program  
 223.35 (iii) SNAP - Supplemental Nutrition Assistance Program  
 223.36 (iv) GA - General Assistance  
 223.37 (v) EGA - Emergency General Assistance  
 223.38 (vi) MSA - Minnesota Supplemental Aid  
 223.39 (vii) MSA-EA - MSA Emergency Assistance  
 223.40 (viii) EA - Emergency Assistance

- 224.1

(ix) Energy or Fuel Assistance
- 224.2

(x) Work Participation Cash Benefit
- 224.3

(xi) MA - Medical Assistance
- 224.4

(xii) MinnesotaCare
- 224.5

(xiii) Medicare Part B - Premium Payments help
- 224.6

(xiv) Medicare Part D - Extra
- 224.7

(xv) SSI - Supplemental Security Income
- 224.8

(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), MN Working family
- 224.9

credit
- 224.10

(xvii) Renter's Refund (also called Renter's Property Tax Credit)
- 224.11

~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~
- 224.12

.....
- 224.13

List the case number and county for every box you checked:
- 224.14

Case Number: ..... County: .....
- 224.15

Case Number: ..... County: .....
- 224.16

Case Number: ..... County: .....
- 224.17

County: .....
- 224.18

Government benefits also include:
- 224.19

..... Social Security benefits
- 224.20

..... Unemployment benefits
- 224.21

..... Workers' compensation
- 224.22

..... ~~Veterans~~ Veterans' benefits
- 224.23

If you ~~receive~~ get any of these government benefits, include copies of any documents
- 224.24

you have that show you receive Social Security, unemployment, workers'
- 224.25

compensation, or veterans benefits get them.
- 224.26

..... ~~Other assistance based on need~~
- 224.27

..... I get other assistance based on need that is not on the list. It comes from: .....
- 224.28

.....
- 224.29

Make sure you include copies of any documents that show this.
- 224.30

~~You may have assistance based on need from another source that is not on the list. If you~~
- 224.31

~~do, check this box, and fill in the source of your money on the line below:~~
- 224.32

~~Source:.....~~
- 224.33

~~Include copies of any documents you have that show the source of this money.~~
- 224.34

~~EARNINGS~~
- 224.35

~~ALL or SOME of your earnings (wages) may also be protected.~~
- 224.36

..... ~~All of your earnings (wages) are protected if:~~
- 224.37

..... ~~You get government benefits (see list of government benefits)~~



225.1 ..... ~~You currently receive other assistance based on need~~

225.2 ..... ~~You have received government benefits in the last six months~~

225.3 ..... ~~You were in jail or prison in the last six months~~

225.4 **If you check one of these lines, your wages are only protected for 60 days after**  
 225.5 **they are deposited in your account so you MUST send the creditor a copy of**  
 225.6 **BANK STATEMENTS that show what was in your account for the 60 days right**  
 225.7 **before the bank froze your money.**

225.8 ..... ~~Some of your earnings (wages) are protected.~~

225.9 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~  
 225.10 ~~for 20 days after they were deposited in your account. The amount protected is the~~  
 225.11 ~~larger amount of:~~

225.12 ~~75 percent of your wages (after taxes are taken out); or~~

225.13 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

225.14 **C. Other Exempt Protected Funds**

225.15 The money from ~~the following~~ these things are also completely protected after they  
 225.16 are deposited in your my account.

225.17 ..... Child support

225.18 ..... ~~An accident, disability, or retirement~~ A retirement, disability, or accident pension  
 225.19 or annuity

225.20 ..... Earnings of my child who is under 18 years of age

225.21 ..... Payments to ~~you~~ me from a life insurance policy

225.22 ..... ~~Earnings of your child who is under 18 years of age~~

225.23 ..... ~~Child support~~

225.24 ..... Money paid to ~~you~~ me from a claim for damage or destruction of property. Property  
 225.25 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business  
 225.26 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,  
 225.27 furniture, or appliances.

225.28 ..... Death benefits paid to ~~you~~ me

225.29 I give my permission to any agency that has given me ~~each~~ benefits to give information  
 225.30 about my benefits to the ~~above-named~~ creditor, ~~or its attorney~~ named above or to the creditor's  
 225.31 lawyer. The information will **ONLY** ~~concern whether be if I get benefits or not~~ assistance,  
 225.32 ~~or whether if I have gotten them~~ assistance in the past ~~six~~ 6 months. If I was an inmate in  
 225.33 the last 6 months, I give my permission to the correctional institution to tell the creditor  
 225.34 named above or the creditor's lawyer that I was an inmate there.

225.35 ~~If I was an inmate in the last six months, I give my permission to the correctional~~  
 225.36 ~~institution to tell the above-named creditor that I was an inmate there.~~

225.37 **You must sign and send this form and send it back to the creditor's Attorney lawyer**  
 225.38 **(or to the creditor, if there is no attorney lawyer) and the bank. Remember to include**  
 225.39 **a copy of your bank statements for the past 60 days. Fill in the blanks below and go**  
 225.40 **back to the instructions to make sure you ~~do~~ did it correctly.**

226.1

I ~~have~~ mailed or delivered a copy of this form to: the creditor's lawyer (or to the creditor,

226.2

if there is no lawyer) at the address listed below.

226.3

.....

226.4

~~(Insert name of creditor or creditor's attorney)~~

226.5

.....

226.6

~~(Insert address of creditor or creditor's attorney)~~

226.7

Creditor's Signature: .....

226.8

(or creditor's lawyer's signature)

226.9

Creditor's Name: .....

226.10

(or creditor's lawyer's name)

226.11

Street Address: .....

226.12

City/State/Zip: .....

226.13

Phone: ..... Fax: .....

226.14

Email: .....

226.15

I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address

226.16

~~listed in the instructions.~~ below:

226.17

~~DATED: ....~~ .....

226.18

~~DEBTOR~~

226.19

.....

226.20

~~DEBTOR ADDRESS~~

226.21

.....

226.22

~~DEBTOR TELEPHONE NUMBER~~

226.23

Bank's Name: .....

226.24

Street Address: .....

226.25

City/State/Zip: .....

226.26

Phone: ..... Fax: .....

226.27

Email: .....

226.28

Date: .....

226.29

Debtor's Signature: .....

226.30

Debtor's Name: .....

226.31

Street Address: .....

226.32

City/State/Zip: .....

227.1

Phone: .....

227.2

Email: .....

227.3

Sec. 7. Minnesota Statutes 2024, section 551.05, subdivision 1b, is amended to read:

227.4

Subd. 1b. **Form of notice.** The notice must be a separate form and must be substantially

227.5

in the following form:

227.6

STATE OF MINNESOTA

DISTRICT COURT

227.7

COUNTY OF .....

.....JUDICIAL DISTRICT

227.8

..... (Creditor)

227.9

..... (Debtor)

227.10

(Financial

227.11

..... institution)

227.12

State of Minnesota

District Court

227.13

County of: .....

Judicial District: .....

227.14

Court File Number: .....

227.15

Case Type: .....

227.16

Creditor's full name:

227.17

.....

227.18

Debtor's full name:

227.19

.....

227.20

Third Party (bank, employer, or other):

227.21

.....

227.22

IMPORTANT NOTICE

227.23

~~YOUR FUNDS HAVE BEEN LEVIED~~

227.24

Money in Your Account Has Been Frozen

227.25

The creditor has frozen money in your account at your ~~financial institution~~ bank.

227.26

**Your account balance is \$.....**

227.27

**The amount being held is \$.....**

227.28

The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

227.29

**Some of your money in your account may be protected (the legal word is exempt). You**

227.30

**may be able to get it sooner than 14 days if you act quickly and follow the instructions**

227.31

**on the next page.**

227.32

The attached exemption form lists some different ~~sources of~~ ways money in your account

227.33

~~that~~ may be protected. If your money is ~~from one or more of these sources,~~ place a check

228.1 ~~on the line on the form next to the sources of your money. If it is from one of these sources,~~  
228.2 ~~the Creditor cannot take it~~ comes from a benefit on this list, put a check on the line next to  
228.3 it. The creditor can't take it.

228.4 BUT, if you want the bank to unfreeze your money, you must follow the instructions and  
228.5 return the exemption form and with copies of your bank statements from the last 60  
228.6 days to have the bank unfreeze your money. Instructions and the form are attached. If you  
228.7 ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the money  
228.8 to ~~the~~ your creditor. If your creditor gets an order from the court or writ of execution, your  
228.9 bank gives the money to them. If that happens and ~~if~~ your money is protected, you can still  
228.10 get it back from the creditor later, ~~but that is not as easy to do as filling in the form now.~~  
228.11 But filling out the form now is easiest.

228.12 ~~See next pages for instructions and the exemption form.~~

228.13 Sec. 8. Minnesota Statutes 2024, section 551.05, subdivision 1c, is amended to read:

228.14 Subd. 1c. **Form of instructions.** The instructions required must be in a separate form  
228.15 and must be substantially in the following form:

228.16 **INSTRUCTIONS**

228.17 **Note:** The creditor is who you owe the money to. You are the debtor.

228.18 1. Fill out **both** of the attached exemption forms in this packet.

228.19 ~~If you check one of the lines, you should also give proof that shows that some or all of~~  
228.20 ~~the money in your account is from one or more of the protected sources. Creditors~~  
228.21 ~~may ask for a hearing if they question your exemptions. To avoid a hearing:~~

228.22 ~~Case numbers should be added to the form. Copies of documents should be sent~~  
228.23 ~~with the form.~~

228.24 If you check one of the lines, you should also give proof. Use proof that shows that some  
228.25 or all of the money in your account is from one or more of the protected sources. This might  
228.26 be letters or account statements. Creditors may ask for a hearing if they question your  
228.27 exemptions.

228.28 To avoid a hearing:

228.29 (i) Case numbers should be added to the form.

228.30 (ii) Copies of documents should be sent with the form.

~~Notice: YOU MUST SEND TO THE CREDITOR'S ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) COPIES OF YOUR BANK STATEMENTS FOR THE PAST 60 DAYS BEFORE THE LEVY. Keep a copy of your bank statements in case there are questions about your claim. If you do not send to the creditor's attorney (or to the creditor, if no attorney) bank statements with your exemption claim, the financial institution may release your money to the creditor.~~

229.7 **Notice:** You must send copies of your bank statements for the past 60 days before the  
229.8 garnishment. Send them to the creditor (or to the creditor's lawyer). Keep a copy of your  
229.9 bank statements in case there are questions about your claim. If you don't send bank  
229.10 statements to the creditor (or to the creditor's lawyer) along with your exemption claim, the  
229.11 financial institution may give your money to the creditor. They would do this once the  
229.12 creditor gives them a court order saying they have to turn over the funds.

229.13 **2. Sign the exemption forms. Make one copy to keep for yourself.**

229.14 3. **Mail or deliver** the other copies of the form by (insert date).

**229.15 Both Copies Must Be Mailed or Delivered the Same Day.**

229.16 One copy of the form and the copies of your bank statements go to:

229.17 Creditor's Name: .....

229.18 ~~(Insert name of creditor or creditor's attorney)~~ (or creditor's lawyer's name)

229.19 Street Address: .....

229.20 ~~(Insert address of creditor or creditor's attorney)~~ City/State/Zip: .....

229.21 Phone: ..... Fax: .....

229.22 Email: .....

229.23 One copy goes to:

229.24 Bank's Name: .....

229.25 ~~(Insert name of bank)~~ Street Address: .....

229.26 City/State/Zip: .....

229.27 ~~(Insert address of bank)~~ Phone: ..... Fax: .....

229.28 Email: .....

229.29 **How The Process Works**

**229.30 If You Do Not Don't Send in the Exemption Form and Bank Statements:**

229.31 14 days after the date of this letter some or all of your money may be turned over to the  
229.32 creditor pursuant to Minnesota statute. This happens once they get an order from the court  
229.33 telling the bank to do this.

230.1 **If You Do Send in the Exemption Form and Bank Statements:**

230.2 Any money that is NOT protected can be turned over to the creditor once they get an order  
230.3 from the court.

230.4 **If the Creditor Does Not Object to Your Claimed Exemptions:**

230.5 ~~The financial institution will unfreeze your money six business days after the institution~~  
230.6 ~~gets your completed form.~~ The bank should unfreeze your money 6 business days after they  
230.7 get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a  
230.8 release letter to the bank.

230.9 **If the Creditor Objects to Your Claimed Exemptions:**

230.10 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor  
230.11 has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will~~  
230.12 ~~receive~~ get a Notice of Objection and a Notice of Hearing.

230.13 ~~The financial institution will hold~~ bank holds the money until a court decides ~~whether if~~  
230.14 your money is protected or not. Some reasons a creditor may object are because you ~~did~~  
230.15 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~  
230.16 got. Be sure to include these when you send your exemption form.

230.17 You may want to talk to a lawyer for advice about this process. If you are low income you  
230.18 can call Legal Aid statewide at 1(877) 696-6529.

230.19 **~~PENALTIES~~ Warnings and Fines:**

230.20 If you claim that your money is protected and a court decides you made that claim in bad  
230.21 faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees, and  
230.22 ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something wrong  
230.23 on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government  
230.24 benefits ~~that you do not receive~~ and you don't.

230.25 If the creditor made a bad faith objection to your claim that your money is protected, the  
230.26 court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~  
230.27 ~~amount of a fine~~ up to \$100.

230.28 Sec. 9. Minnesota Statutes 2024, section 551.05, subdivision 1d, is amended to read:

230.29 Subd. 1d. **Form of exemption form.** The exemption form required by this subdivision  
230.30 must be a separate form and must be in substantially the following form:

231.1STATE OF MINNESOTA

231.2COUNTY OF .....JUDICIAL DISTRICT

231.3..... (Creditor)

231.4..... (Debtor)

231.5..... (Financial

231.6..... institution)

231.7State of MinnesotaDistrict Court

231.8County of: .....Judicial District: .....

231.9.....Court File Number: .....

231.10.....Case Type: .....

231.11Creditor's full name:

231.12.....Exemption Form

231.13against

231.14Debtor's full name:

231.15.....

231.16Bank's name:

231.17.....

231.18EXEMPTION FORM

231.19A. How Much Money Is Protected (exempt)

231.20..... I claim ALL of the money being frozen by the bank is protected.

231.21..... I claim SOME of the money is protected. The amount I claim is protected is \$.....,

231.22B. Why The Money Is Protected

231.23My money is protected because I get it from one or more of the following places:

231.24(Check all that apply)

231.25Earnings (Wages)

231.26ALL or SOME of my wages may be protected.

231.27... Some of my wages are protected because they were only deposited in my

231.28account in the last 20 days.

231.29For wages that were deposited in your account within the last 20 days, the amount

231.30protected is whichever is more:

231.31(i) 75% of your wages or more (after taxes are taken out), or

231.32(ii) The current minimum wage times 40 per week. You can find the current

231.33minimum wage here: <https://www.dli.mn.gov/minwage>.

231.34All of my wages are protected because:

231.35... I get government benefits (a list of government benefits is on the next page)

231.36... I am getting other assistance based on need

231.37... I have gotten government benefits in the last 6 months

231.38... I was in jail or prison in the last 6 months

232.1        If you check one of these 4 boxes, your wages are only protected for 60 days

232.2        after they are deposited in your account. You **MUST send the creditor copies**

232.3        **of bank statements that show what was in your account for the 60 days right**

232.4        **before the bank froze your money.**

232.5        ----- **Government benefits**

232.6        Government benefits can include, ~~but are not limited to, the following many things.~~

232.7        For example:

232.8        ~~MFIP—Minnesota family investment program,~~

232.9        ~~MFIP Diversionary Work Program,~~

232.10        ~~Work participation cash benefit,~~

232.11        ~~GA—general assistance,~~

232.12        ~~EA—emergency assistance,~~

232.13        ~~MA—medical assistance,~~

232.14        ~~EGA—emergency general assistance,~~

232.15        ~~MSA—Minnesota supplemental aid,~~

232.16        ~~MSA-EA—MSA emergency assistance,~~

232.17        ~~Supplemental Nutrition Assistance Program (SNAP),~~

232.18        ~~SSI—Supplemental Security Income,~~

232.19        ~~MinnesotaCare,~~

232.20        ~~Medicare Part B premium payments,~~

232.21        ~~Medicare Part D extra help,~~

232.22        ~~Energy or fuel assistance.~~

232.23        ~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~

232.24        -----

232.25        ~~LIST THE CASE NUMBER AND COUNTY~~

232.26        ~~Case Number:-----~~

232.27        ~~County:-----~~

232.28        ~~Government benefits also include:~~

232.29        ----- ~~Social Security benefits~~

232.30        ----- ~~Unemployment benefits~~

232.31        ----- ~~Workers' compensation~~

232.32        ----- ~~Veterans benefits~~

232.33        ~~If you receive any of these government benefits, include copies of any documents~~

232.34        ~~you have that show you receive Social Security, unemployment, workers'~~

232.35        ~~compensation, or veterans benefits.~~

232.36        ----- ~~Other assistance based on need~~

232.37        ~~You may have assistance based on need from another source that is not on the list. If you~~

232.38        ~~do, check this box, and fill in the source of your money on the line below:~~

232.39        ~~Source:-----~~



233.1 ~~Include copies of any documents you have that show the source of this money.~~

233.2 **EARNINGS**

233.3 ~~ALL or SOME of your earnings (wages) may also be protected.~~

233.4 ~~..... All of your earnings (wages) are protected if:~~

233.5 ~~..... You get government benefits (see list of government benefits)~~

233.6 ~~..... You currently receive other assistance based on need~~

233.7 ~~..... You have received government benefits in the last six months~~

233.8 ~~..... You were in jail or prison in the last six months~~

233.9 ~~If you check one of these lines, your wages are only protected for 60 days after they~~  
 233.10 ~~are deposited in your account so you MUST send the creditor a copy of BANK~~  
 233.11 ~~STATEMENTS that show what was in your account for the 60 days right before~~  
 233.12 ~~the bank froze your money.~~

233.13 ~~..... Some of your earnings (wages) are protected.~~

233.14 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~  
 233.15 ~~for 20 days after they were deposited in your account. The amount protected is the~~  
 233.16 ~~larger amount of:~~

233.17 ~~75 percent of your wages (after taxes are taken out); or~~

233.18 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

233.19 **OTHER EXEMPT FUNDS**

233.20 ~~The money from the following are also completely protected after they are deposited~~  
 233.21 ~~in your account.~~

233.22 ~~..... An accident, disability, or retirement pension or annuity~~

233.23 ~~..... Payments to you from a life insurance policy~~

233.24 ~~..... Earnings of your child who is under 18 years of age~~

233.25 ~~..... Child support~~

233.26 ~~..... Money paid to you from a claim for damage or destruction of property~~ Property  
 233.27 ~~includes household goods, farm tools or machinery, tools for your job, business~~  
 233.28 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~  
 233.29 ~~furniture, or appliances.~~

233.30 ~~..... Death benefits paid to you~~

233.31 (i) MFIP - Minnesota Family Investment Program

233.32 (ii) DWP - MFIP Diversionary Work Program

233.33 (iii) SNAP - Supplemental Nutrition Assistance Program

233.34 (iv) GA - General Assistance

233.35 (v) EGA - Emergency General Assistance

233.36 (vi) MSA - Minnesota Supplemental Aid

233.37 (vii) MSA-EA - MSA Emergency Assistance

233.38 (viii) EA - Emergency Assistance

233.39 (ix) Energy or Fuel Assistance

233.40 (x) Work Participation Cash Benefit

- 234.1

(xi) MA - Medical Assistance
- 234.2

(xii) MinnesotaCare
- 234.3

(xiii) Medicare Part B - Premium Payments help
- 234.4

(xiv) Medicare Part D - Extra
- 234.5

(xv) SSI - Supplemental Security Income
- 234.6

(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 234.7

Family Credit
- 234.8

(xvii) Renter's Refund (also called Renter's Property Tax Credit)
- 234.9

List the case number and county for every
- 234.10

box you checked:
- 234.11

Case Number: ..... County: .....
- 234.12

Case Number: ..... County: .....
- 234.13

Case Number: ..... County: .....
- 234.14

Government benefits also include:
- 234.15

... Social Security benefits
- 234.16

... Unemployment benefits
- 234.17

... Workers' compensation
- 234.18

... Veterans' benefits
- 234.19

If you get any of these government benefits, include copies of any documents that show
- 234.20

you get them.
- 234.21

... I get other assistance based on need that is not on the list. It comes from:
- 234.22

.....
- 234.23

Make sure you include copies of any documents that show this.
- 234.24

C. Other Protected Funds
- 234.25

The money from these things are also completely protected after they are deposited
- 234.26

in my account.
- 234.27

... Child Support
- 234.28

... A retirement, disability, or accident pension or annuity
- 234.29

... Earnings of my child who is under 18 years of age
- 234.30

... Payments to me from a life insurance policy
- 234.31

... Money paid to me from a claim for damage or destruction of property. Property
- 234.32

includes household goods, farm tools or machinery, tools for my job, business
- 234.33

equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,
- 234.34

furniture, or appliances.
- 234.35

... Death benefits paid to me
- 234.36

I give my permission to any agency that has given me ~~cash~~ benefits to give information
- 234.37

about my benefits to the ~~above-named creditor, or its attorney~~ creditor named above or to

235.1 the creditor's lawyer. The information will **ONLY** ~~concern whether I get benefits or not, or~~  
235.2 ~~whether I have gotten them in the past six months~~ be if I get assistance, or if I have gotten  
235.3 assistance in the past 6 months. If I was an inmate in the last ~~six~~ 6 months, I give my  
235.4 permission to the correctional institution to tell the ~~above-named~~ creditor named above or  
235.5 the creditor's lawyer that I was an inmate there.

235.6 ~~**YOU MUST SIGN AND SEND THIS FORM BACK TO THE CREDITOR'S**~~  
235.7 ~~**ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) AND THE BANK.**~~  
235.8 ~~**REMEMBER TO INCLUDE A COPY OF YOUR BANK STATEMENTS FOR THE**~~  
235.9 ~~**PAST 60 DAYS. FILL IN THE BLANKS BELOW AND GO BACK TO THE**~~  
235.10 ~~**INSTRUCTIONS TO MAKE SURE YOU DO IT CORRECTLY.**~~

235.11 **You must sign this form and send it back to the creditor's lawyer (or to the creditor,**  
235.12 **if there is no lawyer) and the bank. Remember to include a copy of your bank**  
235.13 **statements for the past 60 days. Fill in the blanks below and go back to the instructions**  
235.14 **to make sure you did it correctly.**

235.15 I have mailed or delivered a copy of this form to: the creditor (or creditor's lawyer) at  
235.16 the address listed below.

235.17 Creditor's Signature: .....  
235.18 (Insert name of creditor or creditor's attorney lawyer's signature)  
235.19 Creditor's Name: .....  
235.20 (Insert address of creditor or creditor's attorney lawyer's name)  
  
235.21 Street Address: .....  
235.22 City/State/Zip: .....  
235.23 Phone: ..... Fax: .....  
235.24 Email: .....

235.25 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address  
235.26 ~~listed in the instructions.~~ below:

235.27 ~~DATED: .....~~ .....

235.28 ~~DEBTOR~~

235.29 .....

235.30 ~~DEBTOR ADDRESS~~

235.31 .....

235.32 ~~DEBTOR TELEPHONE NUMBER~~

235.33 Bank's Name: .....

235.34 Street Address: .....

236.1    City/State/Zip: .....

236.2    Phone: ..... Fax: .....

236.3    Email: .....

236.4    Date: .....

236.5    Debtor's Signature: .....

236.6    Debtor's Name: .....

236.7    Street Address: .....

236.8    City/State/Zip: .....

236.9    Phone: .....

236.10   Email: .....

236.11        Sec. 10. Minnesota Statutes 2024, section 551.06, subdivision 6, is amended to read:

236.12        Subd. 6. **Earnings exemption notice.** Before the first levy on earnings, the attorney for

236.13    the judgment creditor shall serve upon the judgment debtor no less than ten days before the

236.14    service of the writ of execution, a notice that the writ of execution may be served on the

236.15    judgment debtor's employer. The notice must: (1) be substantially in the form set forth

236.16    below; (2) be served personally, in the manner of a summons and complaint, or by first

236.17    class mail to the last known address of the judgment debtor; (3) inform the judgment debtor

236.18    that an execution levy may be served on the judgment debtor's employer in ten days, and

236.19    that the judgment debtor may, within that time, cause to be served on the judgment creditor's

236.20    attorney a signed statement under penalties of perjury asserting an entitlement to an

236.21    exemption from execution; (4) inform the judgment debtor of the earnings exemptions

236.22    contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief

236.23    set forth in this chapter to which the judgment debtor may be entitled if a judgment creditor

236.24    in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed

236.25    against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes

236.26    action to frustrate the execution process. The notice requirement of this subdivision does

236.27    not apply to a levy on earnings being held by an employer pursuant to a garnishment

236.28    summons served in compliance with chapter 571.

236.29        The ten-day notice informing a judgment debtor that a writ of execution may be used

236.30    to levy the earnings of an individual must be substantially in the following form:

236.31    ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

236.32    ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

236.33    ~~..... (Judgment Creditor)~~

236.34    ~~against~~

237.1

237.2

237.3

237.4

237.5

EXECUTION EXEMPTION

NOTICE AND NOTICE OF

INTENT TO LEVY ON EARNINGS

and

WITHIN TEN DAYS

..... (Judgment Debtor)

..... (Third Party)

237.6

237.7

237.8

237.9

237.10

~~PLEASE TAKE NOTICE that A levy may be served upon your employer or other third parties, without any further court proceedings or notice to you, ten days or more from the date hereof. Your earnings are completely exempt from execution levy if you are now a recipient of relief based on need, if you have been a recipient of relief within the last six months, or if you have been an inmate of a correctional institution in the last six months.~~

237.11

237.12

237.13

237.14

237.15

~~Relief based on need includes the Minnesota Family Investment Program (MFIP), Emergency Assistance (EA), Work First Program, Medical Assistance (MA), General Assistance (GA), Emergency General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

237.16

237.17

~~If you wish to claim an exemption, you should fill out the appropriate form below, sign it, and send it to the judgment creditor's attorney.~~

237.18

237.19

237.20

~~You may wish to contact the attorney for the judgment creditor in order to arrange for a settlement of the debt or contact an attorney to advise you about exemptions or other rights.~~

237.21

237.22

237.23

237.24

237.25

237.26

237.27

237.28

237.29

237.30

237.31

237.32

State of Minnesota

District Court

County of: .....

Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name:

Execution Exemption Notice and Notice of

against

Intent to Levy on Earnings

Debtor's full name:

.....

and

Third Party (bank, employer, or other):

.....

237.33

237.34

Notice: A levy may be served on your employer or other third parties. A levy means that part of your earnings can be taken to pay off debts that you owe. This can happen in

238.1 10 days or more after you get this notice. This can happen without any other court action  
238.2 or notice to you. **But some of your money may be protected.**

238.3 **Your earnings cannot be taken if:**

238.4 (i) you are getting government assistance based on need,

238.5 (ii) you got any government assistance based on need in the last 6 months, or

238.6 (iii) you were an inmate of a correctional institution in the last 6 months.

238.7 **These are called exemptions. Your money is NOT protected unless you fill out the**

238.8 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**

238.9 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

238.10 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

238.11 Examples of government assistance based on need:

238.12 (i) **MFIP** - Minnesota Family Investment Program

238.13 (ii) **DWP** - MFIP Diversionary Work Program

238.14 (iii) **SNAP** - Supplemental Nutrition Assistance Program

238.15 (iv) **GA** - General Assistance

238.16 (v) **EGA** - Emergency General Assistance

238.17 (vi) **MSA** - Minnesota Supplemental Aid

238.18 (vii) **MSA-EA** - MSA Emergency Assistance

238.19 (viii) **EA** - Emergency Assistance

238.20 (ix) **Energy or Fuel Assistance**

238.21 (x) **Work Participation Cash Benefit**

238.22 (xi) **MA** - Medical Assistance

238.23 (xii) **MinnesotaCare**

238.24 (xiii) **Medicare Part B** - Premium Payments help

238.25 (xiv) **Medicare Part D** - Extra

238.26 (xv) **SSI** - Supplemental Security Income

238.27 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working  
238.28 Family Credit

238.29 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit)

238.30 **PENALTIES Warnings and Fines**

238.31 ~~(1) Be advised that even if you claim an exemption, an execution levy may still be served~~  
238.32 ~~on your employer. If your earnings are levied on after you claim an exemption, you may~~  
238.33 ~~petition the court for a determination of your exemption. If the court finds that the~~  
238.34 ~~judgment creditor disregarded your claim of exemption in bad faith, you will be entitled~~

239.1

239.2

239.3

239.4

239.5

239.6

~~to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~  
Even if you claim an exemption, a levy may still be served on your employer. If they  
take money from you after you claim an exemption, you may ask the court to review  
your exemption. If the court finds that the creditor ignored your claim of exemption in  
bad faith, you are entitled to costs, reasonable lawyer fees, actual damages, and a fine  
up to \$100. Bad faith is when someone does something wrong on purpose.

239.7

239.8

239.9

239.10

239.11

239.12

239.13

~~(2) HOWEVER, BE WARNED if you claim an exemption, the judgment creditor can~~  
~~also petition the court for a determination of your exemption, and if the court finds that~~  
~~you claimed an exemption in bad faith, you will be assessed costs and reasonable~~  
~~attorney's fees plus an amount not to exceed \$100. BUT if you claim an exemption, the~~  
creditor can also ask the court to review your exemption. If the court finds that you  
claimed an exemption in bad faith, you are charged costs and reasonable lawyer fees,  
and a fine up to \$100.

239.14

239.15

239.16

239.17

239.18

239.19

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution~~  
~~levy, thus requiring the judgment creditor to petition the court to resolve the problem,~~  
~~you will be liable to the judgment creditor for costs and reasonable attorney's fees plus~~  
~~an amount not to exceed \$100. If you get this notice, then do something in bad faith to~~  
try to block or stop the levy and the creditor has to take you to court because of it, you  
will have to pay the creditor's costs, and reasonable lawyer's fees, and a fine up to \$100.

239.20

239.21

239.22

239.23

239.24

239.25

~~DATED:~~ .....  
.....  
(Attorney for Judgment Creditor)  
.....  
Address  
.....  
Telephone

239.26

239.27

239.28

239.29

239.30

239.31

239.32

239.33

239.34

Date: .....  
Creditor's Signature: .....  
(or creditor's lawyer's signature)  
Creditor's Name: .....  
(or creditor's lawyer's name)  
Street Address: .....  
City/State/Zip: .....  
Phone: ..... Fax: .....  
Email: .....

239.35

JUDGMENT DEBTOR'S EXEMPTION CLAIM NOTICE

**Debtor's Exemption Claim Notice**

I ~~hereby~~ claim that my earnings are exempt ~~from execution~~ because: (check all that apply)

~~(1) ... I am presently a recipient of relief~~ getting government assistance based on need.  
~~(Specify State the program, case number if you know it, and the county from which relief is being received you got it from.)~~

Program	Case Number (if known)	County
Program: .....	Case #: .....	County: .....
Program: .....	Case #: .....	County: .....
Program: .....	Case #: .....	County: .....

~~(2) ... I am not now receiving relief~~ getting assistance based on need right now, but I  
~~have received relief~~ did get government assistance based on need within the last ~~six~~ 6  
months. ~~(Specify State the program, case number if you know it, and the county from which relief has been received you got it from.)~~

Program	Case Number (if known)	County
Program: .....	Case #: .....	County: .....
Program: .....	Case #: .....	County: .....
Program: .....	Case #: .....	County: .....

~~(3) ... I have been~~ was an inmate of a correctional institution within the last ~~six~~ 6 months.  
~~(Specify State the correctional institution and location.)~~

Correctional Institution.....	Location.....
-------------------------------	---------------

~~I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above-named judgment creditor or the judgment creditor's attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institution within the last six months. I have mailed or delivered a copy of this form to the creditor or creditor's attorney.~~

DATE: .....	.....
	Judgment Debtor
	.....
	Address



241.1 I give my permission to any agency listed above to give information about my benefits to  
241.2 the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if I  
241.3 get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the  
241.4 last 6 months, I give my permission to the correctional institution to tell the creditor named  
241.5 above or the creditor's lawyer that I was an inmate there.

241.6 Date: .....  
241.7 Debtor's Signature: .....  
241.8 Debtor's Name: .....  
241.9 Street Address: .....  
241.10 City/State/Zip: .....  
241.11 Phone: .....  
241.12 Email: .....

241.13     Sec. 11. Minnesota Statutes 2024, section 551.06, subdivision 9, is amended to read:

241.14         Subd. 9. **Notice of levy on earnings, disclosure, and worksheet.** The attorney for the  
241.15 judgment creditor shall serve upon the judgment debtor's employer a notice of levy on  
241.16 earnings and an execution earnings disclosure form and an earnings disclosure worksheet  
241.17 with the writ of execution, that must be substantially in the form set forth below.

241.18 ~~STATE OF MINNESOTA~~ DISTRICT COURT  
241.19 ~~COUNTY OF .....~~ .....JUDICIAL DISTRICT  
241.20 FILE NO. ....  
241.21 ~~..... (Judgment Creditor)~~  
241.22 ~~against~~ NOTICE OF LEVY ON  
241.23 EARNINGS AND DISCLOSURE  
241.24 ~~..... (Judgment Debtor)~~  
241.25 ~~and~~  
241.26 ~~..... (Third Party)~~

241.27     ~~PLEASE TAKE NOTICE that pursuant to Minnesota Statutes, sections 551.04 and~~  
241.28 ~~551.06, the undersigned, as attorney for the judgment creditor, hereby makes demand and~~  
241.29 ~~levies execution upon all earnings due and owing by you (up to \$10,000) to the judgment~~  
241.30 ~~debtor for the amount of the judgment specified below. A copy of the writ of execution~~  
241.31 ~~issued by the court is enclosed. The unpaid judgment balance is \$.....~~

241.32     ~~This levy attaches all unpaid nonexempt disposable earnings owing or to be owed by~~  
241.33 ~~you and earned or to be earned by the judgment debtor before and within the pay period in~~

242.1 ~~which the writ of execution is served and within all subsequent pay periods whose paydays~~  
242.2 ~~occur within the 90 days after the service of this levy.~~

242.3 In responding to this levy, you are to complete the attached disclosure form and worksheet  
242.4 and mail it to the undersigned attorney for the judgment creditor, together with your check  
242.5 payable to the above-named judgment creditor, for the nonexempt amount owed by you to  
242.6 the judgment debtor or for which you are obligated to the judgment debtor, within the time  
242.7 limits set forth in the aforementioned statutes.

242.8

242.9 ~~Attorney for the Judgment Creditor~~

242.10

242.11

242.12

242.13 ~~Address~~

242.14      ( ) .....

242.15 Phone Number

242.16 ~~DISCLOSURE~~

## 242.17 DEFINITIONS

242.18 "EARNINGS": For the purpose of execution, "earnings" means compensation paid or  
242.19 payable to an employee for personal services or compensation paid or payable to the producer  
242.20 for the sale of agricultural products; milk or milk products; or fruit or other horticultural  
242.21 products produced when the producer is operating a family farm, a family farm corporation,  
242.22 or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether  
242.23 denominated as wages, salary, commission, bonus, or otherwise, and includes periodic  
242.24 payments pursuant to a pension or retirement.

~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. (Amounts required by law to be withheld do not include items such as health insurance, charitable contributions, or other voluntary wage deductions.)~~

~~"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which the employer pays earnings to the judgment debtor in the ordinary course of business. If the judgment debtor has no regular payday, payday(s) means the 15th and the last day of each month.~~

242.33 **State of Minnesota**

District Court

242.34 County of: .....

Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name:

Notice of Levy on Earnings for  
Non-Child Support Judgements

against

Debtor's full name:

and

Third Party (Debtor's Employer):

To the employer:

An employee of yours owes a judgment (money) to a creditor. The creditor's lawyer is  
starting a levy on the earnings you owe the employee. A levy means that you might have  
to hold part of the employee's earnings and send it to the creditor. By law, you have to do  
this. The limit on the levy is \$10,000. A copy of the writ of execution from the court is  
enclosed. The amount of the judgment is \$.....

The levy applies to "nonexempt disposable earnings" that you owe the employee. There are  
definitions and instructions below on how to calculate the amount, if any, you have to hold.  
The levy starts with the pay period when you got this levy. It continues for all pay periods  
in the 90 days after you got this levy.

You must complete the attached disclosure form and worksheet. Then mail it to the lawyer  
listed below. If any money is owed under the levy, you must also send a check payable to  
the creditor listed above. Follow the steps and the deadlines explained below.

Creditor's Name: .....  
Creditor's Lawyer's Name: .....  
Street Address: .....  
City/State/Zip: .....  
Phone: ..... Fax: .....  
Email: .....

State of Minnesota

District Court

County of: .....

Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name:

**Earnings Disclosure and Worksheet  
For Non-Child Support Judgements**

244.1  
244.2 .....

244.3 against

244.4 Debtor's full name:

244.5 .....

244.6 and

244.7 Third Party (Debtor's Employer):

244.8 .....

244.9 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the employer  
244.10 to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form  
244.11 for their own information.

244.12 The employer is the "third party." The debtor is also called a "judgment debtor." If the debtor  
244.13 asks how the calculations in this document were made, the employer **must** provide  
244.14 information about it.

244.15 **Definitions**

244.16 **"Earnings":** what is paid or payable to an employee, independent contractor, or  
244.17 self-employed person for personal services (a job). Also called compensation. Compensation  
244.18 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance  
244.19 payment, fees, or other. It includes periodic payments from a pension or retirement. It can  
244.20 also be compensation paid or payable to a producer for the sale of agricultural products.  
244.21 This can be things like milk or milk products, or fruit or other horticultural products. Or  
244.22 things produced in the operation of a family farm, a family farm corporation, or an authorized  
244.23 farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

244.24 **"Disposable Earnings":** the part of a person's earnings that are left after subtracting  
244.25 the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld  
244.26 do not include things like health insurance, charitable contributions, or other voluntary wage  
244.27 deductions.

244.28 **"Payday":** the date when the employer pays earnings to the debtor for doing their job.  
244.29 If the debtor has no regular payday, then "payday" means the 15th and the last day of each  
244.30 month.

244.31 **THE THIRD PARTY/EMPLOYER MUST ANSWER THE FOLLOWING**  
244.32 **QUESTIONS:**

1. ~~Do you now owe, or within 90 days from the date the execution levy was served on you, will you or may you owe money to the judgment debtor for earnings? Right now, do you owe money to the debtor for earnings?~~

Yes .....

No .....

2. ~~Does the judgment debtor earn more than \$... per week? (This amount is the greater of \$9.50 per hour of the federal minimum wage per week.) Within 90 days from the date you were served with the levy, will you or may you owe money to the debtor for earnings?~~

Yes .....

No .....

3. Does the debtor earn more than the current Minnesota or federal minimum wage per week? (use the number that is more)

Yes .....

No .....

### INSTRUCTIONS FOR COMPLETING THE EARNINGS DISCLOSURE

A. ~~If your answer to either question 1 or 2 is "No," then you must sign the affirmation on page 2 and return this disclosure to the judgment creditor's attorney within 20 days after it was served on you, and you do not need to answer the remaining questions. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation below and return this disclosure form to the sheriff. You must return it within 20 days after it was served on you.~~

B. ~~If your answers to both questions 1 and 2 are "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows: If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.~~

~~For each payday that falls within 90 days from the date the execution levy was served on you, YOU MUST calculate the amount of earnings to be retained by completing steps 3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE.~~

~~Each payday, you must retain the amount of earnings listed in column I on the Earnings Disclosure Worksheet.~~

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246.46

~~You must pay the attached earnings and return this Earnings Disclosure Form and the Earnings Disclosure Worksheet to the judgment creditor's attorney and deliver a copy to the judgment debtor within ten days after the last payday that falls within the 90-day period.~~

~~If the judgment is wholly satisfied or if the judgment debtor's employment ends before the expiration of the 90-day period, your disclosure and remittance should be made within ten days after the last payday for which earnings were attached.~~

~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure Worksheet.~~

<del>3.</del>	<del>COLUMN A.</del>	<del>Enter the date of judgment debtor's payday.</del>
<del>4.</del>	<del>COLUMN B.</del>	<del>Enter judgment debtor's gross earnings for each payday.</del>
<del>5.</del>	<del>COLUMN C.</del>	<del>Enter judgment debtor's disposable earnings for each payday.</del>
<del>6.</del>	<del>COLUMN D.</del>	<del>Enter 25 percent of disposable earnings. (Multiply Column C by .25.)</del>
<del>7.</del>	<del>COLUMN E.</del>	<del>Enter here the greater of 40 times \$9.50 or 40 times the hourly federal minimum wage (\$.....) times the number of work weeks included in each payday. (Note: If a pay period includes days in excess of whole work weeks, the additional days should be counted as a fraction of a work week equal to the number of workdays in excess of a whole work week divided by the number of workdays in a normal work week.)</del>
<del>8.</del>	<del>COLUMN F.</del>	<del>Subtract the amount in Column E from the amount in Column C, and enter here.</del>
<del>9.</del>	<del>COLUMN G.</del>	<del>Enter here the lesser of the amount in Column D and the amount in Column F.</del>
<del>10.</del>	<del>COLUMN H.</del>	<del>Enter here any amount claimed by you as a setoff, defense, lien, or claim, or any amount claimed by any other person as an exemption or adverse interest which would reduce the amount of earnings owing to the judgment debtor. (Note: Any indebtedness to you incurred within ten days prior to your receipt of the first execution levy on a debt may not be set off against the earnings otherwise subject to this levy. Any wage assignment made by the judgment debtor within ten days prior to your receipt of the first execution levy on a debt is void.)</del>
		<del>You must also describe your claim(s) and the claims of others, if known, in the space provided below the worksheet and state the name(s) and address(es) of these persons:</del>
		<del>Enter zero in Column H if there are no claims by you or others which would reduce the amount of earnings owing to the judgment debtor.</del>
<del>11.</del>	<del>COLUMN I.</del>	<del>Subtract the amount in Column H from the amount in Column G and enter here. This is the amount of earnings</del>

247.1

247.2

247.3

247.4

that you must retain for the payday for which the  
calculations were made. The total of all amounts entered  
in Column I is the amount to be remitted to the attorney  
for the judgment creditor.

247.5

Earnings Disclosure Affirmation

247.6

247.7

247.8

I, ..... (person signing Affirmation), am the third party/employer or I am  
authorized by the third party/employer to complete this earnings disclosure; and have done  
so truthfully and to the best of my knowledge.

247.9

247.10

247.11

247.12

247.13

247.14

Dated: .....  
Signature  
.....  
Title  
.....  
Telephone Number

247.15

EARNINGS DISCLOSURE WORKSHEET

247.16

.....

247.17

Judgment Debtor's Name

247.18

247.19

247.20

247.21

247.22

Date: .....  
Third Party's Name: .....  
Third Party's Signature: .....  
Phone: ..... Fax: .....  
Email: .....

247.23

Instructions for Completing the Earnings Disclosure Worksheet

247.24

247.25

247.26

For each payday that falls within 90 days from the date the levy was served on you, you  
must calculate the amount of earnings to be withheld. Enter the amounts on the Earnings  
Disclosure Worksheet.

247.27

You must:

- 247.28
- 247.29
- 247.30
- 247.31
- 247.32
- 247.33
1. Withhold the amount of earnings listed in column I on the Earnings Disclosure  
Worksheet each payday.  
2. After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all  
the money withheld. Sign the Affirmation at the end of the worksheet before returning.  
3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the  
last payday that falls within the 90-day period.

248.1 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period  
248.2 is over, you need to do the last disclosure and withholdings within 10 days of their last  
248.3 payday that you withheld money.

### 248.4 Calculating Percentage of Disposable Earnings

248.5 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

248.6 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

248.7 Minimum Wage = \$MW/hour.

248.8	<u>then this percentage of the disposable</u>
248.9	<u>if the weekly gross earnings are: earnings are withheld:</u>

248.10	<u>Less than [40 X MW]</u>	<u>0%</u>
--------	----------------------------	-----------

248.11 [40 X MW + .01] to [60 X MW] 10%

248.12 [60 X MW + .01] to [80 X MW] 15%

248.13	[80 X MW + .01] or more	25%
--------	-------------------------	-----

248.14 **Employer:** Use this creditor's calculation chart to know what percentage of earnings  
248.15 should be withheld.

248.16 Earnings Disclosure Worksheet

248.17 .....

248.18 Debtor's Name

248.19	A	B	C
248.20	Payday Date	Gross Earnings	Disposable Earnings
248.21			
248.22	1. ....	\$.....	\$.....
248.23	2. ....	.....	.....
248.24	3. ....	.....	.....
248.25	4. ....	.....	.....
248.26	5. ....	.....	.....
248.27	6. ....	.....	.....
248.28	7. ....	.....	.....
248.29	8. ....	.....	.....
248.30	9. ....	.....	.....
248.31	10. ....	.....	.....

248.32 **Column A.** Enter the debtor's payday.

248.33 **Column B.** Enter the debtor's gross earnings for each payday.

248.34 **Column C.** Enter the debtor's disposable earnings for each payday.



249.1	D	E	F
249.2	<del>25%</del> of withholding	Greater of 40 X	
249.3	of Column C	<del>\$9.50 or 40 X</del>	
249.4	(Use the creditor's	MN or Fed.	Column C
249.5	<u>calculation chart</u> )	Min. Wage	minus Column E
249.6	1. ....	.....	.....
249.7	2. ....	.....	.....
249.8	3. ....	.....	.....
249.9	4. ....	.....	.....
249.10	5. ....	.....	.....
249.11	6. ....	.....	.....
249.12	7. ....	.....	.....
249.13	<del>8.</del> .....	.....	.....
249.14	<del>9.</del> .....	.....	.....
249.15	<del>10.</del> .....	.....	.....
249.16	<u>Column D.</u> Enter the percentage of disposable earnings that will be withheld. Get this		
249.17	<u>number from the creditor's calculation chart.</u>		
249.18	<u>Column E.</u> Calculate 40 times the current Minnesota minimum wage (or 40 times the		
249.19	current federal minimum wage) times the number of work weeks in each payday. Enter the		
249.20	bigger number here. <b>Note:</b> If a payday has extra days that are more than a full work week,		
249.21	count those extra days as part of a work week. Do this by dividing the number of extra		
249.22	<u>workdays by the number of workdays in a normal week.</u>		
249.23	<u>Column F.</u> Subtract the amount in Column E from the amount in Column C and enter		
249.24	<u>here.</u>		
249.25	G	H	I
249.26		Setoff, Lien,	
249.27		Adverse	Column G
249.28	Lesser of Column D	Interest, or	minus Column
249.29	and Column F	Other Claims	H
249.30	1. ....	.....	.....
249.31	2. ....	.....	.....
249.32	3. ....	.....	.....
249.33	4. ....	.....	.....
249.34	5. ....	.....	.....
249.35	6. ....	.....	.....
249.36	7. ....	.....	.....
249.37	<del>8.</del> .....	.....	.....
249.38	<del>9.</del> .....	.....	.....

250.1

10.

250.2

TOTAL OF COLUMN I \$

250.3

Column G. Look at column D and column F. Enter the smaller amount of the two here

250.4

in column G.

250.5

Column H. Enter any amount claimed by you that would lower the amount of earnings

250.6

that will go to the debtor. Things like:

250.7

(i) a setoff,

250.8

(ii) a defense,

250.9

(iii) a lien,

250.10

(iv) a claim, or

250.11

(v) any amount claimed by any other person as an exemption or adverse interest.

250.12

Note: You must describe your claim(s) and the claims of others, if known, in the spaces

250.13

after this worksheet.

250.14

Enter zero in column H if there are no claims by you or others which would lower the

250.15

amount of earnings owed to the debtor.

250.16

Note: Any debt that happened within 10 days before you got the first levy on a debt

250.17

may not be set off against the earnings that are affected by this levy. Any wage assignment

250.18

made by the debtor within 10 days before you got the first levy on a debt is void. Wage

250.19

assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

250.20

Column I. Subtract the amount in column H from the amount in column G and enter

250.21

here. This is the amount of earnings that go to the creditor.

250.22

~~\*If you entered any amount in Column H for any payday(s), you must describe below~~

250.23

~~either your claims, or the claims of others. For amounts claimed by others, you must both~~

250.24

~~state the names and addresses of these persons, and the nature of their claim, if known.~~

250.25

~~payday, describe those claims below. It doesn't matter if they are your claims, or the claims~~

250.26

~~of others. For claims by others, list the names and addresses of each, and describe their~~

250.27

~~claims, if you know.~~

250.28

250.29

250.30

250.31

## Earnings Worksheet Affirmation

I, ..... (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure ~~worksheet~~, and have done so truthfully and to the best of my knowledge.

---

~~Title~~

Dated: ..... ( ) .....

~~Signature~~

~~Phone Number~~

Date: .....

Third Party's Name: .....

Third Party's Signature: .....

Phone: ..... Fax: .....

Email: .....

Sec. 12. Minnesota Statutes 2024, section 571.72, subdivision 8, is amended to read:

Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person, the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing earnings, the earnings exemption notice provided in section 571.924 must be served ten or more days before the service of the first garnishment summons. If the creditor is garnishing funds in a financial institution, the exemption notice provided in section 571.912 must be served with the garnishment summons. In all other cases, the exemption notice must be in the following form and served on the debtor with a copy of the garnishment summons.

~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

COUNTY OF .....

.....JUDICIAL DISTRICT

.....(Creditor)

~~against~~

.....(Debtor)

~~EXEMPTION NOTICE~~

and

.....(Garnishee)

**State of Minnesota**

District Court

County of: .....

Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name

## Exemption Notice

252.1 against

252.2 Debtor's full name

252.3 .....

252.4 and

252.5 Third Party (bank, employer, or other)

252.6 .....

252.7 A Garnishment Summons is being served ~~upon~~ on you. This means a creditor with a court

252.8 judgment against you wants to take some of your money or property to pay the judgment.

252.9 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means

252.10 protected. The following is a list of some ~~of the more~~ common exemptions. It is not a

252.11 complete and is subject to list. For full details and dollar amounts set by law see section

252.12 ~~550.37 of the Minnesota Statutes and other state and federal laws. The dollar amounts~~

252.13 ~~contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the~~

252.14 ~~time of garnishment. If you have questions about an exemption, you should obtain~~ contact

252.15 a lawyer for legal advice.

252.16 These things you or your family might have are protected:

252.17 (1) ~~a homestead or the proceeds from the sale of a homestead~~ equity in your home, or

252.18 money from recently selling your home - up to \$510,000 total;

252.19 (2)(i) all clothing, one watch, utensils, and foodstuffs;

252.20 (ii) household furniture, household appliances, ~~phonographs~~, radios, and computers,

252.21 tablets, televisions ~~up to a total current value of \$5,850~~, printers, cell phones, smart phones,

252.22 and other consumer electronics up to \$12,150 in all; and

252.23 (iii) jewelry - total value can't be more than \$3,308;

252.24 (3) a manufactured (mobile) home ~~used as your home~~ you live in;

252.25 (4) one motor vehicle ~~currently worth less than \$2,600 after deducting any security~~

252.26 ~~interest~~, counting only the amount you have paid off:

252.27 (i) \$10,000;

252.28 (ii) \$12,500 if it is necessary for your business, trade, or profession;

252.29 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;

252.30 or

252.31 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard

252.32 to walk;

- 253.1 (5) farm machinery ~~used by an individual principally engaged in farming, or if your~~  
 253.2 ~~main business is farming.~~ Tools, machines, or office furniture used in your business ~~or trade.~~  
 253.3 ~~This exemption is limited to~~ - the total value can't be more than \$13,000;
- 253.4 (6) relief based on need. This includes:
- 253.5 (i) **MFIP** - Minnesota Family Investment Program (~~MFIP~~) ~~and Work First Program~~;
- 253.6 (ii) **DWP** - MFIP Diversionary Work Program;
- 253.7 ~~(ii) Medical Assistance (MA);~~
- 253.8 (iii) **SNAP** - Supplemental Nutrition Assistance Program;
- 253.9 ~~(iii)~~ (iv) **GA** - General Assistance (~~GA~~);
- 253.10 ~~(iv)~~ (v) **EGA** - Emergency General Assistance (~~EGA~~);
- 253.11 ~~(v)~~ (vi) **MSA** - Minnesota Supplemental Aid (~~MSA~~);
- 253.12 ~~(vi) MSA-Emergency~~ (vii) **MSA-EA** - MSA Emergency Assistance (~~MSA-EA~~);
- 253.13 ~~(vii) Supplemental Security Income (SSI);~~
- 253.14 ~~(viii) Energy Assistance; and~~
- 253.15 ~~(ix)~~ (viii) **EA** - Emergency Assistance (~~EA~~);
- 253.16 (ix) **Energy or Fuel Assistance**;
- 253.17 (x) **Work Participation Cash Benefit**;
- 253.18 (xi) **MA** - Medical Assistance;
- 253.19 (xii) **MinnesotaCare**;
- 253.20 (xiii) **Medicare Part B** - Premium Payments help;
- 253.21 (xiv) **Medicare Part D** - Extra;
- 253.22 (xv) **SSI** - Supplemental Security Income;
- 253.23 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working  
 253.24 Family Credit; and
- 253.25 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit);
- 253.26 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,  
 253.27 between 75-100% is protected depending on how much you earn;

- 254.1 (8) retirement benefits - the total interest under all plans and contracts can't be more than  
254.2 \$81,000;
- 254.3 ~~(7)~~ (9) Social Security benefits;
- 254.4 ~~(8)~~ (10) unemployment benefits, workers' compensation, or ~~veteran's~~ veterans' benefits;
- 254.5 ~~(9) an accident, disability, or retirement~~ (11) a retirement, disability, or accident pension  
254.6 or annuity;
- 254.7 ~~(10)~~ (12) life insurance proceeds that are not more than \$54,000;
- 254.8 ~~(11)~~ (13) earnings of your minor child; ~~and~~
- 254.9 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~  
254.10 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 254.11 ~~a car)~~ car;
- 254.12 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious  
254.13 items. Total value can't be more than \$2,000;
- 254.14 (16) personal library - total value can't be more than \$750;
- 254.15 (17) musical instruments - total value can't be more than \$2,000;
- 254.16 (18) family pets - current value can't be more than \$1,000;
- 254.17 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 254.18 (20) tools you need to work in your business or profession - the total value can't be more  
254.19 than \$13,500;
- 254.20 (21) household tools and equipment - things like hand and power tools, snow removal  
254.21 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 254.22 (22) health savings accounts, medical savings accounts - the total value can't be more  
254.23 than \$25,000.

254.24 Sec. 13. Minnesota Statutes 2024, section 571.72, subdivision 10, is amended to read:

254.25 Subd. 10. **Exemption notice for prejudgment garnishment.**

254.26 **Exemption Notice**

254.27 **Important Notice:** A garnishment summons may be served on your employer, bank,  
254.28 or other third parties. This can happen without any further court proceeding or notice to  
254.29 you. See the attached Notice of Intent to Garnish for more information.

255.1 ~~The following money and wages~~ Some of your money in your account may be  
255.2 protected (the legal word is exempt) from garnishment.

255.3 **1. Financial institutions/bank**

255.4 ~~Some of the money in your account may be protected because you receive government~~  
255.5 ~~benefits from one or more of the following places:~~

255.6 **Earnings (Wages)**

255.7 ALL or SOME of my wages may be protected.

255.8 ... **Some** of my wages are protected because they were only deposited in my account in  
255.9 the last 20 days.

255.10 For wages that were deposited in your account within the last 20 days, the amount protected  
255.11 is whichever is more:

255.12 (i) 75 percent of your wages or more (after taxes are taken out), or

255.13 (ii) The current minimum wage times 40 per week. You can find the current minimum  
255.14 wage here: <https://www.dli.mn.gov/minwage>.

255.15 **All** of my wages are protected because:

255.16 ... I get government benefits (a list of government benefits is on the next page)

255.17 ... I am getting other assistance based on need

255.18 ... I have gotten government benefits in the last 6 months

255.19 ... I was in jail or prison in the last 6 months

255.20 If you check one of these four boxes, your wages are only protected for 60 days after they  
255.21 are deposited in your account. You **MUST send the creditor copies of bank statements**  
255.22 that show what was in your account **for the 60 days right before the bank froze your**  
255.23 **money.**

255.24 **Government Benefits**

255.25 Government benefits can include many things. For example:

255.26 ... **MFIP** - Minnesota Family Investment Program;

255.27 ... **DWP** - MFIP Diversionary Work Program;

255.28 ~~**Work participation cash benefit,**~~

255.29 ... **SNAP** - Supplemental Nutrition Assistance Program

- 256.1

... **GA** - General Assistance;
- 256.2

... **EGA** - Emergency General Assistance
- 256.3

... **MSA** - Minnesota Supplemental Aid
- 256.4

... **MSA-EA** - MSA Emergency Assistance
- 256.5

... **EA** - Emergency Assistance;
- 256.6

... **Energy or Fuel Assistance**
- 256.7

... **Work Participation Cash Benefit**
- 256.8

... **MA** - Medical Assistance;
- 256.9

~~**EGA** - emergency general assistance or county crisis funds,~~
- 256.10

~~**MSA** - Minnesota supplemental aid,~~
- 256.11

~~**MSA-EA** - MSA emergency assistance,~~
- 256.12

~~**Supplemental Nutrition Assistance Program (SNAP),**~~
- 256.13

~~**SSI** - Supplemental Security Income,~~
- 256.14

... **MinnesotaCare**;
- 256.15

... **Medicare Part B** - Premium Payments, help
- 256.16

... **Medicare Part D** - Extra ~~help~~;
- 256.17

... **SSI** - Supplemental Security Income
- 256.18

~~**Energy or fuel assistance,**~~
- 256.19

... **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working Family
- 256.20

Credit
- 256.21

... **Renter's Refund** (also called Renter's Property Tax Credit)
- 256.22

List the case number and county for every box you checked:
- 256.23

Case Number: ..... County: .....
- 256.24

Case Number: ..... County: .....
- 256.25

Case Number: ..... County: .....
- 256.26

Government benefits also include:
- 256.27

... **Social Security** benefits;
- 256.28

... **Unemployment** benefits;



257.1 ... **Workers' compensation;**

257.2 **~~Veterans~~ ... **Veterans' benefits.****

257.3 **~~Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK~~**

257.4 **~~STATEMENTS that show what was in your account for the past 60 days may give the~~**

257.5 **~~creditor enough information about your exemption claim to avoid a garnishment.~~**

257.6 **2. Earnings**

257.7 ~~All or some of your earnings may be completely protected from garnishment if:~~

257.8 **~~All of your earnings (wages) may be protected if:~~**

257.9 ~~You get government benefits (see list of government benefits)~~

257.10 ~~You currently receive other assistance based on need~~

257.11 ~~You have received government benefits in the last six months~~

257.12 ~~You were in jail or prison in the last six months~~

257.13 ~~Your wages are only protected for 60 days after they are deposited in your account so~~

257.14 **~~it would be helpful if you immediately send the undersigned creditor a copy of BANK~~**

257.15 **~~STATEMENTS that show what was in your account for the past 60 days.~~**

257.16 **~~Some of your earnings (wages) may be protected if:~~**

257.17 ~~If all of your earnings are not exempt, some of your earnings may still be protected for~~

257.18 ~~20 days after they were deposited in your account. The amount protected is the larger amount~~

257.19 ~~of:~~

257.20 ~~75 percent of your wages (after taxes are taken out); or~~

257.21 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

257.22 If you get any of these government benefits, include copies of any documents that show

257.23 you get them.

257.24 ... I get other assistance based on need that is not on the list. It comes from:.....

257.25 .....

257.26 Make sure you include copies of any documents that show this.

257.27 **Other Protected Funds**

257.28 The money from ~~the following~~ these things are also ~~exempt for 20 days~~ completely

257.29 protected after they are deposited in ~~your~~ my account.

258.1

... Child Support

258.2

~~An accident, disability, or retirement~~ ... A retirement, disability, or accident pension

258.3

or annuity

258.4

Payments to ~~you~~ from a life insurance policy

258.5

... Earnings of ~~your~~ my child who is under 18 years of age

258.6

... Payments to me from a life insurance policy

258.7

~~Child support~~

258.8

... Money paid to ~~you~~ me from a claim for damage or destruction of property. Property

258.9

includes household goods, farm tools or machinery, tools for ~~your~~ my job, business

258.10

equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture,

258.11

or appliances-

258.12

... Death benefits paid to ~~you~~ me

258.13

You ~~WILL BE ABLE TO~~ can claim these exemptions when you ~~RECEIVE~~ get a

258.14

notice. You will get the notice at least ~~ten~~ 10 days BEFORE a wage garnishment. BUT if

258.15

the creditor garnishes your bank account, you ~~will not~~ won't get the notice until AFTER the

258.16

account has been frozen. If you believe the money in your bank account or your wages are

258.17

exempt, ~~YOU SHOULD IMMEDIATELY~~ contact the person below right away. ~~YOU~~

258.18

~~SHOULD~~ Tell them why you think your account or wages are exempt to see if you can

258.19

avoid garnishment.

258.20

~~Creditor~~ .....

258.21

~~Creditor Address~~ .....

258.22

~~Creditor telephone number~~ .....

258.23

Creditor's Name: .....

258.24

(or creditor's lawyer's name)

258.25

Street Address: .....

258.26

City/State/Zip: .....

258.27

Phone: ..... Fax: .....

258.28

Email: .....

258.29

Sec. 14. Minnesota Statutes 2024, section 571.74, is amended to read:

258.30

**571.74 GARNISHMENT SUMMONS AND NOTICE TO DEBTOR.**

258.31

The garnishment summons and notice to debtor must be substantially in the following

258.32

form. The notice to debtor must be in no smaller than 14-point type.

259.1

GARNISHMENT SUMMONS

259.2

STATE OF MINNESOTA

DISTRICT COURT

259.3

COUNTY OF .....

..... JUDICIAL DISTRICT

259.4

..... (Creditor)

259.5

..... (Debtor)

UNPAID BALANCE .....

259.6

..... (Debtor's Address)

Date of Entry

259.7

..... (Garnishee)

of Judgment (or) Subject to Minnesota

259.8

Statutes, section 571.71, clause (2)

259.9

State of Minnesota

District Court

259.10

County of: .....

Judicial District: .....

259.11

Court File Number: .....

259.12

Case Type: .....

259.13

Creditor's full name

259.14

.....

Garnishment Summons

259.15

and

259.16

Debtor's full name

259.17

.....

259.18

Third Party (bank, employer, or other)

259.19

.....

259.20

Unpaid Balance: .....

259.21

GARNISHMENT SUMMONS

259.22

~~The State of Minnesota~~

259.23

To the Garnishee Third Party (garnishee) named above:

259.24

~~You are hereby summoned and required to serve upon the creditor's attorney (or the~~

259.25

~~creditor if not represented by an attorney) and on the debtor within 20 days after service of~~

259.26

~~this garnishment summons upon you, a written disclosure, of the nonexempt indebtedness,~~

259.27

~~money, or other property due or belonging to the debtor and owing by you or in your~~

259.28

~~possession or under your control and answers to all written interrogatories that are served~~

259.29

~~with the garnishment summons. However, if the garnishment is on earnings and the debtor~~

259.30

~~has garnishable earnings, you shall serve the completed disclosure form on the creditor's~~

259.31

~~attorney, or the creditor if not represented by an attorney, within ten days of the last payday~~

259.32

~~to occur within the 90 days after the date of the service of this garnishment summons.~~

259.33

~~"Payday" means the day which you pay earnings in the ordinary course of business. If the~~

259.34

~~debtor has no regular paydays, "payday" means the 15th day and the last day of each month.~~

260.1 ~~Your disclosure need not exceed 110 percent of the amount of the creditor's claim that~~  
260.2 ~~remains unpaid.~~

260.3 ~~You shall retain garnishable earnings, other indebtedness, money, or other property in~~  
260.4 ~~your possession in an amount not to exceed 110 percent of the creditor's claim until such~~  
260.5 ~~time as the creditor causes a writ of execution to be served upon you, until the debtor~~  
260.6 ~~authorizes you in writing to release the property to the creditor, or until the expiration of~~  
260.7 ~~..... days from the date of service of this garnishment summons upon you, at which time~~  
260.8 ~~you shall return the disposable earnings, other indebtedness, money, or other property to~~  
260.9 ~~the debtor.~~

260.10 A court has ordered that you must serve a written statement to the creditor (or to the  
260.11 creditor's lawyer). You must do this within 20 days after you get this notice. Your written  
260.12 statement should include any money, or other property of the debtor that you have or owe  
260.13 to them. It should also include answers to any questions that are in this summons.

260.14 But, if the garnishment is on earnings and the debtor has earnings that can be garnished,  
260.15 fill out the completed disclosure form. Then serve it on the creditor (or the creditor's lawyer).  
260.16 It must be served within 10 days of the last payday within the 90 days after the date you  
260.17 got this summons. If the debtor has no regular paydays, "payday" means the 15th day and  
260.18 the last day of each month.

260.19 You don't have to disclose more than 110% of the unpaid amount that is owed to the  
260.20 creditor. Keep earnings that can be garnished, other indebtedness, money, or other property  
260.21 in your possession in an amount not to exceed 110 percent of the creditor's claim. Keep this  
260.22 until:

260.23 (i) the creditor has a writ of execution served on you;

260.24 (ii) the debtor gives you permission in writing to release the property to the creditor; or

260.25 (iii) it's been ... days from the day you got this garnishment summons.

260.26 Then you give the debtor back the disposable earnings, other indebtedness, money, or other  
260.27 property.

## 260.28 **Earnings**

260.29 ~~In the event~~ If you are summoned as a garnishee because you owe "earnings" (as defined  
260.30 on the Earnings Garnishment Disclosure form attached to this Garnishment Summons, if  
260.31 applicable) to the debtor, then you are required to must serve upon the creditor's attorney,  
260.32 or the creditor if not represented by an attorney, a written an Earnings Disclosure Form  
260.33 within on the creditor (or the creditor's lawyer). The Earnings Disclosure Form must be in

261.1 writing and must be served in the time limit set forth above. "Earnings" are defined on the  
261.2 Earnings Garnishment Disclosure Form attached to this Garnishment Summons.

261.3 In the case of earnings, you ~~are further required to retain in your possession~~ must keep  
261.4 all unpaid, nonexempt disposable earnings ~~owed or to be owed by you and earned or to be~~  
261.5 ~~earned~~ that you owe or will owe to the debtor ~~within~~ during the pay period ~~in which~~ when  
261.6 this garnishment ~~summons~~ notice is served ~~and within all subsequent pay periods whose~~  
261.7 ~~paydays (defined above) occur within the 90 days after the date of service of this garnishment~~  
261.8 ~~summons~~ delivered and for all pay periods within 90 days after this notice is served.

261.9 ~~Any assignment of earnings made by the debtor to any party within ten days before the~~  
261.10 ~~receipt of the first garnishment on a debt is void. Any indebtedness to you incurred by the~~  
261.11 ~~debtor within the ten days before the receipt of the first garnishment on a debt may not be~~  
261.12 ~~set off against amounts otherwise subject to the garnishment.~~

261.13 Any transfer of earnings made by the debtor to someone else within 10 days before the  
261.14 first garnishment notice is invalid. Any debt the debtor owes you from within those 10 days  
261.15 can't be used to lower the amount that can be garnished.

261.16 ~~You are prohibited By law from discharging or disciplining~~ you can't fire or discipline  
261.17 the debtor because ~~the debtor's~~ their earnings have been subject to garnishment.

261.18 This Garnishment Summons includes:

261.19 (check ~~applicable box~~ the boxes that apply)

- 261.20 ... Earnings garnishment (see attached Earnings Disclosure Form)
- 261.21 ... Nonearnings garnishment (see attached Nonearnings Disclosure Form)
- 261.22 ... Both Earnings and Nonearnings garnishment (see both attached Earnings and
- 261.23 Nonearnings Disclosure Form)

261.24 **Notice to Debtor**

261.25 You are being served copies of a Garnishment Summons, Earnings Garnishment  
261.26 Disclosure Form, Nonwage Garnishment Disclosure Form, Garnishment Exemption Notices  
261.27 and/or written Interrogatories (strike out if not applicable); ~~Copies of which are hereby~~  
261.28 ~~served on you, were served upon the Garnishee by delivering copies~~ these same documents  
261.29 were also delivered to the Garnishee. The Garnishee was paid \$15.

261.30 **Dated:** .....  
261.31 .....  
261.32 **Attorney for Creditor (or creditor)**  
261.33 .....  
.....

262.1

.....

262.2

Address

262.3

.....

262.4

Telephone

262.5

.....

262.6

Attorney I.D. No

262.7

Date: .....

262.8

Creditor's Signature: .....

262.9

(or creditor's lawyer's signature)

262.10

Creditor's Name: .....

262.11

(or creditor's lawyer's name)

262.12

Street Address: .....

262.13

City/State/Zip: .....

262.14

Phone: ..... Fax: .....

262.15

Email: .....

262.16

Sec. 15. Minnesota Statutes 2024, section 571.75, subdivision 2, is amended to read:

262.17

Subd. 2. **Contents of disclosure.** The disclosure must state:

262.18

(a) If an earnings garnishment disclosure, the amount of disposable earnings earned by

262.19

the debtor within the debtor's pay periods as specified in section 571.921.

262.20

(b) If a nonearnings garnishment disclosure, a description of any personal property or

262.21

any instrument or papers relating to this property belonging to the judgment debtor or in

262.22

which the debtor is interested or other indebtedness of the garnishee to the debtor.

262.23

(c) If the garnishee asserts any setoff, defense, claim, or lien on disposable earnings,

262.24

other indebtedness, money, or property, the garnishee shall disclose the amount and the

262.25

facts concerning the same.

262.26

(d) Whether the debtor asserts any exemption, or any other objection, known to the

262.27

garnishee against the right of the creditor to garnish the disposable earnings, other

262.28

indebtedness, money, or property disclosed.

262.29

(e) If other persons assert claims to any disposable earnings, other indebtedness, money,

262.30

or property disclosed, the garnishee shall disclose the names and addresses of these claimants

262.31

and, so far as known by the garnishee, the nature of their claims.

262.32

(f) The garnishment disclosure forms and earnings disclosure worksheet must be the

262.33

same or substantially similar to the following forms. If the garnishment affects earnings of

263.1 the debtor, the creditor shall use the earnings garnishment disclosure form. If the garnishment  
263.2 affects any indebtedness, money, or property of the debtor, other than earnings, the creditor  
263.3 shall use the nonearnings garnishment disclosure form. Nothing contained in this paragraph  
263.4 limits the simultaneous use of the earnings and nonearnings garnishment disclosure forms.

263.5 EARNINGS DISCLOSURE FORM AND WORKSHEET

263.6 STATE OF MINNESOTA DISTRICT COURT  
263.7 COUNTY OF ..... JUDICIAL DISTRICT  
263.8 ..... (Creditor)  
263.9 ..... (Debtor) GARNISHMENT  
263.10 ..... (Garnishee) EARNINGS DISCLOSURE

263.11 State of Minnesota District Court  
263.12 County of: ..... Judicial District: .....  
263.13 Court File Number: .....  
263.14 Case Type: .....  
263.15 Creditor's full name  
263.16 ..... Garnishment Earnings Disclosure  
263.17 and For Non-Child Support Judgments  
263.18 Debtor's full name  
263.19 .....  
263.20 Third Party (bank, employer, or other)  
263.21 .....

263.22 This form is called a "Garnishment Earnings Disclosure" or "Disclosure." It is for the  
263.23 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy  
263.24 of this form for their own information. The debtor is also called a "judgment debtor."

263.25 The "creditor" is the party owed the money. The creditor is also called a "judgment  
263.26 creditor."

263.27 The "employer" is the "third party" or "garnishee." If the debtor asks how the calculations  
263.28 in this document were made, the employer **must** provide information about it.

263.29 **Definitions**

263.30 "Earnings": For the purpose of garnishment, "earnings" means compensation what is  
263.31 paid or payable to an employee, independent contractor or self-employed person for personal  
263.32 services or (a job). Also called compensation. Compensation can be wages, salary,  
263.33 commission, bonus, payments, profit-sharing distributions, severance payment, fees or  
263.34 other. It includes periodic payments from a pension or retirement. It can also be compensation

264.1 paid or payable to ~~the~~ a producer for the sale of agricultural products; This can be things  
264.2 like milk or milk products; or fruit or other horticultural products. Or things produced when  
264.3 ~~the producer is operating~~ in the operation of a family farm, a family farm corporation, or  
264.4 an authorized farm corporation, ~~as.~~ This is defined in section 500.24, subdivision 2, whether  
264.5 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~  
264.6 ~~payments pursuant to a pension or retirement.~~

264.7 **"Disposable Earnings":** ~~Means that the~~ part of the a person's earnings of an individual  
264.8 ~~remaining after the deduction from those earnings of~~ that are left after subtracting the  
264.9 amounts required by law to be withheld. (~~Amounts~~ **Note:** Amounts required by law to be  
264.10 withheld do not include ~~items such as~~ things like health insurance, charitable contributions,  
264.11 or other voluntary wage deductions.)

264.12 **"Payday":** ~~For the purpose of garnishment, "payday(s)" means the date(s) upon which~~  
264.13 the date when the employer pays earnings to the debtor in the ordinary course of business  
264.14 for doing their job. If the debtor has no regular payday, ~~payday(s)~~ then "payday" means the  
264.15 ~~fifteenth~~ 15th and the last day of each month.

264.16 **The Employer/Garnishee Must Answer The Following Questions:**

264.17 1. ~~Do you Right now owe, or within 90 days from the date the garnishment summons~~  
264.18 ~~was served on you, will you or,~~ do you expect to owe money to the debtor for earnings?

264.19 Yes ..... No .....

264.20 Yes ..... No .....

264.21 2. Within 90 days from the date you were served with the garnishment, will you or may  
264.22 you owe money to the debtor for earnings?

264.23 Yes ..... No .....

264.24 2 3. Does the debtor earn more than \$...... per week? (This amount is the greater of  
264.25 \$9.50 per hour or the current Minnesota or federal minimum wage per week.)? (use the  
264.26 number that is more)

264.27 Yes ..... No .....

264.28 Yes ..... No .....

264.29 **INSTRUCTIONS FOR COMPLETING THE**  
264.30 **EARNINGS DISCLOSURE**

264.31 **A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation**  
264.32 **on Page 2 and return this disclosure to the creditor's attorney (or the creditor if not represented**



265.1

by an attorney) within 20 days after it was served on you, and you do not need to answer

265.2

the remaining questions.

265.3

B. If your answers to both questions 1 and 2 are "Yes," you must complete this form

265.4

and the Earnings Disclosure Worksheet as follows:

265.5

A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the

265.6

questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings

265.7

Disclosure Affirmation below and return this disclosure form to the creditor's attorney (or

265.8

the creditor if not represented by an attorney). You must return it within 20 days after it

265.9

was served on you.

265.10

B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings

265.11

Disclosure Affirmation below. You must return it to the creditor's attorney (or the creditor

265.12

if not represented by an attorney) within 20 days. You must also fill out the rest of this form.

265.13

Read the instructions for the Earnings Disclosure Worksheet.

265.14

**Earnings Disclosure Affirmation**

265.15

I, ..... (person signing Affirmation), am the third party/employer or I am

265.16

authorized by the third party/employer to complete this earnings disclosure and have done

265.17

so truthfully and to the best of my knowledge.

265.18

Date: .....

265.19

Signature of Third Party/Employer:

265.20

.....

265.21

Title: .....

265.22

Phone: .....

265.23

**Instructions for Completing the Earnings Disclosure Worksheet**

265.24

For each payday that falls within 90 days from the date the garnishment summons was

265.25

served on you, you **must** calculate the amount of earnings to be retained by completing

265.26

Steps 3 through 11, and enter the amounts on the Earnings Disclosure Worksheet. UPON

265.27

REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH

265.28

INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS

265.29

DISCLOSURE WERE MADE. withheld. Enter the amounts on the Earnings Disclosure

265.30

Worksheet.

265.31

Each payday, you must retain the amount of earnings listed in Column I on the Earnings

265.32

Disclosure Worksheet.

266.1

266.2

266.3

266.4

266.5

266.6

266.7

266.8

266.9

266.10

266.11

266.12

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266.31

266.32

266.33

266.34

266.35

266.36

266.37

266.38

266.39

266.40

~~You must return this Earnings Disclosure Form and the Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented by an attorney) and deliver a copy to the debtor within ten days after the last payday that falls within the 90-day period.~~

~~If the claim is wholly satisfied or if the debtor's employment ends before the expiration of the 90-day period, your disclosure should be made within ten days after the last payday for which earnings were attached.~~

~~For Steps 3 through 11, "Columns" refers to columns on the Earnings Disclosure Worksheet.~~

<del>3.</del>	<del>COLUMN A.</del>	<del>Enter the date of debtor's payday.</del>
<del>4.</del>	<del>COLUMN B.</del>	<del>Enter debtor's gross earnings for each payday.</del>
<del>5.</del>	<del>COLUMN C.</del>	<del>Enter debtor's disposable earnings for each payday.</del>
<del>6.</del>	<del>COLUMN D.</del>	<del>Enter 25 percent of disposable earnings. (Multiply Column C by .25.)</del>
<del>7.</del>	<del>COLUMN E.</del>	<del>Enter here the greater of 40 times \$9.50 or 40 times the hourly federal minimum wage (\$.....) times the number of work weeks included in each payday. (Note: If a pay period includes days in excess of whole work weeks, the additional days should be counted as a fraction of a work week equal to the number of workdays in excess of a whole work week divided by the number of workdays in a normal work week.)</del>
<del>8.</del>	<del>COLUMN F.</del>	<del>Subtract the amount in Column E from the amount in Column C, and enter here.</del>
<del>9.</del>	<del>COLUMN G.</del>	<del>Enter here the lesser of the amount in Column D and the amount in Column F.</del>
<del>10.</del>	<del>COLUMN H.</del>	<del>Enter here any amount claimed by you as a setoff, defense, lien, or claim, or any amount claimed by any other person as an exemption or adverse interest which would reduce the amount of earnings owing to the debtor. (Note: Any indebtedness to you incurred by the debtor within the ten days before the receipt of the first garnishment on a debt may not be set off against amounts otherwise subject to the garnishment. Any assignment of earnings made by the debtor to any party within ten days before the receipt of the first garnishment on a debt is void.)</del>

~~You must also describe your claim(s) and the claims of others, if known, in the space provided below the worksheet and state the name(s) and address(es) of these persons.~~

267.1

267.2

267.3

Enter zero in Column H if there are no claims by you or others which would reduce the amount of earnings owing to the debtor.

267.4

267.5

267.6

267.7

~~11.~~ COLUMN I: Subtract the amount in Column H from the amount in Column G and enter here. This is the amount of earnings that you must retain for the payday for which the calculations were made.

267.8

AFFIRMATION

267.9

267.10

267.11

I, ..... (person signing Affirmation), am the garnishee or I am authorized by the garnishee to complete this earnings disclosure, and have done so truthfully and to the best of my knowledge.

267.12

Dated: .....

267.13

Signature

267.14

.....

267.15

Title

267.16

.....

267.17

Telephone Number

267.18

EARNINGS DISCLOSURE WORKSHEET

267.19

.....

267.20

Debtor's Name

267.21

You must:

267.22

267.23

1. Withhold the amount of earnings listed in column I on the Earnings Disclosure Worksheet each payday.

267.24

267.25

267.26

2. After 90 days, return this Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented by an attorney). Include all the money withheld. Sign the Affirmation at the end of the worksheet before returning.

267.27

267.28

3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the last payday that falls within the 90-day period.

267.29

267.30

267.31

If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period is over, you need to do the last disclosure and withholdings within 10 days of their last payday that you withheld money.

267.32

Calculating Percentage of Disposable Earnings

267.33

267.34

**Note to Creditor:** You must fill out this chart before sending this form to the employer. Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

268.1	<u>Minimum Wage = \$MW/hour.</u>	
268.2		<u>then this percentage of the disposable</u>
268.3	<u>if the weekly gross earnings are:</u>	<u>earnings are withheld:</u>
268.4	<u>Less than [40 X MW]</u>	<u>0%</u>
268.5	<u>[40 X MW + .01] to [60 X MW]</u>	<u>10%</u>
268.6	<u>[60 X MW + .01] to [80 X MW]</u>	<u>15%</u>
268.7	<u>[80 X MW + .01] or more</u>	<u>25%</u>

268.8     **Employer:** Use this creditor's calculation chart to know what percentage of earnings  
268.9 should be withheld.

268.10     **Earnings Disclosure Worksheet**

268.11     .....

268.12     Debtor's Name

268.13	A	B	C
268.14	Payday Date	Gross Earnings	Disposable
268.15			Earnings
268.16	1. ....	\$.....	\$.....
268.17	2. ....	.....	.....
268.18	3. ....	.....	.....
268.19	4. ....	.....	.....
268.20	5. ....	.....	.....
268.21	6. ....	.....	.....
268.22	7. ....	.....	.....
268.23	8. ....	.....	.....
268.24	9. ....	.....	.....
268.25	10. ....	.....	.....

268.26     **Column A.** Enter the debtor's payday.

268.27     **Column B.** Enter the debtor's gross earnings for each payday.

268.28     **Column C.** Enter the debtor's disposable earnings for each payday.

268.29	D	E	F
268.30	<u>25% of withholding</u>	Greater of 40 X	
268.31	<u>of Column C</u>	<del>\$9.50 or 40 X</del>	
268.32	<u>(Use the creditor's</u>	<u>MN or Fed. Min.</u>	Column C minus
268.33	<u>calculation chart)</u>	<u>Wage</u>	Column E
268.34	1. ....	.....	.....
268.35	2. ....	.....	.....
268.36	3. ....	.....	.....

269.1	4.	.....	.....	.....
269.2	5.	.....	.....	.....
269.3	6.	.....	.....	.....
269.4	7.	.....	.....	.....
269.5	8.	.....	.....	.....
269.6	9.	.....	.....	.....
269.7	10.	.....	.....	.....

269.8 **Column D.** Enter the percentage of disposable earnings that will be withheld. Get this

269.9 number from the creditor's calculation chart.

269.10 **Column E.** Calculate 40 times the current Minnesota minimum wage (or 40 times the  
269.11 current federal minimum wage) times the number of work weeks in each payday. Enter the  
269.12 bigger number here. **Note:** If a payday has extra days that are more than a full work week,  
269.13 count those extra days as part of a work week. Do this by dividing the number of extra  
269.14 workdays by the number of workdays in a normal week.

269.15 **Column F.** Subtract the amount in column E from the amount in column C and enter  
269.16 here.

269.17	G	H	I
269.18		Setoff, Lien,	
269.19	Lesser of Column D	Adverse Interest,	Column G minus
269.20	and Column F	or Other Claims	Column H

269.21	1. ....	.....	.....
269.22	2. ....	.....	.....
269.23	3. ....	.....	.....
269.24	4. ....	.....	.....
269.25	5. ....	.....	.....
269.26	6. ....	.....	.....
269.27	7. ....	.....	.....
269.28	8. ....	.....	.....
269.29	9. ....	.....	.....
269.30	10. ....	.....	.....

269.31 Total of Column I= \$ .....

269.32 **Column G.** Look at column D and column F. Enter the smaller amount of the two here

269.33 in column G.

269.34 **Column H.** Enter any amount claimed by you that would lower the amount of earnings

269.35 that will go to the debtor. Things like:

- 270.1

(i) a setoff,
- 270.2

(ii) a defense,
- 270.3

(iii) a lien,
- 270.4

(iv) a claim, or
- 270.5

(v) any amount claimed by any other person as an exemption or adverse interest.

270.6

**Note:** You must describe your claim(s) and the claims of others, if known, in the spaces

270.7

after this worksheet.

270.8

Enter zero in column H if there are no claims by you or others which would lower the

270.9

amount of earnings owed to the debtor.

270.10

**Note:** Any debt that happened within 10 days before you got the first garnishment on a

270.11

debt may not be set off against the earnings that are affected by this garnishment. Any wage

270.12

assignment made by the debtor within 10 days before you got the first garnishment on a

270.13

debt is void. Wage assignment is when a debtor voluntarily agrees to money being taken

270.14

out of their earnings.

270.15

**Column I.** Subtract the amount in column H from the amount in column G and enter

270.16

here. This is the amount of earnings that go to the creditor.

270.17

~~\*If you entered any amount in Column H for any payday(s), you must~~ payday, describe

270.18

those claims below ~~either~~. It doesn't matter if they are your claims, or the claims of others.

270.19

~~For amounts claimed~~ claims by others ~~you must both state,~~ list the names and addresses of

270.20

~~these persons~~ each, and ~~the nature of~~ describe their ~~claim~~ claims, if ~~known~~ you know.

270.21

.....

270.22

.....

270.23

.....

270.24

AFFIRMATION

270.25

**Earnings Worksheet Affirmation**

270.26

I, ..... (person signing Affirmation), am the third ~~party~~ party/employer or I

270.27

am authorized by the third ~~party~~ party/employer to complete this earnings disclosure

270.28

~~worksheet~~, and have done so truthfully and to the best of my knowledge.

270.29

**Dated:** .....

270.30

**Signature** .....

271.1    Title .....

271.2    Telephone Number (....) .....

271.3    Date: .....

271.4    Third Party's Name: .....

271.5    Third Party's Signature: .....

271.6    Phone: ..... Fax: .....

271.7    Email: .....

271.8                                EARNINGS DISCLOSURE FORM AND WORKSHEET

271.9                                FOR CHILD SUPPORT DEBTOR

271.10    STATE OF MINNESOTA                                DISTRICT COURT

271.11    COUNTY OF .....                                ..... JUDICIAL DISTRICT

271.12    ..... (Creditor)

271.13    ..... (Debtor)                                GARNISHMENT

271.14    ..... (Garnishee)                                EARNINGS DISCLOSURE

271.15                                DEFINITIONS

271.16        "EARNINGS": For the purpose of execution, "earnings" means compensation paid or

271.17    payable to an employee for personal services or compensation paid or payable to the producer

271.18    for the sale of agricultural products; milk or milk products; or fruit or other horticultural

271.19    products produced when the producer is operating a family farm, a family farm corporation,

271.20    or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether

271.21    denominated as wages, salary, commission, bonus, or otherwise, and includes periodic

271.22    payments pursuant to a pension or retirement, workers' compensation, or unemployment

271.23    benefits.

271.24        "DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining

271.25    after the deduction from those earnings of amounts required by law to be withheld. (Amounts

271.26    required by law to be withheld do not include items such as health insurance, charitable

271.27    contributions, or other voluntary wage deductions.)

271.28        "PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which

271.29    the employer pays earnings to the debtor in the ordinary course of business. If the judgment

271.30    debtor has no regular payday, payday(s) means the 15th and the last day of each month.

271.31        THE GARNISHEE MUST ANSWER THE FOLLOWING QUESTION:

271.32        (1) Do you now owe, or within 90 days from the date the execution levy was served on

271.33    you, will you or may you owe money to the debtor for earnings?

272.1 Yes ..... No .....

272.2 INSTRUCTIONS FOR COMPLETING THE  
272.3 EARNINGS DISCLOSURE

272.4 A. If your answer to question 1 is "No," then you must sign the affirmation below and  
272.5 return this disclosure to the creditor's attorney (or the creditor if not represented by an  
272.6 attorney) within 20 days after it was served on you, and you do not need to answer the  
272.7 remaining questions.

272.8 B. If your answer to question 1 is "Yes," you must complete this form and the Earnings  
272.9 Disclosure Worksheet as follows:

272.10 For each payday that falls within 90 days from the date the garnishment summons was  
272.11 served on you, YOU MUST calculate the amount of earnings to be retained by completing  
272.12 steps 2 through 8 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.  
272.13 UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH  
272.14 INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS  
272.15 DISCLOSURE WERE MADE.

272.16 Each payday, you must retain the amount of earnings listed in column G on the Earnings  
272.17 Disclosure Worksheet.

272.18 You must pay the attached earnings and return this earnings disclosure form and the  
272.19 Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented  
272.20 by an attorney) and deliver a copy to the debtor within ten days after the last payday  
272.21 that falls within the 90-day period. If the claim is wholly satisfied or if the debtor's  
272.22 employment ends before the expiration of the 90-day period, your disclosure should be  
272.23 made within ten days after the last payday for which earnings were attached.

272.24 For steps 2 through 8, "columns" refers to columns on the Earnings Disclosure Worksheet.

272.25 (2) COLUMN A. Enter the date of debtor's payday.

272.26 (3) COLUMN B. Enter debtor's gross earnings for each payday.

272.27 (4) COLUMN C. Enter debtor's disposable earnings for each payday.

272.28 (5) COLUMN D. Enter either 50, 55, 60, or 65 percent of disposable earnings, based  
272.29 on which of the following descriptions fits the child support judgment debtor:

272.30 (a) 50 percent of the judgment debtor's disposable income, if the judgment debtor is  
272.31 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
272.32 to be calculated to the beginning of the work week in which the execution levy is received);



273.1 (b) 55 percent of the judgment debtor's disposable income, if the judgment debtor is  
273.2 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
273.3 to be calculated to the beginning of the work week in which the execution levy is received);

273.4 (c) 60 percent of the judgment debtor's disposable income, if the judgment debtor is not  
273.5 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
273.6 to be calculated to the beginning of the work week in which the execution levy is received);  
273.7 or

273.8 (d) 65 percent of the judgment debtor's disposable income, if the judgment debtor is not  
273.9 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
273.10 to be calculated to the beginning of the work week in which the execution levy is received).  
273.11 (Multiply column C by .50, .55, .60, or .65, as appropriate.)

273.12 (6) COLUMN E. Enter here any amount claimed by you as a setoff, defense, lien, or  
273.13 claim, or any amount claimed by any other person as an exemption or adverse interest that  
273.14 would reduce the amount of earnings owing to the debtor. (Note: Any assignment of earnings  
273.15 made by the debtor to any party within ten days before the receipt of the first garnishment  
273.16 on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before  
273.17 the receipt of the first garnishment on a debt may not be set off against amounts otherwise  
273.18 subject to the garnishment.)

273.19 You must also describe your claim(s) and the claims of others, if known, in the space  
273.20 provided below the worksheet and state the name(s) and address(es) of these persons.

273.21 Enter zero in column E if there are no claims by you or others that would reduce the  
273.22 amount of earnings owing to the judgment debtor.

273.23 (7) COLUMN F. Subtract the amount in column E from the amount in column D and  
273.24 enter here. This is the amount of earnings that you must remit for the payday for which the  
273.25 calculations were made.

273.26 AFFIRMATION

273.27 I, ..... (person signing Affirmation), am the garnishee or I am authorized by the  
273.28 garnishee to complete this earnings disclosure, and have done so truthfully and to the best  
273.29 of my knowledge.

273.30 Dated: ..... ..

273.31 Signature

273.32 .....

273.33 Title

274.1

.....

274.2

Telephone Number

274.3

EARNINGS DISCLOSURE

274.4

WORKSHEET

.....

274.5

Debtor's Name

274.6

A

B

C

274.7

Payday Date

Gross Earnings

Disposable

274.8

Earnings

274.9

1. ....

\$.....

\$.....

274.10

2. ....

.....

.....

274.11

3. ....

.....

.....

274.12

4. ....

.....

.....

274.13

5. ....

.....

.....

274.14

6. ....

.....

.....

274.15

7. ....

.....

.....

274.16

8. ....

.....

.....

274.17

9. ....

.....

.....

274.18

10. ....

.....

.....

274.19

D

E

F

274.20

Either 50, 55, 60, or

Setoff, Lien,

Column D minus

274.21

65% of Column C

Adverse Interest,

Column E

274.22

or Other Claims

274.23

1. ....

.....

.....

274.24

2. ....

.....

.....

274.25

3. ....

.....

.....

274.26

4. ....

.....

.....

274.27

5. ....

.....

.....

274.28

6. ....

.....

.....

274.29

7. ....

.....

.....

274.30

8. ....

.....

.....

274.31

9. ....

.....

.....

274.32

10. ....

.....

.....

274.33

TOTAL OF COLUMN F \$.....

274.34

\*If you entered any amount in column E for any payday(s), you must describe below

274.35

either your claims, or the claims of others. For amounts claimed by others, you must both

274.36

state the names and addresses of such persons, and the nature of their claim, if known.

274.37

.....

275.1

.....

275.2

.....

275.3

AFFIRMATION

275.4

I, ..... (person signing Affirmation), am the third party or I am authorized by the

275.5

third party to complete this earnings disclosure worksheet, and have done so truthfully and

275.6

to the best of my knowledge.

275.7

.....

275.8

Signature

275.9

Dated: ..... (....) .....

275.10

TitlePhone Number

275.11

NONEARNINGS DISCLOSURE FORM

275.12

~~STATE OF MINNESOTA~~

DISTRICT COURT

275.13

~~COUNTY OF .....~~

..... JUDICIAL DISTRICT

275.14

~~..... (Creditor)~~

275.15

~~against~~

275.16

~~..... (Debtor)~~

NONEARNINGS DISCLOSURE

275.17

~~and~~

275.18

~~..... (Garnishee)~~

275.19

~~On the ..... day of ....., ....., the time of service of garnishment summons~~

275.20

~~herein, there was due and owing the debtor from the garnishee the following:~~

275.21

State of Minnesota

District Court

275.22

County of: .....

Judicial District: .....

275.23

Court File Number: .....

275.24

Case Type: .....

275.25

Creditor's full name

275.26

.....

Non-Earnings Disclosure

275.27

against

For Non-Child Support Judgments

275.28

Debtor's full name

275.29

.....

275.30

and

275.31

Third Party (bank, employer, or other)

275.32

.....

276.1        This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you  
276.2 because you might be holding property that belongs to the debtor, or you might owe money  
276.3 to the debtor.

276.4        You are the "third party" or "garnishee." The "debtor" is the person who owes money.  
276.5 The debtor is also called the "judgment debtor." The "creditor" is the person the debtor owes  
276.6 money to. The creditor is also called the "judgment creditor." The debtor owes \$.....  
276.7 to the creditor.

276.8        You must list any money or property you owe the debtor on the lines below and sign  
276.9 the affirmation. Write "none" on the line if that is your answer. You must then return this  
276.10 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

276.11       Fill in the date you got this disclosure:

276.12       ..... (month) ..... (day), ..... (year)

276.13       On the date you got this disclosure, you owed the debtor:

276.14       (1) Money. ~~Enter on the line below any amounts due and owing the debtor, except~~  
276.15 ~~earnings, from the garnishee~~ Write down the amount of money you owe the debtor (except  
276.16 earnings).

276.17       .....

276.18       (2) Property. ~~Describe on the line below~~ Write a short description of any personal  
276.19 property, instruments, or papers belonging to the debtor and in the possession of the garnishee  
276.20 that you have in your possession. List the monetary value of each thing.

276.21       .....

276.22       (3) Setoff. ~~Enter on the line below the amount of any~~ If you claim a setoff, defense, lien,  
276.23 ~~or claim which the garnishee claims against the amount set forth on lines (1) and (2) above~~  
276.24 enter that amount on the line below. State the facts by which the setoff, defense, lien, or  
276.25 about your claim is claimed. (Any indebtedness to a garnishee incurred by the debtor within  
276.26 the ten days before the receipt of the first garnishment on a debt may not be set off against  
276.27 amounts otherwise subject to the garnishment.) Note: Any payment the debtor makes to  
276.28 the garnishee within the 10 days before they get the first garnishment order on that debt  
276.29 can't be used to lower the amount that is being garnished.

276.30       .....

276.31       (4) Exemption. ~~Enter on the line below any amounts or property claimed by the debtor~~  
276.32 ~~to be exempt from execution~~ that the debtor claims is exempt on the line below.

277.1 .....

277.2 (5) Adverse Interest. Enter on the line below any amounts ~~claimed by other persons by~~

277.3 ~~reason of ownership or interest in the debtor's property~~ of the debtor's property that other

277.4 people claim they own or have interest in.

277.5 .....

277.6 (6) Enter ~~on the line below the~~ total of lines (3), (4), and (5) on the line below.

277.7 .....

277.8 (7) Enter ~~on the line below~~ the difference obtained (never less than zero) when line (6)

277.9 is subtracted from the sum of lines (1) and (2) on the line below.

277.10 .....

277.11 (8) ~~Enter on the line below~~ Figure out 110 percent of the amount of the creditor's claim

277.12 which ~~remains~~ is still unpaid. Enter it on the line below.

277.13 .....

277.14 (9) ~~Enter on the line below the lesser of line~~ Look at (7) and line (8). ~~Retain~~ Put the

277.15 smaller number on the line below. Hold this amount only if it is \$10 or more.

277.16 .....

277.17

AFFIRMATION

277.18 I, ..... (person signing Affirmation), am the garnishee or I am authorized

277.19 by the garnishee to complete this nonearnings garnishment disclosure, ~~and~~ I have done so

277.20 truthfully and to the best of my knowledge.

277.21 ~~Dated:~~ ..... ..

277.22 Signature

277.23 .....

277.24 Title

277.25 .....

277.26 Telephone Number

277.27 Date: .....

277.28 Name: .....

277.29 Signature: .....

277.30 Title: .....

277.31 Phone: ..... Email: .....

278.1 Sec. 16. Minnesota Statutes 2024, section 571.912, is amended to read:

278.2 **571.912 FORM OF NOTICE, INSTRUCTIONS, AND EXEMPTION NOTICE.**

278.3        Subdivision 1. **Form of notice.** The notice, instructions, and exemption notice informing  
278.4        a debtor that a garnishment summons has been used to attach funds of the debtor to satisfy  
278.5        a claim must be a separate notice and must be substantially in the following form:

278.6 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

278.7 COUNTY OF ..... JUDICIAL DISTRICT .....

278.8 .....(Creditor)

278.9 .....(Debtor)

278.10 ~~.....(Financial institution)~~

278.11 State of Minnesota District Court

278.12 County of: ..... Judicial District: .....

278.13 Court File Number: .....

278.14 Case Type: .....

278.15 Creditor's full name

278.16 .....

278.17 Debtor's full name

278.18 .....

278.19 Third Party (bank, employer, or other)

278.20 .....

278.21 **Important Notice**

278.22 ~~YOUR FUNDS HAVE BEEN GARNISHED~~

278.23 **Money in Your Account Has Been Frozen**

278.24 The Creditor has frozen money in your account at your ~~financial institution~~ bank.

278.25      **Your account balance is \$.....**

278.26      **The amount being held is \$.....**

278.27 The amount being held will be is frozen for 14 days from the date of this notice.

278.28 **Some of your money in your account may be protected (the legal word is exempt).**

278.29 **You may be able to get it sooner than 14 days if you act quickly and follow the**  
278.30 **instructions on the next page.**

278.31 The attached exemption form lists some different ~~sources of~~ ways money in your account  
278.32 ~~that may be protected. If your money is comes from one or more of these sources, place a~~

279.1 ~~benefit on the list, put a check on the line on the form next to the sources of your money.~~

279.2 ~~If it is from one of these sources, next to it.~~ The creditor ~~cannot~~ can't take it.

279.3 BUT, if you want the bank to unfreeze your money, you must follow the instructions  
279.4 and return the exemption form and with copies of your bank statements from the last  
279.5 60 days to have the bank unfreeze your money. Instructions and the form are attached. If  
279.6 you ~~do not~~ don't follow the instructions ~~or your Creditor gets an order from the court or writ~~  
279.7 ~~of execution, your financial institution will give~~ bank gives the money to your creditor. If  
279.8 your creditor gets an order from the court or writ of execution, your bank gives the money  
279.9 to them. If that happens and ~~if~~ your money is protected, you can still get it back from the  
279.10 creditor later. But ~~that is not as easy to do as~~ filling in out the form now is easiest.

279.11 See next pages for instructions and the exemption form.

279.12 Subd. 2. **Form of instructions.** The instructions required must be in a separate form  
279.13 and must be substantially in the following form:

279.14 **Instructions**

279.15 **Note:** The creditor is who you owe the money to. You are the debtor.

279.16 1. Fill out **both** of the attached exemption forms in this packet.

279.17 If you check one of the lines, you should also give proof. Use proof that shows show  
279.18 that some or all of the money in your account is from one or more of the protected sources.  
279.19 This might be letters or account statements. Creditors may ask for a hearing if they question  
279.20 your exemptions.

279.21 **To avoid a hearing:**

279.22 (i) Case numbers should be added to the form.

279.23 (ii) Copies of documents should be sent with the form.

279.24 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies  
279.25 of your bank statements for the past 60 days before the garnishment. Send them to the  
279.26 creditor (or to the creditor's lawyer). Keep a copy of your bank statements in case there are  
279.27 questions about your claim. If you ~~do not~~ don't send bank statements to the ~~creditor's attorney~~  
279.28 ~~(or to the creditor, if no attorney)~~ bank statements creditor (or to the creditor's lawyer) along  
279.29 with your exemption claim, the financial institution may ~~release~~ give your money to the  
279.30 creditor. They would do this once the creditor gives ~~the financial institution~~ them a court  
279.31 order ~~directing it~~ saying they have to turn over the funds.

279.32 2. **Sign** the exemption forms. **Make one a copy to keep for yourself.**

280.1      **3. Mail or deliver** the other copies of the form by (insert date).

**280.2 Both Copies Must Be Mailed or Delivered the Same Day.**

280.3 One copy of the form and the copies of your bank statements go to:

280.4

280.5 ~~(Insert name of creditor or creditor's attorney)~~

280.6

280.7 ~~(Insert address of creditor or creditor's attorney)~~

280.8 Creditor's Name: .....

280.9 (or creditor's lawyer's name)

280.10 Street Address: .....

280.11 City/State/Zip: .....

280.12 Phone: ..... Fax: .....

280.13 Email: .....

280.14 One copy goes to:

280.15

280.16 ~~(Insert name of bank)~~

280.17

280.18 ~~(Insert address of bank)~~

280.19 Bank's Name: .....

280.20 Street Address: .....

280.21 City/State/Zip: .....

280.22 Phone: ..... Fax: .....

280.23 Email: .....

## 280.24 How The Process Works

**280.25 If You Do Not Don't Send in the Exemption Form and Bank Statements:**

280.26 14 days after the date of this letter some or all of your money may be turned over to the  
280.27 creditor. This happens once they get an order from the court telling the ~~financial institution~~  
280.28 bank to do this.

**280.29 If You Do Send in the Exemption Form and Bank Statements:**

280.30 Any money that is NOT protected can be turned over to the creditor once they get an  
280.31 order from the court.

**280.32 If the Creditor Does Not Object to Your Claimed Exemptions:**



281.1 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after

281.2 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the

281.3 creditor's lawyer to send a release letter to the bank.

## 281.4 If the Creditor Objects to Your Claimed Exemptions:

281.5 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The  
281.6 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You  
281.7 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

281.8        The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~  
281.9        if your money is protected or not. Some reasons a creditor may object are because you ~~did~~  
281.10       ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~  
281.11       got. Be sure to include these when you send your exemption form.

281.12 You may want to talk to a lawyer for advice about this process. If you are low income  
281.13 you can call Legal Aid statewide at 1(877) 696-6529.

281.14 ~~PENALTIES:~~

281.15 **Warnings and Fines**

281.16 If you claim that your money is protected and a court decides you made that claim in  
281.17 bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,  
281.18 and ~~an additional amount of~~ a fine up to \$100. Bad faith is when someone does something  
281.19 wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government  
281.20 benefits ~~that you do not receive~~ and you don't.

281.21 If the creditor made a bad faith objection to your claim that your money is protected,  
281.22 the court can order them to pay costs, actual damages, attorney lawyer fees, and ~~an additional~~  
281.23 ~~amount of~~ a fine up to \$100.

281.24 Subd. 3. **Exemption notice.** The exemption notice must be a separate form and must  
281.25 be in substantially the following form:

281.26 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

281.27 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

281.28 ~~.....(Creditor)~~

281.29 ~~.....(Debtor)~~

281.30 ~~.....(Financial institution)~~

281.31 **State of Minnesota** **District Court**  
 281.32 County of: ..... Judicial District: .....  
 281.33 Court File Number: .....

Case Type: .....

Creditor's full name

.....

**Exemption Form**

vs.

Debtor's full name

.....

Bank's name

.....

**EXEMPTION FORM**

**A.    How Much Money is Protected (exempt)**

.....    ... I claim ALL of the money being frozen by the bank is protected.

.....    ... I claim SOME of the money is protected. The amount I claim is protected is \$.....

**B.    Why The Money is Protected**

My money is protected because I get it from one or more of the following places:  
**(Check all that apply)**

**Earnings (Wages)**

ALL or SOME of my wages may be protected.

... **Some** of my wages are protected because they were only deposited in my account in the last 20 days.

For wages that were deposited in your account within the last 20 days, the amount protected is whichever is more:

(i) 75% of your wages or more (after taxes are taken out), or

(ii) The current minimum wage times 40 per week. You can find the current minimum wage here: <https://www.dli.mn.gov/minwage>.

**All** of my wages are protected because:

... I get government benefits (a list of government benefits is on the next page)

... I am getting other assistance based on need

... I have gotten government benefits in the last 6 months

... I was in jail or prison in the last 6 months

If you check one of these 4 boxes, your wages are only protected for 60 days after they are deposited in your account. You **MUST send the creditor copies of bank statements** that show what was in your account **for the 60 days right before the bank froze your money.**

.....    **Government Benefits**

Government benefits can include, but are not limited to, the following many things.  
For example:

... **MFIP** - Minnesota Family Investment Program;

... **DWP** - MFIP Diversionary Work Program;

... **SNAP** - Supplemental Nutrition Assistance Program

~~Work participation cash benefit,~~

283.1

... **GA** - General Assistance;

283.2

~~**EA** - emergency assistance;~~

283.3

~~**MA** - medical assistance;~~

283.4

... **EGA** - Emergency General Assistance;

283.5

... **MSA** - Minnesota Supplemental Aid;

283.6

... **MSA-EA** - MSA Emergency Assistance;

283.7

... **EA** - Emergency Assistance

283.8

... **Energy or Fuel Assistance**

283.9

... **Work Participation Cash Benefit**

283.10

... **MA** - Medical Assistance

283.11

~~**Supplemental Nutrition Assistance Program (SNAP);**~~

283.12

~~**SSI - Supplemental Security Income;**~~

283.13

... **MinnesotaCare**;

283.14

... **Medicare Part B** - Premium Payments; help

283.15

... **Medicare Part D** - Extra help;

283.16

~~**Energy or fuel assistance.**~~

283.17

... **SSI** - Supplemental Security Income

283.18

... **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working

283.19

Family Credit

283.20

... **Renter's Refund** (also called Renter's Property Tax Credit)

283.21

~~**LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT**~~

283.22

.....

283.23

~~**LIST THE CASE NUMBER AND COUNTY**~~

283.24

Case Number: .....

283.25

County: .....

283.26

~~**Government benefits also include:**~~

283.27

~~..... **Social Security benefits**~~

283.28

~~..... **Unemployment benefits**~~

283.29

~~..... **Workers' compensation**~~

283.30

~~..... **Veterans benefits**~~

283.31

~~**If you receive any of these government benefits, include copies of any documents**~~

283.32

~~**you have that show you receive Social Security, unemployment, workers'**~~

283.33

~~**compensation, or veterans benefits.**~~

283.34

~~..... **Other assistance based on need**~~

283.35

~~You may have assistance based on need from another source that is not on the list. If you~~

283.36

~~do, check this box, and fill in the source of your money on the line below:~~

283.37

~~Source:.....~~

283.38

~~**Include copies of any documents you have that show the source of this money.**~~

- 284.1
- EARNINGS
- 284.2
- ~~ALL or SOME of your earnings (wages) may also be protected.~~
- 284.3
- ~~..... All of your earnings (wages) are protected if:~~
- 284.4
- ~~..... You get government benefits (see list of government benefits)~~
- 284.5
- ~~..... You currently receive other assistance based on need~~
- 284.6
- ~~..... You have received government benefits in the last six months~~
- 284.7
- ~~..... You were in jail or prison in the last six months~~
- 284.8
- ~~If you check one of these lines, your wages are only protected for 60 days after~~
- 284.9
- ~~they are deposited in your account so you MUST send the creditor a copy of~~
- 284.10
- ~~BANK STATEMENTS that show what was in your account for the 60 days right~~
- 284.11
- ~~before the bank froze your money.~~
- 284.12
- ~~..... Some of your earnings (wages) are protected.~~
- 284.13
- ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
- 284.14
- ~~for 20 days after they were deposited in your account. The amount protected is the~~
- 284.15
- ~~larger amount of:~~
- 284.16
- ~~75 percent of your wages (after taxes are taken out); or~~
- 284.17
- ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~
- 284.18
- ~~OTHER EXEMPT FUNDS~~
- 284.19
- ~~The money from the following are also completely protected after they are deposited~~
- 284.20
- ~~in your account.~~
- 284.21
- ~~..... An accident, disability, or retirement pension or annuity~~
- 284.22
- ~~..... Payments to you from a life insurance policy~~
- 284.23
- ~~..... Earnings of your child who is under 18 years of age~~
- 284.24
- ~~..... Child support~~
- 284.25
- ~~..... Money paid to you from a claim for damage or destruction of property~~
- 284.26
- ~~Property includes household goods, farm tools or machinery, tools for your job, business~~
- 284.27
- ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~
- 284.28
- ~~furniture, or appliances.~~
- 284.29
- ~~..... Death benefits paid to you~~
- 284.30
- List the case number and county for every
- 284.31
- box you checked:
- 284.32
- Case Number: ..... County: .....
- 284.33
- Case Number: ..... County: .....
- 284.34
- Case Number: ..... County: .....
- 284.35
- Government benefits also include:
- 284.36
- ... Social Security benefits
- 284.37
- ... Unemployment benefits
- 284.38
- ... Workers' compensation
- 284.39
- ... Veterans' benefits

285.1 If you get any of these government benefits, include copies of any documents that show  
285.2 you get them.

285.3 ... I get other assistance based on need that is not on the list. It comes from: .....

285.4 .....

285.5 Make sure you include copies of any documents that show this.

285.6 **C. Other Protected Funds**

285.7 The money from these things are also completely protected after they are deposited in  
285.8 my account.

285.9 ... Child Support

285.10 ... A retirement, disability, or accident pension or annuity

285.11 ... Earnings of my child who is under 18 years of age

285.12 ... Payments to me from a life insurance policy

285.13 ... Money paid to me from a claim for damage or destruction of property. Property  
285.14 includes household goods, farm tools or machinery, tools for my job, business equipment,  
285.15 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or  
285.16 appliances

285.17 ... Death benefits paid to me

285.18 I give my permission to any agency that has given me ~~each~~ benefits to give information  
285.19 about my benefits to the ~~above-named~~ creditor, named above or its attorney to the creditor's  
285.20 lawyer. The information will **ONLY** ~~concern whether~~ be if I get benefits or not, or whether  
285.21 ~~I have gotten them~~ assistance, or if I have gotten assistance in the past ~~six~~ 6 months. If I  
285.22 was an inmate in the last 6 months, I give my permission to the correctional institution to  
285.23 tell the creditor named above or the creditor's lawyer that I was an inmate there.

285.24 ~~If I was an inmate in the last six months, I give my permission to the correctional~~  
285.25 ~~institution to tell the above-named creditor that I was an inmate there.~~

285.26 **You must sign this form and send ~~THIS FORM~~ it back to the creditor's**  
285.27 **~~ATTORNEY~~ lawyer (or to the creditor, if there is no ~~ATTORNEY~~ lawyer) and the**  
285.28 **bank. Remember to include a copy of your bank statements for the past 60 days. Fill**  
285.29 **in the blanks below and go back to the instructions to make sure you ~~do~~ did it correctly.**

285.30 I ~~have~~ mailed or delivered a copy of this form to: the creditor (or to the creditor's lawyer)  
285.31 at the address listed below.

286.1

286.2

286.3

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286.32

286.33

286.34

286.35

287.1

STATE OF MINNESOTA

DISTRICT COURT

287.2

COUNTY OF .....

.....JUDICIAL DISTRICT

287.3

.....(Creditor)

287.4

.....(Debtor)

CREDITOR'S NOTICE OF OBJECTION

287.5

AND NOTICE OF HEARING ON

287.6

.....(Garnishee)

EXEMPTION CLAIM

287.7

.....

287.8

.....

287.9

.....

287.10

(CREDITOR OR CREDITOR'S

287.11

ATTORNEY)

287.12

NOTICE OF HEARING

287.13

The creditor objects to your exemption claim.

287.14

This hearing is to resolve your exemption

287.15

claim.

287.16

Hearing Date:

.....

287.17

Time:

.....

287.18

Hearing Place:

.....

287.19

State of Minnesota

District Court

287.20

County of: .....

Judicial District: .....

287.21

Court File Number: .....

287.22

Case Type: .....

287.23

Creditor's full name

287.24

.....

Creditor's Notice of Objection and

287.25

and

Notice of Hearing on Exemption Claim

287.26

Debtor's full name

287.27

.....

287.28

Third Party (bank, employer, or other)

287.29

.....

287.30

Hearing Notice

287.31

The creditor objects to your exemption claim. This hearing is to decide if your exemption

287.32

claim is valid.

287.33

The hearing will be at:

287.34

Place: .....

Date: .....

Time: .....

287.35

The creditor objects to your claim of exemption from garnishment for the following

287.36

reason(s):

288.1 .....

288.2 .....

288.3 .....

288.4 ~~(Note: Bring with you to the hearing all documents and materials supporting your~~

288.5 ~~exemption claim. Failure to do so could delay the court's decision.)~~

288.6 ~~If the creditor receives all documents and materials supporting your exemption claim~~

288.7 ~~before the hearing date, the creditor may agree with your claim and you can avoid a hearing.~~

288.8 ~~Because a court hearing will be held on your claim that your funds are protected, your~~

288.9 ~~financial institution will retain the funds until it receives an order from the court.~~

288.10 Note: Bring all your documents and materials that support your exemption claim

288.11 to the hearing. If you don't, the court's decision could be held up.

288.12 You can send your documents and materials to the creditor before the hearing. If they

288.13 review them and agree with your claim, you can avoid a hearing.

288.14 Because there is a court hearing scheduled about your exemption claim, your bank will

288.15 keep your funds until it gets an order from the court.

288.16 Date: .....

288.17 Creditor's Signature: .....

288.18 (or creditor's lawyer's signature)

288.19 Creditor's Name: .....

288.20 (or creditor's lawyer's name)

288.21 Street Address: .....

288.22 City/State/Zip: .....

288.23 Phone: ..... Fax: .....

288.24 Email: .....

288.25 Sec. 18. Minnesota Statutes 2024, section 571.925, is amended to read:

288.26 **571.925 FORM OF NOTICE.**

288.27 The ten-day notice informing a debtor that a garnishment summons may be used to

288.28 garnish the earnings of an individual must be substantially in the following form:

288.29 STATE OF MINNESOTA DISTRICT COURT

288.30 COUNTY OF ..... JUDICIAL DISTRICT

288.31 .....(Creditor)

288.32 against

288.33

GARNISHMENT EXEMPTION



289.1    .....(Debtor)

289.2    and

289.3    .....(Garnishee)

NOTICE AND NOTICE OF  
INTENT TO GARNISH EARNINGS

289.4    PLEASE TAKE NOTICE that a garnishment summons or levy may be served upon

289.5    your employer or other third parties, without any further court proceedings or notice to you,

289.6    ten days or more from the date hereof. Some or all of your earnings are exempt from

289.7    garnishment. If your earnings are garnished, your employer must show you how the amount

289.8    that is garnished from your earnings was calculated. You have the right to request a hearing

289.9    if you claim the garnishment is incorrect.

289.10    Your earnings are completely exempt from garnishment if you are now a recipient of

289.11    assistance based on need, if you have been a recipient of assistance based on need within

289.12    the last six months, or if you have been an inmate of a correctional institution in the last six

289.13    months.

289.14    Assistance based on need includes, but is not limited to:

289.15    State of Minnesota District Court

289.16    County of: ..... Judicial District: .....

289.17    Court File Number: .....

289.18    Case Type: .....

289.19    Creditor's full name

289.20    ..... Garnishment Exemption Notice and

289.21    and Notice of Intent to Garnish Earnings

289.22    Debtor's full name

289.23    .....

289.24    Third Party (bank, employer, or other)

289.25    .....

289.26    Notice: A garnishment may be served on your employer or other third parties.

289.27    Garnishment means that part of your earnings can be taken to pay off debts that you

289.28    owe. This can happen in 10 days or more after you get this notice. This can happen without

289.29    any other court action or notice to you. But some of your money may be protected.

- 289.30    Your earnings cannot be taken if:
- 289.31    (i) you are getting government assistance based on need,
- 289.32    (ii) you got any government assistance based on need in the last 6 months, or
- 289.33    (iii) you were an inmate of a correctional institution in the last 6 months.

290.1 **These are called exemptions. Your money is NOT protected unless you fill out the**  
 290.2 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**  
 290.3 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

290.4 **You can also contact the creditor or their lawyer to talk about a settlement of the debt.**

290.5 **Examples of government assistance based on need:**

290.6 **(i) MFIP - Minnesota Family Investment Program;**

290.7 **(ii) DWP - MFIP Diversionary Work Program;**

290.8 **(iii) SNAP - Supplemental Nutrition Assistance Program**

290.9 **Work participation cash benefit;**

290.10 **(iv) GA - General Assistance;**

290.11 **EA—emergency assistance;**

290.12 **MA—medical assistance;**

290.13 **(v) EGA - Emergency General Assistance;**

290.14 **(vi) MSA - Minnesota Supplemental Aid;**

290.15 **(vii) MSA-EA - MSA Emergency Assistance;**

290.16 **Supplemental Nutrition Assistance Program (SNAP);**

290.17 **SSI—Supplemental Security Income;**

290.18 **(viii) EA - Emergency Assistance**

290.19 **(ix) Energy or Fuel Assistance**

290.20 **(x) Work Participation Cash Benefit**

290.21 **(xi) MA - Medical Assistance**

290.22 **(xii) MinnesotaCare;**

290.23 **(xiii) Medicare Part B - Premium Payments; help**

290.24 **(xiv) Medicare Part D - Extra help;**

290.25 **Energy or fuel assistance.**

290.26 **(xv) SSI - Supplemental Security Income**

290.27 **(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working**  
 290.28 **Family Credit**

290.29 **(xvii) Renter's Refund (also called Renter's Property Tax Credit)**

290.30 **If you wish to claim an exemption, you should fill out the appropriate form below, sign**  
 290.31 **it, and send it to the creditor's attorney and the garnishee.**

290.32 **You may wish to contact the attorney for the creditor in order to arrange for a settlement**  
 290.33 **of the debt or contact an attorney to advise you about exemptions or other rights.**

290.34 **PENALTIES**

291.1

(1) ~~Be advised that even if you claim an exemption, a garnishment summons may still~~

291.2

~~be served on your employer. If your earnings are garnished after you claim an exemption,~~

291.3

~~you may petition the court for a determination of your exemption. If the court finds that~~

291.4

~~the creditor disregarded your claim of exemption in bad faith, you will be entitled to~~

291.5

~~costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

291.6

~~(2) HOWEVER, BE WARNED if you claim an exemption, the creditor can also petition~~

291.7

~~the court for a determination of your exemption, and if the court finds that you claimed~~

291.8

~~an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus~~

291.9

~~an amount not to exceed \$100.~~

291.10

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment,~~

291.11

~~thus requiring the creditor to petition the court to resolve the problem, you will be liable~~

291.12

~~to the creditor for costs and reasonable attorney's fees plus an amount not to exceed~~

291.13

~~\$100.~~

291.14

~~Dated:~~ .....

.....

291.15

~~(Attorney for) Creditor~~

291.16

~~.....~~

291.17

~~Address~~

291.18

~~.....~~

291.19

~~Telephone~~

291.20

Warnings and Fines

291.21

(1) Even if you claim an exemption, a levy may still be served on your employer. If they

291.22

take money from you after you claim an exemption, you may ask the court to review your

291.23

exemption. If the court finds that the creditor ignored your claim of exemption in bad faith,

291.24

you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad

291.25

faith is when someone does something wrong on purpose.

291.26

(2) BUT if you claim an exemption, the creditor can also ask the court to review your

291.27

exemption. If the court finds that you claimed an exemption in bad faith, you are charged

291.28

costs and reasonable lawyer fees, and a fine up to \$100.

291.29

(3) If you get this notice, then do something in bad faith to try to block or stop the levy

291.30

and the creditor has to take you to court because of it, you will have to pay the creditor's

291.31

costs, and reasonable lawyer's fees, and a fine up to \$100.

291.32

Date: .....

291.33

Creditor's Signature: .....

291.34

(or creditor's lawyer's signature)

292.1 Creditor's Name: .....

292.2 (or creditor's lawyer's name)

292.3 Street Address: .....

292.4 City/State/Zip: .....

292.5 Phone: ..... Fax: .....

292.6 Email: .....

292.7

DEBTOR'S EXEMPTION CLAIM NOTICE

292.8 State of Minnesota

292.8 District Court

292.9 County of: .....

292.9 Judicial District: .....

292.10 Court File Number: .....

292.11 Case Type: .....

292.12 Creditor's full name

292.13 .....

292.14 and

292.15 Debtor's full name

292.16 .....

292.17 and

292.18 Third Party (bank, employer, or other)

292.19 .....

Debtor's Exemption

Claim Notice

292.20 I hereby claim that my earnings are exempt from this garnishment because: (check all

292.21 that apply)

292.22 ~~(1) I am presently a recipient of relief based on need. (Specify the program, case number,~~

292.23 ~~and the county from which relief is being received.)~~

292.24 ..... ..... .....

292.25 Program Case Number (if known) County

292.26 ~~(2) I am not now receiving relief based on need, but I have received relief based on need~~

292.27 ~~within the last six months. (Specify the program, case number, and the county from~~

292.28 ~~which relief has been received.)~~

292.29 ..... ..... .....

292.30 Program Case Number (if known) County

292.31 ~~(3) I have been an inmate of a correctional institution within the last six months. (Specify~~

292.32 ~~the correctional institution and location.)~~

292.33 ..... .....

292.34 Correctional Institution Location

293.1

I hereby authorize any agency that has distributed relief to me or any correctional

293.2

institution in which I was an inmate to disclose to the above-named creditor or the creditor's

293.3

attorney only whether or not I am or have been a recipient of relief based on need or an

293.4

inmate of a correctional institution within the last six months. I have mailed or delivered a

293.5

copy of this form to the creditor or creditor's attorney.

293.6

.....

293.7

DateDebtor

293.8

.....

293.9

Address

293.10

.....

293.11

Debtor Telephone Number

293.12

STATE OF MINNESOTA

DISTRICT COURT

293.13

COUNTY OF .....

.....JUDICIAL DISTRICT

293.14

.....(Creditor)

293.15

.....(Debtor)

293.16

.....(Financial institution)

293.17

... I am getting government assistance based on need. (State the program, case number

293.18

if you know it, and the county you got it from.)

293.19

Program: ..... Case #: ..... County: .....

293.20

Program: ..... Case #: ..... County: .....

293.21

Program: ..... Case #: ..... County: .....

293.22

... I am not getting assistance based on need right now, but I did get government assistance

293.23

based on need within the last 6 months. (State the program, case number if you know it,

293.24

and the county you got it from.)

293.25

Program: ..... Case #: ..... County: .....

293.26

Program: ..... Case #: ..... County: .....

293.27

Program: ..... Case #: ..... County: .....

293.28

... I was an inmate of a correctional institution within the last 6 months. (State the

293.29

correctional institution and location.)

293.30

Correctional Institution ..... Location .....

293.31

I give my permission to any agency listed above to give information about my benefits

293.32

to the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if

293.33

I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the

294.1

last 6 months, I give my permission to the correctional institution to tell the creditor named

294.2

above or the creditor's lawyer that I was an inmate there.

294.3

**Sign and send this form back to the creditor or the creditor's lawyer.**

294.4

**Fill in the blanks below.**

294.5

I mailed or delivered a copy of this form to the creditor or to the creditor's lawyer if they

294.6

have one, at the address listed below.

294.7

Date: .....

294.8

Creditor's Signature: .....

294.9

(or creditor's lawyer's signature)

294.10

Creditor's Name: .....

294.11

(or creditor's lawyer's name)

294.12

Street Address: .....

294.13

City/State/Zip: .....

294.14

Phone: ..... Fax: .....

294.15

Email: .....

294.16

Date: .....

294.17

Debtor's Signature: .....

294.18

Debtor's Name: .....

294.19

Street Address: .....

294.20

City/State/Zip: .....

294.21

Phone: .....

294.22

Email: .....

294.23

Sec. 19. Minnesota Statutes 2024, section 571.931, subdivision 6, is amended to read:

294.24

Subd. 6. **Notice.** The debtor shall be served with a copy of the prejudgment garnishment

294.25

order issued pursuant to this section together with a copy of all pleadings and other documents

294.26

not previously served, including any affidavits upon which the claimant intends to rely at

294.27

the subsequent hearing and a transcript of any oral testimony given at the prejudgment

294.28

garnishment hearing upon which the creditor intends to rely and a notice of hearing. Service

294.29

must be in the manner prescribed for personal service of a summons unless that service is

294.30

impracticable or would be ineffective and the court prescribes an alternative method of

294.31

service calculated to provide actual notice to the debtor.

294.32

The notice of hearing served upon the debtor must be signed by the creditor or the

294.33

attorney for the creditor and must be accompanied by an exemption notice. The notice of

295.1 hearing must be accompanied by an exemption notice, and both notices must provide, at a  
295.2 minimum, the following information in substantially the following language:

295.3 ~~NOTICE OF HEARING~~

295.4 **Hearing Notice**

295.5 TO: .....

295.6 ~~(the debtor)~~ (debtor's full name)

295.7 The (insert the name of court) Court has ordered the prejudgment garnishment of some  
295.8 of your property ~~in the possession or control of a third party~~. This is about property that a  
295.9 third party has or controls. Some of your property may be exempt ~~from seizure~~ and can't  
295.10 be taken. See the exemption notice below.

295.11 The Court issued this Order ~~based upon the claim of~~ because (insert name of creditor)  
295.12 ~~that (insert name of creditor) is~~ claims they are entitled to a court order for garnishment  
295.13 take some of your property ~~to secure your payment of any money judgment that (insert~~  
295.14 ~~name of creditor) may later be obtained against you and that immediate action was necessary.~~  
295.15 They do this to make sure you pay any money they might win in a future case against you.  
295.16 They felt immediate action was needed.

295.17 You have the legal right to challenge (insert name of creditor) claims at a court hearing  
295.18 before a judge.

295.19 The hearing will be at:

295.20 Place: ..... Date: ..... Time: .....

295.21 ~~The hearing will be held at the (insert place) on (insert date) at (insert time).~~ You may  
295.22 ~~attend~~ can go to the court hearing alone or with ~~an attorney~~ a lawyer. ~~After you have~~  
295.23 ~~presented your side of the matter, the court will decide~~ You get to tell the court your side  
295.24 of the issue. Then the court decides what should be done with your property until the lawsuit  
295.25 against you is finally decided.

295.26 **If you do not attend don't go to this hearing, the court may order garnishment of**  
295.27 **your property.**

295.28 **Exemption Notice**

295.29 Some of your property may be exempt and ~~cannot be garnished~~ can't be taken. 'Exempt'  
295.30 means protected. The following is a list of some ~~of the more~~ common exemptions. It is not  
295.31 a complete and is subject to list. For full details and dollar amounts set by law see section

296.1 ~~550.37, and other state and federal laws~~ of the Minnesota Statutes. If you have questions  
296.2 about an exemption, ~~you should obtain competent~~ contact a lawyer for legal advice.

296.3 These things you or your family might have are protected:

296.4 (1) ~~a homestead or the proceeds from the sale of a homestead.~~ equity in your home, or  
296.5 money from recently selling your home - up to \$510,000 total;

296.6 (2)(i) all clothing, one watch, utensils, and foodstuffs;

296.7 (ii) household furniture, household appliances, phonographs, radios, and computers,  
296.8 tablets, televisions up to a total current value of \$4,500 at the time of attachment, printers,  
296.9 cell phones, smart phones, and other consumer electronics up to \$12,150 in all; and

296.10 (iii) jewelry - total value can't be more than \$3,308;

296.11 (3) ~~a manufactured (mobile) home used as your home.~~ you live in;

296.12 (4) ~~one motor vehicle currently worth less than \$2,000 after deducting any security~~  
296.13 ~~interest,~~ counting only the amount you have paid off:

296.14 (i) \$10,000;

296.15 (ii) \$12,500 if it is necessary for your business, trade, or profession;

296.16 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;  
296.17 or

296.18 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard  
296.19 to walk;

296.20 (5) ~~farm machinery used by someone principally engaged in farming, or if your main~~  
296.21 ~~business is farming.~~ Tools, machines, or office furniture used in your business or trade. This  
296.22 ~~exemption is limited to \$10,000.~~ - the total value can't be more than \$13,000;

296.23 (6) relief based on need. This includes the:

296.24 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),  
296.25 Work First Program, Medical Assistance (MA);

296.26 (ii) DWP - MFIP Diversionary Work Program;

296.27 (iii) SNAP - Supplemental Nutrition Assistance Program;

296.28 (iv) GA - General Assistance (GA);

296.29 (v) EGA - Emergency General Assistance (EGA);

296.30 (vi) MSA - Minnesota Supplemental Aid (MSA);



- 297.1 ~~(vii) **MSA-EA** - MSA Emergency Assistance (**MSA-EA**), Supplemental Security Income~~  
 297.2 ~~(SSI), and Energy Assistance;~~
- 297.3 (viii) **EA** - Emergency Assistance;
- 297.4 (ix) **Energy or Fuel Assistance**;
- 297.5 (x) **Work Participation Cash Benefit**;
- 297.6 (xi) **MA** - Medical Assistance;
- 297.7 (xii) **MinnesotaCare**;
- 297.8 (xiii) **Medicare Part B** - Premium Payments help;
- 297.9 (xiv) **Medicare Part D** - Extra;
- 297.10 (xv) **SSI** - Supplemental Security Income;
- 297.11 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working  
 297.12 Family Credit; and
- 297.13 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit);
- 297.14 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,  
 297.15 between 75-100% is protected depending on how much you earn;
- 297.16 (8) retirement benefits - the total interest under all plans and contracts can't be more than  
 297.17 \$81,000;
- 297.18 ~~(7)~~ (9) Social Security benefits;
- 297.19 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 297.20 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension  
 297.21 or annuity;
- 297.22 ~~(10)~~ (12) life insurance proceeds- that are not more than \$54,000;
- 297.23 ~~(11) The~~ (13) earnings of your minor child;
- 297.24 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property (such as -  
 297.25 like household goods, farm tools, business equipment, a manufactured (mobile) home, or  
 297.26 a car); car;
- 297.27 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious  
 297.28 items. Total value can't be more than \$2,000;
- 297.29 (16) personal library - total value can't be more than \$750;

- 298.1 (17) musical instruments - total value can't be more than \$2,000;
- 298.2 (18) family pets - current value can't be more than \$1,000;
- 298.3 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 298.4 (20) tools you need to work in your business or profession - the total value can't be more
- 298.5 than \$13,500;
- 298.6 (21) household tools and equipment - things like hand and power tools, snow removal
- 298.7 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 298.8 (22) health savings accounts, medical savings accounts - the total value can't be more
- 298.9 than \$25,000.

298.10 Sec. 20. Minnesota Statutes 2024, section 571.932, subdivision 2, is amended to read:

298.11 Subd. 2. **Service.** The creditor's motion to obtain an order of garnishment together with

298.12 the creditor's affidavit and notice of hearing must be served in the manner prescribed for

298.13 service of a summons in a civil action in district court unless that service is impracticable

298.14 or would be ineffective and the court prescribes an alternative method of service calculated

298.15 to provide actual notice to the debtor. If the debtor has already appeared in the action, the

298.16 motion must be served in the manner prescribed for service of pleadings subsequent to the

298.17 summons. The date of the hearing must be fixed in accordance with rule 6 of the Minnesota

298.18 Rules of Civil Procedure for the District Courts, unless a different date is fixed by order of

298.19 the court.

298.20 The notice of hearing served upon the debtor shall be signed by the creditor or the

298.21 attorney for the creditor and shall provide, at a minimum, the following information in

298.22 substantially the following language:

298.23 ~~NOTICE OF HEARING~~

298.24 **Hearing Notice**

298.25 TO: .....

298.26 ~~(the debtor)~~ (debtor's full name)

298.27 ~~A hearing will be held (insert place) on (insert date) at (insert time) to determine whether~~

298.28 ~~nonexempt property belonging to you will be garnished to secure a judgment that may be~~

298.29 ~~entered against you.~~

298.30 There will be a hearing to decide if your nonexempt property will be garnished to help

298.31 pay a judgment that may be entered against you.

299.1 The hearing will be at:

299.2 Place: ..... Date: ..... Time: .....

299.3 You ~~may attend~~ can go to the court hearing alone or with ~~an attorney~~ a lawyer. ~~After~~  
299.4 ~~you have presented your side of the matter, the court will decide whether~~ You get to tell  
299.5 the court your side of the issue. Then the court decides if your property should be garnished  
299.6 until the lawsuit which has been commenced against you is finally decided.

299.7 If the court ~~directs the issuance of~~ issues a garnishment summons ~~while~~ during the  
299.8 lawsuit is ~~pending~~, you ~~may still~~ can keep the property until the lawsuit is decided if you  
299.9 file a bond ~~in an amount~~. The amount of the bond is set by the court.

299.10 **If you DO NOT ATTEND THIS don't go to this hearing, the court may order**  
299.11 **garnishment of your nonexempt property TO BE GARNISHED.**

299.12 **Exemption Notice**

299.13 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt'  
299.14 means protected. The following is a list of some ~~of the more~~ common exemptions. It is not  
299.15 a complete and is subject to list. For full details and dollar amounts set by law see section  
299.16 550.37, and other state and federal laws of the Minnesota Statutes. The dollar amounts  
299.17 ~~contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the~~  
299.18 ~~time of the garnishment~~. If you have questions about an exemption, ~~you should obtain~~  
299.19 ~~competent~~ contact a lawyer for legal advice.

299.20 These things you or your family might have are protected:

299.21 (1) ~~A homestead or the proceeds from the sale of a homestead~~. equity in your home, or  
299.22 money from recently selling your home - up to \$510,000 total;

299.23 (2)(i) all clothing, one watch, utensils, and foodstuffs;

299.24 (ii) household furniture, household appliances, ~~phonographs~~, radios, and computers,  
299.25 tablets, televisions up to a total current value of \$5,850, printers, cell phones, smart phones,  
299.26 and other consumer electronics up to \$12,150 in all; and

299.27 (iii) jewelry - total value can't be more than \$3,308;

299.28 (3) ~~a manufactured (mobile) home used as your home~~. you live in;

299.29 (4) ~~one motor vehicle currently worth less than \$2,600 after deducting any security~~  
299.30 ~~interests~~. counting only the amount you have paid off:

299.31 (i) \$10,000;

- 300.1 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 300.2 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
- 300.3 or
- 300.4 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
- 300.5 to walk;
- 300.6 (5) farm machinery ~~used by an individual principally engaged in farming, or if your~~
- 300.7 main business is farming. Tools, machines, or office furniture used in your business ~~or trade.~~
- 300.8 ~~This exemption is limited to~~ - the total value can't be more than \$13,000;
- 300.9 (6) relief based on need. This includes ~~the~~ :
- 300.10 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),
- 300.11 ~~Work First Program, Medical Assistance (MA);~~ ;
- 300.12 (ii) DWP - MFIP Diversionary Work Program;
- 300.13 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 300.14 (iv) GA - General Assistance (GA); ;
- 300.15 (v) EGA - Emergency General Assistance (EGA); ;
- 300.16 (vi) MSA - Minnesota Supplemental Aid (MSA); ;
- 300.17 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income
- 300.18 ~~(SSI), and Energy Assistance;~~ ;
- 300.19 (viii) EA - Emergency Assistance;
- 300.20 (ix) Energy or Fuel Assistance;
- 300.21 (x) Work Participation Cash Benefit;
- 300.22 (xi) MA - Medical Assistance;
- 300.23 (xii) MinnesotaCare;
- 300.24 (xiii) Medicare Part B - Premium Payments help;
- 300.25 (xiv) Medicare Part D - Extra;
- 300.26 (xv) SSI - Supplemental Security Income;
- 300.27 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 300.28 Family Credit; and
- 300.29 (xvii) Renter's Refund (also called Renter's Property Tax Credit);

301.1 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,  
301.2 between 75-100% is protected depending on how much you earn;

301.3 (8) retirement benefits - the total interest under all plans and contracts can't be more than  
301.4 \$81,000;

301.5 ~~(7)~~ (9) Social Security benefits;

301.6 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;

301.7 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension  
301.8 or annuity;

301.9 ~~(10)~~ (12) life insurance proceeds; that are not more than \$54,000;

301.10 ~~(11) The~~ (13) earnings of your minor child;

301.11 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~  
301.12 like household goods, farm tools, business equipment, a manufactured (mobile) home, or  
301.13 a car); car;

301.14 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious  
301.15 items. Total value can't be more than \$2,000;

301.16 (16) personal library - total value can't be more than \$750;

301.17 (17) musical instruments - total value can't be more than \$2,000;

301.18 (18) family pets - current value can't be more than \$1,000;

301.19 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;

301.20 (20) tools you need to work in your business or profession - the total value can't be more  
301.21 than \$13,500;

301.22 (21) household tools and equipment - things like hand and power tools, snow removal  
301.23 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and

301.24 (22) health savings accounts, medical savings accounts - the total value can't be more  
301.25 than \$25,000.

301.26 Sec. 21. Laws 2024, chapter 114, article 3, section 101, the effective date, is amended to  
301.27 read:

301.28 **EFFECTIVE DATE.** This section is effective ~~April~~ June 1, 2025, and applies to causes  
301.29 of action commenced on or after that date.

301.30 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2025.

302.1

Sec. 22. CONSTRUCTION AND APPLICATION.

302.2

The forms in sections 1 to 20 must be made available on the state court website on or

302.3

before June 1, 2025. The failure to use the forms as amended by sections 1 to 20 before

302.4

June 1, 2025, is not a basis for a complaint or violation of a federal statute, Minnesota

302.5

Statutes, or the Minnesota Rules of Professional Conduct.

302.6

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

302.7

Sec. 23. EFFECTIVE DATE.

302.8

Sections 1 to 20 are effective June 1, 2025. "

302.9

Amend the title accordingly