

## NINETY-FIFTH DAY

St. Paul, Minnesota, Monday, April 25, 2022

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Ruud imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Phil Shaw.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Draheim	Ingebrigtsen	Marty	Rest
Anderson	Duckworth	Isaacson	Mathews	Rosen
Bakk	Dziedzic	Jasinski	McEwen	Ruud
Benson	Eaton	Johnson	Miller	Senjem
Bigham	Eichorn	Johnson Stewart	Murphy	Tomassoni
Carlson	Eken	Kent	Nelson	Torres Ray
Chamberlain	Fateh	Kiffmeyer	Newman	Utke
Champion	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Kunesh	Pappas	Wiger
Cwodzinski	Hawj	Lang	Port	Wiklund
Dahms	Hoffman	Latz	Pratt	
Dibble	Housley	Limmer	Putnam	
Dornink	Howe	López Franzen	Rarick	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Benson, Clausen, Fateh, Goggin, Johnson, Lang, Pratt, and Tomassoni.

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**REPORTS OF COMMITTEES**

Senator Miller moved that the Committee Report at the Desk be now adopted. The motion prevailed.

**Senator Miller, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 961** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
961	1040				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 961 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 961, the third engrossment; and insert the language after the enacting clause of S.F. No. 1040; further, delete the title of H.F. No. 961, the third engrossment; and insert the title of S.F. No. 1040.

And when so amended H.F. No. 961 will be identical to S.F. No. 1040, and further recommends that H.F. No. 961 be given its second reading and substituted for S.F. No. 1040, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

## **SECOND READING OF HOUSE BILLS**

H.F. No. 961 was read the second time.

## **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

### **Senators Koran and Housley introduced--**

**S.F. No. 4536:** A bill for an act relating to capital investment; appropriating money for a new regional public safety training center for the Lakes Area Police Commission; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

### **Senator Duckworth introduced--**

**S.F. No. 4537:** A bill for an act relating to education; providing for nonexclusionary discipline; amending Minnesota Statutes 2020, section 121A.61, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Finance and Policy.

**MOTIONS AND RESOLUTIONS**

Pursuant to Rule 5.1, Senator Miller, with the concurrence of the chief author, moved that S.F. No. 4045 be withdrawn from the Committee on Rules and Administration, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 4045 was read the second time.

Senator Miller, for Senator Pratt, moved that S.F. No. 4091, No. 98 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator López Franzen moved that S.F. No. 4521 be withdrawn from the Committee on Judiciary and Public Safety Finance and Policy, given a second reading, and placed on General Orders.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Eaton	Johnson Stewart	McEwen	Torres Ray
Carlson	Eken	Kent	Murphy	Wiger
Champion	Fateh	Klein	Newton	Wiklund
Clausen	Frentz	Kunesh	Pappas	
Cwodzinski	Hawj	Latz	Port	
Dibble	Hoffman	López Franzen	Putnam	
Dziedzic	Isaacson	Marty	Rest	

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Clausen and Fateh.

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Benson, Goggin, Johnson, Lang, Miller, Pratt, and Tomassoni.

The motion did not prevail.

**MOTIONS AND RESOLUTIONS - CONTINUED****SPECIAL ORDERS**

Pursuant to Rule 26, Senator Housley, designee of the Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. No. 2673.

### SPECIAL ORDER

**S.F. No. 2673:** A bill for an act relating to public safety; amending certain statutes regarding public safety, criminal justice, and corrections; establishing new crimes and expanding existing ones; modifying sentencing provisions; modifying fees; requiring reporting; authorizing pilot projects; providing for grant programs; appropriating money for the judiciary, public safety, public defenders, sentencing guidelines, and corrections; amending Minnesota Statutes 2020, sections 13A.02, subdivisions 1, 2; 144.6586, subdivision 2; 169A.44; 169A.51, subdivisions 3, 4, by adding a subdivision; 171.174; 171.177, subdivisions 1, 3, 4, 5, 8, 12, 14; 171.306, by adding a subdivision; 244.01, subdivision 8; 244.05, subdivisions 4, 5; 244.09, subdivisions 2, 11, by adding subdivisions; 244.101, subdivision 1; 244.14, subdivision 3; 244.171, subdivision 4; 357.021, subdivision 2; 517.08, subdivision 1c; 609.035, subdivision 1, by adding a subdivision; 609.106, subdivision 2; 609.1095, subdivisions 2, 3, 4, by adding a subdivision; 609.11, subdivision 8, by adding a subdivision; 609.115, subdivision 2a; 609.2231, subdivisions 2, 3; 609.35; 609.487, subdivision 5, by adding a subdivision; 609.52, subdivisions 3, 3a; 609.527, subdivision 1, by adding a subdivision; 609.582, subdivisions 3, 4; 609B.205; 626.15; Minnesota Statutes 2021 Supplement, sections 357.021, subdivision 1a; 609.135, subdivision 2; 609.2325, subdivision 1; 609.5151; proposing coding for new law in Minnesota Statutes, chapters 299A; 388; 609; 626.

Senator Limmer moved to amend S.F. No. 2673 as follows:

Page 5, line 8, delete "105,185,000" and insert "108,185,000"

The motion prevailed. So the amendment was adopted.

Senator Duckworth moved to amend S.F. No. 2673 as follows:

Page 7, line 32, delete "\$2,500,000" and insert "\$2,000,000"

Page 16, line 9, delete "\$2,500,000" and insert "\$2,000,000"

Page 18, after line 31, insert:

**"(v) Public Safety Officers; Benefits**

\$1,000,000 is for costs associated with the amendments to Minnesota Statutes, section 299A.41, made in sections 13 to 15."

Page 21, after line 16, insert:

"Sec. 13. Minnesota Statutes 2020, section 299A.41, subdivision 3, is amended to read:

Subd. 3. **Killed in the line of duty.** (a) "Killed in the line of duty" does not include deaths from natural causes, except as provided in this subdivision. In the case of a public safety officer, killed in the line of duty includes the death of a public safety officer caused by accidental means while the public safety officer is acting in the course and scope of duties as a public safety officer.

(b) Killed in the line of duty also means if a public safety officer dies as the direct and proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty if:

(1) that officer, while on duty:

(i) engaged in a situation, and that engagement involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

(ii) participated in a training exercise, and that participation involved nonroutine stressful or strenuous physical activity;

(2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:

(i) while engaging or participating under clause (1);

(ii) while still on duty after engaging or participating under clause (1); or

(iii) not later than 24 hours after engaging or participating under clause (1); and

(3) the presumption is not overcome by competent medical evidence to the contrary.

(c) Killed in the line of duty also means if a public safety officer dies as a result of suicide when:

(1) a licensed mental health provider previously diagnosed the officer with post-traumatic stress disorder; and

(2) the officer's mental health provider determined the post-traumatic stress disorder resulted from the officer's work as a public safety officer.

As used in this paragraph, "public safety officer" includes only the individuals described in subdivision 4, clauses (1), (2), (3), (4), (6), (8), and (9).

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

Sec. 14. Minnesota Statutes 2020, section 299A.41, is amended by adding a subdivision to read:

Subd. 3a. **Post-traumatic stress disorder.** "Post-traumatic stress disorder" means the condition as described in the most recently published edition of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

Sec. 15. Minnesota Statutes 2020, section 299A.41, subdivision 4, is amended to read:

Subd. 4. **Public safety officer.** Except as provided in subdivision 3, paragraph (c), "public safety officer" includes:

(1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (d);

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) an individual employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:

- (i) firefighting;
- (ii) emergency motor vehicle operation;
- (iii) investigation into the cause and origin of fires;
- (iv) the provision of emergency medical services; or
- (v) hazardous material responder;

(4) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

(5) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

(6) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

(7) a driver or attendant with a licensed basic or advanced life-support transportation service who is engaged in providing emergency care;

(8) a first responder who is certified by the emergency medical services regulatory board to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; and

(9) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the State Patrol, whose primary employment duty is either Capitol security or the enforcement of commercial motor vehicle laws and regulations.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017."

Page 28, after line 6, insert:

"Sec. 23. **EXCEPTION TO TOLLING PERIOD.**

Notwithstanding Minnesota Statutes, section 299A.47, a claim for benefits may be made from the public safety officer's death benefit account by or on behalf of a survivor of a public safety officer who died by suicide between January 1, 2017, and June 30, 2022, within two years of the effective date of this act if the officer is considered killed in the line of duty under the changes made in sections 13 to 15."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 2673 as follows:

Page 36, after line 10, insert:

"Sec. 15. Minnesota Statutes 2020, section 609.06, subdivision 1, is amended to read:

Subdivision 1. **When authorized.** Except as otherwise provided in subdivisions 2 ~~and 3~~ to 4, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

(1) when used by a public officer or one assisting a public officer under the public officer's direction:

(i) in effecting a lawful arrest; or

(ii) in the execution of legal process; or

(iii) in enforcing an order of the court; or

(iv) in executing any other duty imposed upon the public officer by law; or

(2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or

(3) when used by any person in resisting or aiding another to resist an offense against the person; or

(4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or

(5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or

(6) when used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or

(7) when used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date

Sec. 16. Minnesota Statutes 2020, section 609.06, is amended by adding a subdivision to read:

**Subd. 4. Use of force not authorized; reaction to victim's sexual orientation.** Force may not be used against another based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, including gender identity and expression, including under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the actor, or if the actor and victim dated or had a romantic or sexual relationship.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 17. Minnesota Statutes 2020, section 609.075, is amended to read:

**609.075 DEFENSES; INTOXICATION AS DEFENSE, REACTION TO VICTIM'S SEXUAL ORIENTATION.**

**Subdivision 1. Intoxication as defense.** An act committed while in a state of voluntary intoxication is not less criminal by reason thereof, but when a particular intent or other state of mind is a necessary element to constitute a particular crime, the fact of intoxication may be taken into consideration in determining such intent or state of mind.

**Subd. 2. Reaction to victim's sexual orientation.** It is not a defense to a crime that the defendant acted based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, including gender identity and expression, including under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the defendant, or if the defendant and victim dated or had a romantic or sexual relationship.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date."

Page 42, after line 34, insert:

"Sec. 27. Minnesota Statutes 2020, section 609.20, is amended to read:

**609.20 MANSLAUGHTER IN THE FIRST DEGREE.**

Whoever does any of the following is guilty of manslaughter in the first degree and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000, or both:



(1) intentionally causes the death of another person in the heat of passion provoked by such words or acts of another as would provoke a person of ordinary self-control under like circumstances, provided that:

(i) the crying of a child; or

(ii) the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, including gender identity and expression, including under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the actor, or if the actor and victim dated or had a romantic or sexual relationship;

does not constitute provocation;

(2) violates section 609.224 and causes the death of another or causes the death of another in committing or attempting to commit a misdemeanor or gross misdemeanor offense with such force and violence that death of or great bodily harm to any person was reasonably foreseeable, and murder in the first or second degree was not committed thereby;

(3) intentionally causes the death of another person because the actor is coerced by threats made by someone other than the actor's coconspirator and which cause the actor reasonably to believe that the act performed by the actor is the only means of preventing imminent death to the actor or another;

(4) proximately causes the death of another, without intent to cause death by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance classified in Schedule III, IV, or V; or

(5) causes the death of another in committing or attempting to commit a violation of section 609.377 (malicious punishment of a child), and murder in the first, second, or third degree is not committed thereby.

As used in this section, a "person of ordinary self-control" does not include a person under the influence of intoxicants or a controlled substance.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

Bigham	Dibble	Fateh	Johnson Stewart	López Franzen
Carlson	Duckworth	Frentz	Kent	Marty
Champion	Dziedzic	Hawj	Klein	McEwen
Clausen	Eaton	Hoffman	Kunesh	Murphy
Cwodzinski	Eken	Isaacson	Latz	Newton

Pappas  
Port

Putnam  
Rest

Torres Ray  
Wiger

Wiklund

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Clausen and Fateh.

Those who voted in the negative were:

Abeler	Dornink	Ingebrigtsen	Mathews	Rosen
Anderson	Draheim	Jasinski	Miller	Ruud
Bakk	Eichorn	Johnson	Nelson	Senjem
Benson	Gazelka	Kiffmeyer	Newman	Tomassoni
Chamberlain	Goggin	Koran	Osmek	Utke
Coleman	Housley	Lang	Pratt	Weber
Dahms	Howe	Limmer	Rarick	Westrom

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Benson, Goggin, Johnson, Miller, Pratt, and Tomassoni.

The motion did not prevail. So the amendment was not adopted.

Senator Ingebrigtsen moved to amend S.F. No. 2673 as follows:

Page 55, after line 24, insert:

"Sec. 39. **[617.2471] CONDITIONS OF PROBATION.**

When sentencing a person convicted of violating any provision of section 617.246 or 617.247, where the court is not committing the person to the custody of the commissioner of corrections, the court shall consider the following for inclusion as a condition of probation:

(1) incarceration in a local jail;

(2) completion of an appropriate sex offender or psycho-sexual offender evaluation, with the requirement that all recommendations be successfully completed; and

(3) prohibition on the person having contact with minors, including a complete prohibition, a prohibition on unsupervised contact, or a prohibition on contact that has not been approved in advance by the person's probation officer.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dziejdzic moved to amend S.F. No. 2673 as follows:

Page 56, after line 25, insert:

"Sec. 41. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision to read:

Subd. 1b. **Prohibition against retaliation; employers.** (a) An employer or supervisor shall not discharge, discipline, threaten, retaliate, otherwise discriminate against, or penalize a peace officer regarding the officer's compensation, terms, conditions, location, or privileges of employment because the officer interceded or made a report in compliance with section 626.8475 or a policy adopted under subdivision 1a regarding another employee or peace officer who used excessive force.

(b) A court may order the employer or supervisor to pay back wages and offer job reinstatement to any officer discharged from employment in violation of paragraph (a).

(c) In addition to any remedies otherwise provided by law, a peace officer injured by a violation of paragraph (a) may bring a civil action for recovery of damages together with costs and disbursements, including reasonable attorney fees, and may receive injunctive and other equitable relief, including reinstatement, as determined by the court.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes of action accruing on or after that date.

Sec. 42. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision to read:

Subd. 1c. **Prohibition against retaliation; fellow officers.** (a) A peace officer or employee of a law enforcement agency may not threaten, harass, retaliate, or otherwise discriminate against a peace officer because the officer interceded or made a report in compliance with section 626.8475 or a policy adopted under subdivision 1a regarding another employee or peace officer who used excessive force.

(b) A person who violates paragraph (a) is subject to disciplinary action as determined by the chief law enforcement officer of the agency employing the person.

(c) A peace officer who is the victim of conduct prohibited in paragraph (a) may bring a civil action for recovery of damages together with costs and disbursements, including reasonable attorney fees, and may receive injunctive and other equitable relief as determined by the court.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes of action accruing on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 2673 as follows:

Page 5, delete lines 9 to 30

Page 5, line 31, delete "(b)" and insert "(a)"

Page 6, line 21, delete "(c)" and insert "(b)"

Page 7, line 10, delete "(d)" and insert "(c)"

Page 7, line 31, delete "(e)" and insert "(d)"

Page 8, line 1, delete "(f)" and insert "(e)"

Page 8, line 32, delete "(g)" and insert "(f)"

Page 9, line 1, delete "(h)" and insert "(g)"

Page 9, line 4, delete "(i)" and insert "(h)"

Page 9, line 10, delete "(j)" and insert "(i)"

Page 10, line 26, delete "(k)" and insert "(j)"

Page 10, line 32, delete "(l)" and insert "(k)"

Page 12, line 7, delete "(m)" and insert "(l)"

Page 14, line 17, delete "(n)" and insert "(m)"

Page 16, line 8, delete "(o)" and insert "(n)"

Page 16, line 11, delete "(p)" and insert "(o)"

Page 17, line 9, delete "(q)" and insert "(p)"

Page 17, line 32, delete "(r)" and insert "(q)"

Page 18, line 12, delete "(s)" and insert "(r)"

Page 18, line 17, delete "(t)" and insert "(s)"

Page 18, line 23, delete "(u)" and insert "(t)"

Correct the section totals and the appropriation summary

Senator Pappas moved to amend the Pappas amendment to S.F. No. 2673 as follows:

Page 1, after line 22, insert:

"Page 18, after line 31, insert:

**"(u) Crossover and Dual-Status Youth Model Grants**

\$1,000,000 is to provide grants to local units of government to initiate or expand crossover youth practice model and dual-status youth

programs that provide services for youth who are in both the child welfare and juvenile justice systems, in accordance with the Robert F. Kennedy National Resource Center for Juvenile Justice model. This is a onetime appropriation."

The question was taken on the adoption of the Pappas amendment to the Pappas amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Eaton	Johnson Stewart	McEwen	Torres Ray
Carlson	Eken	Kent	Murphy	Wiger
Champion	Fateh	Klein	Newton	Wiklund
Clausen	Frentz	Kunesh	Pappas	
Cwodzinski	Hawj	Latz	Port	
Dibble	Hoffman	López Franzen	Putnam	
Dziedzic	Isaacson	Marty	Rest	

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Clausen, Fateh, and Isaacson.

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Benson, Johnson, Tomassoni, and Utke.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Pappas withdrew her first amendment.

### CALL OF THE SENATE

Senator Latz imposed a call of the Senate for the balance of the proceedings on S.F. No. 2673. The Sergeant at Arms was instructed to bring in the absent members.

Senator Bigham moved to amend S.F. No. 2673 as follows:

Page 65, after line 5, insert:

**"ARTICLE 4****FENTANYL-RELATED CHANGES**

Section 1. Minnesota Statutes 2020, section 152.01, is amended by adding a subdivision to read:

Subd. 25. **Fentanyl.** As used in sections 152.021 to 152.025, "fentanyl" includes fentanyl, carfentanil, and any fentanyl analogs and fentanyl-related substances listed in section 152.02, subdivisions 2 and 3.

Sec. 2. Minnesota Statutes 2020, section 152.021, subdivision 1, is amended to read:

Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the first degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 17 grams or more containing cocaine or methamphetamine;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves two aggravating factors;

(3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing heroin or fentanyl;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

(5) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 200 or more dosage units; or

(6) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2020, section 152.021, subdivision 2, is amended to read:

Subd. 2. **Possession crimes.** (a) A person is guilty of a controlled substance crime in the first degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves two aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing heroin or fentanyl;

(4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 500 or more dosage units; or

(6) the person unlawfully possesses one or more mixtures of a total weight of 50 kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 500 or more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 4. Minnesota Statutes 2020, section 152.022, subdivision 1, is amended to read:

Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the second degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than heroin or fentanyl;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of three grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves three aggravating factors;

(3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of three grams or more containing heroin or fentanyl;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or more dosage units;

(5) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten kilograms or more containing marijuana or Tetrahydrocannabinols;

(6) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a person under the age of 18, or conspires with or employs a person under the age of 18 to unlawfully sell the substance; or

(7) the person unlawfully sells any of the following in a school zone, a park zone, a public housing zone, or a drug treatment facility:

(i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD), 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine;

(ii) one or more mixtures containing methamphetamine or amphetamine; or

(iii) one or more mixtures of a total weight of five kilograms or more containing marijuana or Tetrahydrocannabinols.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2020, section 152.022, subdivision 2, is amended to read:

Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the second degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of ten grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves three aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of six grams or more containing heroin or fentanyl;

(4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;



(5) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 100 or more dosage units; or

(6) the person unlawfully possesses one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 100 or more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2020, section 152.023, subdivision 2, is amended to read:

Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the third degree if:

(1) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than heroin or fentanyl;

(2) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures of a total weight of three grams or more containing heroin or fentanyl;

(3) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures containing a narcotic drug, it is packaged in dosage units, and equals 50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully possesses any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid diethylamide (LSD), 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone, or a drug treatment facility;

(5) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures of a total weight of ten kilograms or more containing marijuana or Tetrahydrocannabinols; or

(6) the person unlawfully possesses one or more mixtures containing methamphetamine or amphetamine in a school zone, a park zone, a public housing zone, or a drug treatment facility.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date.

Sec. 7. Minnesota Statutes 2020, section 152.025, subdivision 4, is amended to read:

Subd. 4. **Penalty.** (a) A person convicted under the provisions of subdivision 2, clause (1), who has not been previously convicted of a violation of this chapter or a similar offense in another jurisdiction, is guilty of a gross misdemeanor if: (1) the amount of the controlled substance possessed, other than heroin or fentanyl, is less than 0.25 grams or one dosage unit or less if the controlled substance was possessed in dosage units; or (2) the controlled substance possessed is heroin or fentanyl and the amount possessed is less than 0.05 grams.

(b) A person convicted under the provisions of subdivision 1; subdivision 2, clause (1), unless the conduct is described in paragraph (a); or subdivision 2, clause (2), may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes committed on or after that date."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 62 and nays 5, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Ingebrigtsen	Marty	Rest
Anderson	Draheim	Isaacson	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Ruud
Benson	Dziedzic	Johnson	Murphy	Senjem
Bigham	Eichorn	Johnson Stewart	Nelson	Tomassoni
Carlson	Eken	Kent	Newman	Utke
Chamberlain	Frentz	Kiffmeyer	Newton	Weber
Champion	Gazelka	Klein	Osmek	Westrom
Clausen	Goggin	Koran	Pappas	Wiger
Coleman	Hawj	Lang	Port	Wiklund
Cwodzinski	Hoffman	Latz	Pratt	
Dahms	Housley	Limmer	Putnam	
Dibble	Howe	López Franzen	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Benson, Tomassoni, and Utke.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senator: Clausen.

Those who voted in the negative were:

Eaton	Fateh	Kunesh	McEwen	Torres Ray
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Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senator: Fateh.

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 2673 as follows:

Page 9, delete lines 10 to 33

Page 10, delete lines 1 to 25

Page 10, line 26, delete "(k)" and insert "(j)"

Page 10, line 32, delete "(l)" and insert "(k)"

Page 12, line 7, delete "(m)" and insert "(l)"

Page 14, line 17, delete "(n)" and insert "(m)"

Page 16, line 8, delete "(o)" and insert "(n)"

Page 16, line 11, delete "(p)" and insert "(o)"

Page 17, line 9, delete "(q)" and insert "(p)"

Page 17, line 32, delete "(r)" and insert "(q)"

Page 18, line 12, delete "(s)" and insert "(r)"

Page 18, line 17, delete "(t)" and insert "(s)"

Page 18, line 23, delete "(u)" and insert "(t)"

Correct the section totals and the appropriation summary

Senator Pappas moved to amend the third Pappas amendment to S.F. No. 2673 as follows:

Page 1, after line 1, insert:

"Page 9, after line 9, insert:

**"(j) Direct Assistance to Crime Victim Survivors**

\$3,000,000 is to award grants to victim survivors of crime to support the needs of victim survivors and mitigate the impacts of crime on those individuals. The eligibility requirements for grant recipients and mechanism for distribution of funds shall be developed by the director of the office of justice programs in consultation with Violence Free Minnesota, the Minnesota Coalition Against Sexual Assault, Minnesota Alliance on Crime, the Minnesota Indian Women Sexual Assault Coalition, and Sacred Hoop Coalition. This is a onetime appropriation."

Page 1, delete lines 4 to 14

The question was taken on the adoption of the Pappas amendment to the third Pappas amendment.

The roll was called, and there were yeas 30 and nays 37, as follows:

Those who voted in the affirmative were:

Carlson	Eaton	Isaacson	López Franzen	Port
Champion	Eken	Johnson Stewart	Marty	Putnam
Clausen	Fateh	Kent	McEwen	Rest
Cwodzinski	Frentz	Klein	Murphy	Torres Ray
Dibble	Hawj	Kunesh	Newton	Wiger
Dziedzic	Hoffman	Latz	Pappas	Wiklund

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Clausen, Fateh, and López Franzen.

Those who voted in the negative were:

Abeler	Dornink	Ingebrigtsen	Miller	Senjem
Anderson	Draheim	Jasinski	Nelson	Tomassoni
Bakk	Duckworth	Johnson	Newman	Utke
Benson	Eichorn	Kiffmeyer	Osmek	Weber
Bigham	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Benson, Tomassoni, and Utke.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Pappas withdrew her third amendment.

Senator Dibble moved to amend S.F. No. 2673 as follows:

Page 8, line 33, delete "\$5,000,000" and insert "\$10,750,000"

Page 8, line 35, after the period, insert "The base for this is \$14,300,000 in fiscal year 2024 and thereafter."

Pursuant to Rule 7.4, Senator Limmer questioned whether the Dibble amendment was in order. The President ruled the amendment was out of order.

Senator Latz moved to amend S.F. No. 2673 as follows:

Delete everything after the enacting clause and insert:

## **"ARTICLE 1**

### **CRIMINAL JUSTICE AND PUBLIC SAFETY APPROPRIATIONS; GRANTS**

#### Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are added to or, if shown in parentheses, subtracted from the appropriations in Laws 2021, First Special Session chapter 11, article 1, to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the addition to or subtraction from the appropriation listed under them is available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year end June 30, 2022, or June 30, 2023, respectively. Supplemental appropriations and reductions to appropriations for the fiscal year ending June 30, 2022, are effective the day following final enactment.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2022</u></b>	<b><u>2023</u></b>
<b><u>Sec. 2. SUPREME COURT</u></b>		
Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>-0- \$ 12,731,000</u></b>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions. The general fund base is \$73,901,000 in fiscal year 2024 and \$73,901,000 in fiscal year 2025.</u>		
Subd. 2. <b><u>Supreme Court Operations</u></b>		<b><u>-0- 964,000</u></b>
Subd. 3. <b><u>Civil Legal Services</u></b>		<b><u>-0- 11,767,000</u></b>
<b><u>Base Adjustment</u></b>		
<u>The general fund base is \$29,553,000 in fiscal year 2024 and \$29,553,000 in fiscal year 2025.</u>		
Sec. 3. <b><u>COURT OF APPEALS</u></b>	<b><u>\$</u></b>	<b><u>-0- \$ 262,000</u></b>
Sec. 4. <b><u>DISTRICT COURTS</u></b>	<b><u>\$</u></b>	<b><u>-0- \$ 6,216,000</u></b>
Sec. 5. <b><u>GUARDIAN AD LITEM BOARD</u></b>	<b><u>\$</u></b>	<b><u>-0- \$ 379,000</u></b>
Sec. 6. <b><u>BOARD OF PUBLIC DEFENSE</u></b>	<b><u>\$</u></b>	<b><u>1,740,000 \$ 2,266,000</u></b>
Sec. 7. <b><u>HUMAN RIGHTS</u></b>	<b><u>\$</u></b>	<b><u>-0- \$ 2,543,000</u></b>
<b><u>Base Adjustment</u></b>		

The general fund base is \$7,467,000 in fiscal year 2024 and \$7,467,000 in fiscal year 2025.

Sec. 8. **PUBLIC SAFETY**

**Subdivision 1. Total Appropriation**

**\$ -0- \$ 72,262,000**

The amounts that may be spent for each purpose are specified in the following subdivisions.

**Subd. 2. Emergency Management**

**-0- 5,000,000**

The base appropriation from the general fund is \$4,083,000 in fiscal year 2024 and fiscal year 2025.

**(a) Local Government Emergency Management**

\$3,000,000 in fiscal year 2023 is to the commissioner of public safety for the director of the Homeland Security and Emergency Management Division (HSEM) to award grants in equal amounts to the emergency management organizations of the 87 counties, 11 federally recognized Tribes, and four cities of the first class for planning and preparedness activities, including capital purchases. Local emergency management organizations must make a request to HSEM for these grants. Current local funding for emergency management and preparedness activities may not be supplanted by these additional state funds. The commissioner may use up to one percent of the appropriation received under this paragraph to pay costs incurred by the department in administering the local government emergency management grant program.

By March 15, 2023, the commissioner of public safety must submit a report on the grant awards to the chairs and ranking minority members of the legislative committees with jurisdiction over emergency management and preparedness activities. At a minimum, the report must identify grant

recipients, summarize grantee activities, and recommend whether or not to continue the grant program in future years.

This appropriation is onetime.

**(b) First Responder Wellness Office**

\$2,000,000 in fiscal year 2023 is to establish an office that would provide leadership and resources for improving the mental health of first responders statewide.

**Subd. 3. Criminal Apprehension**

-0-

16,339,000

The base appropriation from the general fund is \$84,634,000 in fiscal year 2024 and fiscal year 2025.

**(a) Violent Crime Reduction Support**

\$9,762,000 in fiscal year 2023 is to support violent crime reduction strategies. This includes funding for staff and supplies to enhance forensic, analytical, and investigations capacity, and financially support investigative partnerships to form an investigative partnership with other law enforcement agencies to address violent crime.

**(b) BCA Accreditation**

\$186,000 in fiscal year 2023 is to support the Bureau of Criminal Apprehension to achieve and maintain law enforcement accreditation from an accreditation body. This includes funding for staff, accreditation costs, and supplies.

**(c) Cybersecurity Upgrades**

\$2,391,000 in fiscal year 2023 is for identity and access management, critical infrastructure upgrades, and Federal Bureau of Investigation audit compliance. This appropriation is available through June 30, 2024.

**(d) Use of Force Simulation Technology**

\$4,000,000 in fiscal year 2023 is to purchase mobile simulator technology for law enforcement training and support for supplies, staff, and operational expenses to conduct training using the technology.

<b><u>Subd. 4. Fire Marshal</u></b>	<u>-0-</u>	<u>150,000</u>
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**Bomb Squad Reimbursements**

\$150,000 in fiscal year 2023 is for reimbursements to local governments for bomb squad services.

<b><u>Subd. 5. Alcohol and Gambling Enforcement</u></b>	<u>-0-</u>	<u>510,000</u>
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<b><u>Subd. 6. Office of Justice Programs</u></b>	<u>-0-</u>	<u>50,263,000</u>
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The base appropriation from the general fund is \$89,759,000 in fiscal year 2024 and \$82,259,000 in fiscal year 2025.

**(a) Minnesota Heals**

\$4,200,000 in fiscal year 2023 is to establish the Minnesota Heals program, including: \$1,400,000 for a statewide community healing program; \$1,400,000 for statewide critical incident stress management services for first responders; and \$1,400,000 for grants for trauma services and burial costs following officer-involved deaths. This appropriation may be used for new staff to support these programs.

**(b) Domestic Violence Housing First Grants**

\$500,000 in fiscal year 2023 is to establish a domestic violence housing first program to provide resources for survivors of domestic violence and sexual violence to access safe and stable housing, and program staff to help provide mobile advocacy and expertise in housing resources in their communities.



**(c) Transitional Supportive Housing for Survivors of Domestic Violence and Sexual Violence**

\$750,000 in fiscal year 2023 is to develop and support medium- to long-term transitional housing for survivors of domestic and sexual violence and to provide advocacy services for survivors.

**(d) General Crime and Trauma Recovery Grants Funding**

\$1,000,000 in fiscal year 2023 is for programs supporting victims of general crime. These funds may also be used to establish trauma recovery centers in the state to support victims of violent crime who experience trauma and are in need of services and provide new staff to support these programs.

**(e) Youth Development Grants**

\$3,000,000 in fiscal year 2023 is to provide grants to programs serving youth and youth violence intervention and prevention. Priority for these funds must be given to programs that employ or utilize trauma-informed therapists to support the youth the programs serve. These funds may be used to administer these grants.

**(f) Community-Based Public Safety Grants**

\$10,000,000 in fiscal year 2023 is to provide community-based crime prevention grants.

**(g) Crossover and Dual-status Youth Model Grants**

\$1,000,000 in fiscal year 2023 is to provide grants to local units of government to initiate or expand crossover youth practice model and dual-status youth programs that provide services for youth who are in both the child welfare and juvenile justice systems, in accordance with the Robert F. Kennedy

National Resource Center for Juvenile Justice model.

**(h) Disparities Reduction and Delinquency Prevention Grants**

\$900,000 in fiscal year 2023 is to provide grants dedicated to disparities reduction and delinquency prevention programming, in accordance with Minnesota Statutes, section 299A.72.

**(i) Domestic Violence and Sexual Assault Intervention and Prevention Grants**

\$12,500,000 in fiscal year 2023 is to provide grants to programs serving victims of domestic violence, sexual assault, child abuse, and general crime. These funds may be used for program administration, including new staff and housing specialists and other program staff, and to help programs impacted by reductions in federal funding.

**(j) Prevention, Intervention, Enforcement Community Policing Grants**

\$10,000,000 in fiscal year 2023 is for grants to address violent crime and drug-related crime through crime prevention and intervention strategies using social services and economic revitalization.

**(k) Alternatives to Juvenile Detention - Community Outpost Grants**

\$2,000,000 in fiscal year 2023 is to establish and maintain community outpost houses as alternatives to juvenile detention.

**(l) Alternatives to Juvenile Detention - Youth Conflict Resolution Centers Grants**

\$2,800,000 in fiscal year 2023 is to establish and maintain youth conflict resolution centers as alternatives to juvenile detention.

**Sec. 9. PEACE OFFICER STANDARDS AND TRAINING (POST) BOARD**

\$

165,000 \$

-0-

95TH DAY]

MONDAY, APRIL 25, 2022

7469

Sec. 10. <b><u>PRIVATE DETECTIVE BOARD</u></b>	<b><u>\$</u></b>	<b><u>80,000</u></b>	<b><u>\$</u></b>	<b><u>18,000</u></b>
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\$80,000 in fiscal year 2022 is to purchase and implement a record management system. This is a onetime appropriation and is available until June 30, 2023.

Sec. 11. **CORRECTIONS**

Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>1,150,000</u></b>	<b><u>\$</u></b>	<b><u>22,293,000</u></b>
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**Base Adjustment**

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. <b><u>Incarceration and Prerelease Services</u></b>		<b><u>-0-</u></b>		<b><u>5,530,000</u></b>
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**(a) Base Adjustment**

The general fund base for incarceration and prerelease services is \$476,413,000 in fiscal year 2024 and \$476,861,000 in fiscal year 2025.

**(b) Body-worn Camera Program**

\$1,500,000 in fiscal year 2023 is to implement a body-worn camera program for uniformed correctional security personnel and community-based supervision agents. The program will be phased in over four years. The base appropriation is \$1,000,000 in each of fiscal years 2024, 2025, and 2026.

**(c) Family Support Unit**

\$280,000 in fiscal year 2023 is to create a family support unit that focuses on family support and engagement for incarcerated individuals and their families.

**(d) Transportation**

\$250,000 in fiscal year 2023 is to reimburse counties as a part of the Interstate Compact for Adult Supervision pursuant to Minnesota

Statutes, section 243.1605. The commissioner of corrections shall reimburse counties for the purposes under Minnesota Statutes, section 243.1605, for transportation expenses incurred related to the in custody return of probationers based on a fee schedule agreed to by the Department of Corrections and the Minnesota Sheriffs' Association. The required in custody return of a probationer as a result of a nationwide warrant pursuant to the Interstate Compact for Adult Supervision shall be by the sheriff of the county in which the proceedings are to be held. The appropriation is not applicable to transport of individuals from pickup locations within 250 miles of the county sheriff's office executing the return. This rider does not expire.

**(e) Higher Education**

\$2,000,000 in fiscal year 2023 is to contract with Minnesota's institutions of higher education to provide instruction to incarcerated individuals in state correctional facilities and to support partnerships with public and private employers, trades programs, and community colleges in providing employment opportunities for individuals after their term of incarceration. Funding must be used for contracts with institutions of higher education and other training providers, and associated reentry and operational support services provided by the agency.

**(f) Family Communication and Support Services**

\$1,500,000 in fiscal year 2023 is to provide communications and related supportive services for incarcerated individuals to connect with family members and other approved support persons or service providers through video visits and phone calls during an individual's incarceration.

**Subd. 3. Community  
Supervision and Postrelease  
Services**

150,000

4,843,000

**(a) Base Adjustment**

The general fund base for Community Supervision and Postrelease Services is \$145,383,000 in fiscal year 2024 and \$145,383,000 in fiscal year 2025.

**(b) Community Corrections Act**

\$1,570,000 is added to the Community Corrections Act subsidy in fiscal year 2023, under Minnesota Statutes, section 401.14. This appropriation is onetime.

**(c) County Probation Officer Reimbursement**

\$123,000 is added to the county probation officer reimbursement program in fiscal year 2023, as described in Minnesota Statutes, section 244.19, subdivision 6. This appropriation is onetime.

**(d) Grants**

\$2,000,000 in fiscal year 2023 is to provide grants for local governments, Tribes, and other community partners to improve availability and access to programming for individuals under community supervision across the state, including community-based treatment and rehabilitative services, use of community-based revocation units, and other innovations in corrections. Of this amount, up to 2.5 percent may be used to administer the grant program.

**(e) Work Release Program**

\$1,000,000 in fiscal year 2023 is to expand the use of the Department of Corrections existing work release program to increase the availability of educational programming for incarcerated individuals who are eligible and approved for work release.

**(f) Healing House**

\$150,000 in fiscal year 2022 and \$150,000 in fiscal year 2023 are to provide project management services in support of the Healing House model. The Healing House provides support and assistance to Native American women who have been victims of trauma. This appropriation is onetime.

**Subd. 4. Organizational, Regulatory, and Administrative Services**1,000,00011,920,000**(a) Base Adjustment**

The general fund base for organizational, regulatory, and administrative services is \$49,950,000 in fiscal year 2024 and \$49,950,000 in fiscal year 2025.

**(b) Technology**

\$1,000,000 in fiscal year 2022 and \$11,000,000 in fiscal year 2023 are to replace or improve existing corrections data management systems that have significant deficiencies, create a statewide public safety information sharing infrastructure, and improve data collection and reportability. \$9,000,000 is added to the base in fiscal year 2026.

In the development, design, and implementation of the statewide public safety data information sharing infrastructure, the department shall, at a minimum, consult with county correctional supervision providers, the judicial branch, the Minnesota Sheriffs' Association, the Minnesota Chiefs of Police Association, and the Bureau of Criminal Apprehension.

**(c) Property Insurance Premiums**

\$650,000 in fiscal year 2023 is to fund cost increases for property insurance premiums at state correctional facilities.

**(d) Project Management Office**

\$230,000 in fiscal year 2023 is to expand the Department of Corrections project management office, including the addition of two project manager full-time-equivalent positions.

**(e) Indeterminate Sentence Release Board**

\$40,000 in fiscal year 2023 is to fund the establishment of an Indeterminate Sentence Release Board (ISRB) to review eligible cases and make release decisions for persons serving indeterminate sentences under the authority of the commissioner of corrections. The ISRB must consist of five members, including four persons appointed by the governor from two recommendations of each of the majority and minority leaders of the house of representatives and the senate, and the commissioner of corrections who shall serve as chair.

Sec. 12. **OMBUDSPERSON FOR CORRECTIONS** §                      **21,000** §                      **12,000**

**ARTICLE 2**

**CRIMINAL JUSTICE AND PUBLIC SAFETY POLICY**

**Section 1. [299A.74] COMMUNITY OUTPOST HOUSE AND YOUTH CONFLICT RESOLUTION CENTER GRANT PROGRAM.**

Subdivision 1. **Title.** This section may be cited as the "Community Outpost Outreach and Engagement, and Youth Conflict Resolution and Empowerment Act."

Subd. 2. **Definitions.** (a) For the purposes of this section, the terms in this subdivision have the meanings given.

(b) "Community outpost house" means a location in the jurisdiction served by a law enforcement agency that is operated by the law enforcement agency in a collaborative manner with nonprofit organizations and other service providers.

(c) "Eligible applicant" means a nonprofit organization or a law enforcement agency applying for a grant jointly with at least one nonprofit organization.

(d) "Youth conflict resolution center" means a location in a jurisdiction that has historically experienced a high volume of youth violent criminal behavior that provides youth services in a collaborative manner and is operated by a nonprofit organization and other service providers.

Subd. 3. **Grant program.** The Office of Justice Programs shall administrator a grant program to fund eligible applicants to establish and operate community outpost houses or youth conflict resolution centers. The purpose of this program is to provide long-term stabilization in the relationship of law enforcement and the community and youth and peers of the youth by:

- (1) building relationships, awareness, and trust with members of the community;
- (2) uniting members of the community and law enforcement;
- (3) improving the quality of life in the neighborhood;
- (4) reducing crime; and
- (5) providing youth with a place to resolve conflict in a positive manner.

Subd. 4. **Uses of funds.** A grant recipient shall operate a community outpost house or youth conflict resolution center to:

- (1) connect with residents and be involved in community outreach programs;
- (2) provide government benefit program consultations;
- (3) provide nursing services and coordination with medical services in the community;
- (4) provide emergency medical services;
- (5) offer space for use by community groups;
- (6) hold events with community partners, including public health services, educational classes or seminars, and tutoring services for youth; and
- (7) provide youth conflict resolution, suicide awareness and counseling, health and wellness, entrepreneurship, leadership, and personal development programming.

Subd. 5. **Community outpost house.** A grant recipient shall certify to the commissioner that a peace officer stationed at a community outpost house:

- (1) has demonstrated communication and problem-solving skills;
- (2) does not have a history of multiple verified instances of excessive force, pursuit, or emergency vehicle operation, or impartial policing and discriminatory conduct; and
- (3) has completed section 626.8469 training in crisis response, conflict management, and cultural diversity to understand the sensitivities of the obligations of a position at the community outpost house.

Subd. 6. **Report.** Beginning on March 1, 2023, and annually thereafter, the commissioner shall submit a report to the legislative committees with jurisdiction over public safety providing information related to the administration of the grant program, including but not limited to the number and names of grant recipients, the impact that community outpost houses and youth conflict resolution centers have had on the relationships between law enforcement officers and the community, and any changes



in the rates of crime in the communities in which community outpost houses and youth conflict resolution centers have been established under this section.

Sec. 2. Minnesota Statutes 2020, section 299C.063, subdivision 2, is amended to read:

Subd. 2. **Expense reimbursement.** The commissioner may reimburse bomb disposal units for reasonable expenses incurred:

(1) to dispose of or neutralize bombs or other similar hazardous explosives for their employer-municipality or for another municipality outside the jurisdiction of the employer-municipality but within the state. Reimbursement is limited to the extent of appropriated funds;

(2) utilizing the services of police explosive detection K-9 assets;

(3) dignitary explosive protection sweeps;

(4) large state event explosive sweeps; and

(5) provide for explosive security at large state events.

Sec. 3. Minnesota Statutes 2020, section 299C.063, is amended by adding a subdivision to read:

Subd. 2a. **Reimbursement limitations.** Reimbursement is limited to the extent of appropriated funds.

Sec. 4. Minnesota Statutes 2020, section 326.3382, subdivision 2, is amended to read:

Subd. 2. **Documents accompanying application.** (a) Each individual signing the application shall submit:

(1) references, on forms provided by the board, from five persons who have known the signer for at least five years, and who are not related by blood or marriage to the signer; ~~and~~

(2) a recent photograph and a full set of fingerprints for each person signing the application. of the signer; and

(3) a full set of fingerprints and written consent for the individual's fingerprints to be submitted to the Bureau of Criminal Apprehension (BCA) and the Federal Bureau of Investigation (FBI) to determine whether the individual has a criminal record. The BCA shall conduct a state and federal criminal history background check of each prospective licensee. The BCA shall determine if the FBI report indicates that the individual was convicted of a disqualifying offense and shall notify the board accordingly. The results of the state criminal history background check shall be provided to the board to determine if the individual is disqualified from holding a license under this chapter.

(b) If the application is for a private detective license, the individual signing the application shall submit a statement under oath by a present or previous employer that the applicant for an individual license, the qualified representative for a partnership or corporate license, or the Minnesota manager, as appropriate, has been employed as an investigator for a minimum of 6,000 hours by any of the following:

- (1) a licensed private detective agency;
  - (2) a United States government investigative service;
  - (3) a city police department or sheriff's office; or
  - (4) an occupation that, the board finds equivalent in scope, responsibility, and training to one of the specific occupations listed;
- and has the qualifications established in the rules of the board.

(c) If the application is for a protective agent license, each person signing the application shall submit a statement under oath by a present or previous employer that the applicant for an individual license, the qualified representative for a partnership or corporate license, or the Minnesota manager has been employed as an investigator or protective agent for a minimum of 6,000 hours by any of the following:

- (1) a licensed protective agent or licensed private detective, having gained experience in security systems, audits, and supervision;
- (2) a United States government investigative service;
- (3) a city police department or sheriff's office; or
- (4) an occupation that the board finds equivalent in scope, responsibility, and training to one of the specific occupations listed;

and has the qualifications established in the rules of the board.

Sec. 5. Minnesota Statutes 2020, section 611A.31, subdivision 2, is amended to read:

Subd. 2. ~~Battered woman Domestic abuse victim.~~ "Battered woman Domestic abuse victim" means a ~~woman~~ person who is being or has been victimized by domestic abuse as defined in section 518B.01, subdivision 2.

Sec. 6. Minnesota Statutes 2020, section 611A.31, is amended by adding a subdivision to read:

Subd. 3a. **Housing supports.** "Housing supports" are those services and supports used to enable victims to secure and maintain transitional and permanent housing placement designed for independent living. Housing supports include but are not limited to providing rental or financial assistance, advocacy, legal services, counseling, child care, financial education, employment skills, health care, or information and referral services to meet these needs. Transitional housing placements may take place in communal living, clustered site, or scattered site programs, or other transitional housing methods. Grants for housing supports may also support housing for sexual assault victims, as defined in section 611A.211, subdivision 4.

Sec. 7. Minnesota Statutes 2020, section 611A.32, subdivision 1, is amended to read:

Subdivision 1. **Grants awarded.** The commissioner shall award grants to programs which provide emergency shelter services ~~to battered women~~, housing supports, and support services to

~~battered women and~~ domestic abuse victims and their children. The commissioner shall also award grants for training, technical assistance, and for the development and implementation of education programs to increase public awareness of the causes of ~~battering~~ domestic abuse, the solutions to preventing and ending domestic violence, and the problems faced by ~~battered women and~~ domestic abuse victims. Grants shall be awarded in a manner that ensures that they are equitably distributed to programs serving metropolitan and nonmetropolitan populations. ~~By July 1, 1995, community-based domestic abuse advocacy and support services programs must be established in every judicial assignment district.~~

Sec. 8. Minnesota Statutes 2020, section 611A.32, subdivision 1a, is amended to read:

Subd. 1a. **Program for ~~American Indian~~ Indigenous women.** The commissioner shall establish at least one program under this section to provide emergency shelter services and support services to ~~battered American Indian~~ Indigenous women. The commissioner shall grant continuing operating expenses to the program established under this subdivision in the same manner as operating expenses are granted to programs established under subdivision 1.

Sec. 9. Minnesota Statutes 2020, section 611A.32, subdivision 2, is amended to read:

Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the commissioner for ~~a grant~~ one or more of the following grants: to provide emergency shelter services ~~to battered women, housing supports, or support services to domestic abuse victims, or both, to battered women~~ and their children. The application shall be submitted in a form approved by the commissioner by rule adopted under chapter 14 and shall include:

(1) a proposal for the provision of emergency shelter services ~~for battered women, housing supports, and support services for domestic abuse victims, or both, for battered women and their children;~~

(2) a proposed budget;

(3) the agency's overall operating budget, including documentation on the retention of financial reserves and availability of additional funding sources;

(4) evidence of an ability to integrate into the proposed program the uniform method of data collection and program evaluation established under section 611A.33;

(5) evidence of an ability to represent the interests of ~~battered women and~~ domestic abuse victims and their children to local law enforcement agencies and courts, county welfare agencies, and local boards or departments of health;

(6) evidence of an ability to do outreach to unserved and underserved populations and to provide culturally and linguistically appropriate services; and

(7) any other content the commissioner may require by rule adopted under chapter 14, ~~after considering the recommendations of the advisory council.~~

Programs which have been approved for grants in prior years may submit materials which indicate changes in items listed in clauses (1) to (7), in order to qualify for renewal funding. Nothing

in this subdivision may be construed to require programs to submit complete applications for each year of renewal funding.

Sec. 10. Minnesota Statutes 2020, section 611A.32, subdivision 3, is amended to read:

Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives a grant to provide emergency shelter services to ~~battered women and~~, housing supports, or support services to battered women and domestic abuse victims shall comply with all rules of the commissioner related to the administration of the ~~pilot~~ programs.

Sec. 11. Minnesota Statutes 2020, section 611A.345, is amended to read:

#### **611A.345 DIRECTOR RECOMMENDATIONS.**

The commissioner shall consider the domestic abuse program director's recommendations before awarding grants or adopting policies regarding the planning, development, data collection, rulemaking, funding or evaluation of programs and services for ~~battered women and~~ domestic abuse victims funded under section 611A.32. Before taking action on matters related to programs and services for ~~battered women and~~ domestic abuse victims and their children, except day-to-day administrative operations, the commissioner shall notify the domestic abuse program director of the intended action. Notification of grant award decisions shall be given to the domestic abuse program director in time to allow the director to request reconsideration.

Sec. 12. Minnesota Statutes 2020, section 611A.35, is amended to read:

#### **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

The commissioner shall appoint a program director. The program director shall administer the funds appropriated for sections 611A.31 to 611A.35 and perform other duties related to ~~women's and~~ domestic abuse programs as the commissioner may assign. The program director shall serve at the pleasure of the commissioner in the unclassified service.

### **ARTICLE 3**

#### **COMMUNITY SAFETY GRANTS**

##### **Section 1. [299A.625] PUBLIC SAFETY INNOVATION BOARD.**

Subdivision 1. **Establishment.** The Public Safety Innovation Board is established in the Office of Justice Programs within the Department of Public Safety. The board has the powers and duties described in this section.

Subd. 2. **Membership.** (a) The Public Safety Innovation Board is composed of the following members:

(1) three individuals with experience conducting research in the areas of crime, policing, or sociology while employed by an academic or nonprofit entity, appointed by the governor;

(2) five individuals appointed by the governor of whom:

(i) one shall be a victim of a crime or an advocate for victims of crime;

(ii) one shall be a person impacted by the criminal justice system or an advocate for defendants in criminal cases; and

(iii) one shall have a background in social work;

(3) four members representing the community-specific boards established under sections 3.922 and 15.0145, with one appointment made by each board; and

(4) three members representing law enforcement, with one appointment by the Minnesota Sheriffs' Association, one by the Minnesota Chiefs of Police Association, and one by the Minnesota Police and Peace Officers Association.

(b) The members of the board shall elect one member to serve as chair.

Subd. 3. **Terms; removal; vacancy.** (a) Members are appointed to serve three-year terms following the initial staggered-term lot determination and may be reappointed.

(b) Initial appointment of members must take place by July 1, 2022. The initial term of members appointed under paragraph (a) shall be determined by lot by the secretary of state and shall be as follows:

(1) five members shall serve one-year terms;

(2) five members shall serve two-year terms; and

(3) five members shall serve three-year terms.

(c) A member may be removed by the appointing authority at any time for cause, after notice and hearing.

(d) If a vacancy occurs, the appointing authority shall appoint a new qualifying member within 90 days.

(e) Compensation of board members is governed by section 15.0575.

Subd. 4. **Powers and duties.** The board shall improve public safety by increasing the efficiency, effectiveness, and capacity of public safety providers and has the following powers and duties:

(1) monitoring trends in crime within Minnesota;

(2) reviewing research on criminal justice and public safety;

(3) providing information on criminal trends and research to the commissioner, municipalities, and the legislature;

(4) awarding grants;

(5) evaluating grant applications to assure compliance with evidence-based practices; and

(6) assuring an efficient and expeditious distribution of grant funds.

Subd. 5. **Meetings.** The board shall meet at least monthly. Meetings of the board are subject to chapter 13D.

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

Sec. 2. **OFFICE OF JUSTICE PROGRAMS; EXPANSION; APPROPRIATION.**

(a) \$4,852,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety to increase staffing in the Office of Justice Programs, work to simplify grant procedures, and expand the pool of grant applicants. Money must be used as provided in paragraphs (b) to (f).

(b) The commissioner shall hire at least eight additional staff members to provide training and technical assistance to grantees and potential grantees. Technical assistance must include training on grant applications and programmatic elements required to qualify for grants. The additional staff must hold weekly meetings in communities around the state to provide information about the Office of Justice Programs, available grants, and grant processes and requirements, and to receive feedback on the needs of communities in order to inform the policies and practices of the Office of Justice Programs.

(c) The commissioner shall hire 12 additional community outreach specialists to leverage relationships, knowledge, and experience in different communities. The community outreach specialists shall make suggested changes to the practices and procedures of the Office of Justice Programs to make them more accessible.

(d) The commissioner shall hire grant capacity trainers to implement the suggestions of the community outreach specialists to continually expand the reach of the new training and meet the needs identified by communities.

(e) The commissioner shall increase the funding of the Minnesota Statistical Analysis Center to create a uniform evaluation program for all grantees.

(f) The commissioner shall hire additional grant compliance and financial compliance staff to support the Office of Justice Programs and grantees in meeting state and federal requirements and audits.

Sec. 3. **LOCAL COMMUNITY INNOVATION GRANTS.**

Subdivision 1. **Appropriation.** \$55,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for local community innovation grants administered by the Office of Justice Programs as directed by the Public Safety Innovation Board. The base for this appropriation is \$30,000,000 in fiscal year 2024 and beyond except that beginning in fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month percentage change in the Consumer Price Index as released in the previous January. Any unencumbered grant balances at the end of the fiscal year do not cancel but are available for grants in the following year.

Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings given.

(b) "Community violence interruption" means a program that works with other organizations and persons in the community to develop community-based responses to violence that use and adapt critical incident response methods, provide targeted interventions to prevent the escalation of violence after the occurrence of serious incidents, and de-escalate violence with the use of community-based interventions. The programs may work with local prosecutorial offices to provide an alternative to adjudication through a restorative justice model.

(c) "Co-responder teams" means a partnership between a group or organization that provides mental health or crisis-intervention services and local units of government or Tribal governments that:

- (1) provides crisis-response teams to de-escalate volatile situations;
- (2) responds to situations involving a mental health crisis;
- (3) promotes community-based efforts designed to enhance community safety and wellness; or
- (4) supports community-based strategies to interrupt, intervene in, or respond to violence.

(d) "Restorative justice program" has the meaning given in Minnesota Statutes, section 611A.775, and includes Native American sentencing circles.

Subd. 3. **Expedited disbursement.** (a) Application materials for grants issued under this section must be prepared and made available to the public within three months of an appropriation being made to fund the grants.

(b) Applications must be received and reviewed, and awards must be made within six months of an appropriation being made to fund the grants.

Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public safety shall publish the following lists by August 1 of each year:

(1) the cities or towns with at least three recorded violent crimes in the previous fiscal year and the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(2) the counties with the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(3) the cities or towns that are not included in the list generated pursuant to clause (1) and have experienced at least three recorded violent crimes in the previous fiscal year and the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System; and

(4) the counties that are not included in the list generated pursuant to clause (2) and have experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System.

(b) A county, city, or town identified in any list produced pursuant to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county, city, or town may apply as part of

a multijurisdictional collaboration with counties, cities, or towns that are not listed provided the portion of programs or services provided through the grant funding that are performed in the listed county, city, or town is at least equal to its proportion of the membership of the multijurisdictional collaboration.

(c) The commissioner of public safety shall notify every county, city, or town identified in any list published pursuant to paragraph (a), clauses (1) to (4), of its eligibility for a grant under this section within three business days of publication.

Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (1) or (2).

(b) Half the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (3) or (4).

Subd. 6. **Application materials.** (a) Applicants must submit an application in the form and manner established by the Public Safety Innovation Board.

(b) Applicants must describe the ways in which grant funds will be used to reduce crime in a specific subsection of the county, city, or town through the creation or expansion of:

- (1) re-entry programs;
- (2) victim services programs;
- (3) homelessness assistance programs;
- (4) mobile crisis teams and embedded social worker programs;
- (5) restorative justice programs;
- (6) co-responder programs;
- (7) juvenile diversion programs;
- (8) community violence interruption programs; or
- (9) blight elimination programs.

Subd. 7. **Awards.** (a) Preference in awarding grants should be given to applicants whose proposals are based on evidence-based practices, provide resources to geographic areas that have been historically underinvested, and incorporate input from community stakeholders.

(b) Grant recipients may use funds to partner with or support other programs.

(c) Grant funds may not be used to fund the activities of law enforcement agencies or offset the costs of counties, cities, or towns.

(d) Any funds that are not encumbered or spent six years after being awarded must be returned to the commissioner of public safety and awarded as part of a local community innovation grant.



Subd. 8. **Evaluation.** Each grant recipient shall complete a uniform evaluation program established by the Minnesota Statistical Analysis Center every two years.

Sec. 4. **EMERGENCY COMMUNITY SAFETY GRANTS.**

Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to crime prevention programs for the purpose of providing public safety to victims. Any unencumbered balance at the end of fiscal year 2023 does not cancel but is added to the amount available for local community innovation grants.

Subd. 2. **Expedited disbursement; distribution.** The commissioner of public safety must award emergency community safety grants and disburse funds by October 1, 2023. Half of the total amount awarded must be provided to programs that do not involve law enforcement agencies and are for the purposes identified in subdivision 3, paragraph (c), clauses (1) to (8).

Subd. 3. **Eligible recipients.** (a) A county; city; town; local law enforcement agency, including a law enforcement agency of a federally recognized Tribe, as defined in United States Code, title 25, section 450b(e); or nonprofit or other community organization may apply for emergency community safety grants to support crime prevention programs.

(b) A county, city, or town may apply as part of a multijurisdictional collaboration with other counties, cities, or towns.

(c) As used in this section "crime prevention programs" includes but is not limited to:

(1) re-entry programs;

(2) victim services programs;

(3) homelessness assistance programs;

(4) mobile crisis teams and embedded social worker programs;

(5) restorative justice programs;

(6) co-responder programs;

(7) juvenile diversion programs;

(8) community violence interruption programs;

(9) increasing the recruitment of officers by utilizing advertisements, or bonuses or scholarships for peace officers who remain continuously employed as peace officers for at least 12 months and have not been subject to disciplinary action in the previous 12 months;

(10) increasing patrols outside of squad cars, on foot or in transportation options that provide more interaction between police and community members;

(11) increasing, establishing, maintaining, or expanding crisis response teams in which social workers or mental health providers are sent as first responders when calls for service indicate that an individual is having a mental health crisis;

(12) establishing, maintaining, or expanding co-responder teams;

(13) purchasing equipment to perform patrols outside of squad cars on foot or in transportation options that provide more interaction between police and community members;

(14) hiring additional non-law-enforcement personnel to conduct functions typically performed by law enforcement with the intent of freeing up additional law enforcement to perform patrols or respond to service calls;

(15) increasing recruitment of additional detectives, investigators, or other individuals with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor vehicle theft, including hiring, on a temporary or permanent basis, retired officers utilizing advertisement, or bonuses or scholarships for peace officers who remain continuously employed as peace officers for at least 12 months and have not been subject to disciplinary action in the previous 12 months;

(16) increasing recruitment of additional peace officers to replace officers transferred or promoted to detective, investigator, or a comparable rank and assigned to investigate homicides, nonfatal shootings, or motor vehicle theft;

(17) ensuring retention of peace officers identified as a detective, investigator, or a comparable rank and assigned to investigate homicides and nonfatal shootings;

(18) acquiring, upgrading, or replacing investigative or evidence-processing technology or equipment;

(19) hiring additional evidence-processing personnel;

(20) ensuring that personnel responsible for evidence processing have sufficient resources and training;

(21) hiring and training personnel to analyze violent crime, specifically with regards to the use of intelligence information of criminal networks and the potential for retaliation among gangs or groups, and the geographic trends among homicides, nonfatal shootings, and carjackings;

(22) ensuring that victim services and personnel are sufficiently funded, staffed, and trained;

(23) ensuring that victims and family members of homicides and nonfatal shootings have access to resources, including:

(i) convenient mental health treatment and grief counseling;

(ii) funeral and burial expenses;

(iii) relocation expenses;

(iv) emergency shelter;

(v) emergency transportation; and

(vi) lost wage assistance;

(24) developing competitive and evidence-based programs to improve homicide and nonfatal shooting clearance rates; or

(25) developing best practices for improving access to, and acceptance of, victim services, including those that promote medical and psychological wellness, ongoing counseling, legal advice, and financial compensation.

Subd. 4. **Application for grants.** (a) A crime prevention program may apply to the commissioner of public safety for a grant for any of the purposes described in subdivision 3 or for any other emergency assistance purpose approved by the commissioner. The application must be on forms and pursuant to procedures developed by the commissioner. The application must describe the type or types of intended emergency assistance, estimate the amount of money required, and include any other information deemed necessary by the commissioner.

(b) An applicant may not spend in any fiscal year more than five percent of the grant awarded for administrative costs.

Subd. 5. **Reporting by crime prevention programs required.** A crime prevention program that receives a grant under this section shall file an annual report with the commissioner of public safety itemizing the expenditures made during the preceding year, the purpose of those expenditures, and the ultimate disposition, if any, of each case. The report must be on forms and pursuant to procedures developed by the commissioner.

Subd. 6. **Report to legislature.** By February 1, 2023, the commissioner of public safety shall report to the chairs and ranking members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and finance on the implementation, use, and administration of the grant programs created under this section.

#### Sec. 5. **LOCAL CO-RESPONDER GRANTS.**

Subdivision 1. **Appropriation.** \$10,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to establish, maintain, or expand the use of co-responder programs that work with law enforcement agencies.

Subd. 2. **Expedited disbursement; distribution.** The commissioner of public safety must award local co-responder grants and disburse funds by October 1, 2023. Half of the total amount awarded must be provided to applicants that are not law enforcement organizations.

Subd. 3. **Eligible recipients.** (a) A county; city; town; local law enforcement agency, including a law enforcement agency of a federally recognized Tribe, as defined in United States Code, title 25, section 450b(e); or nonprofit or other community organization may apply for local co-responder grants for the purposes identified in this subdivision.

(b) A county, city, or town may apply as part of a multijurisdictional collaboration with other counties, cities, or towns.

(c) Qualifying programs must partner with local law enforcement organizations and must include:

(1) embedded social workers;

(2) mobile crisis teams; or

(3) violence interrupters who work with law enforcement agencies.

Subd. 4. **Application for grants.** (a) A co-responder program may apply to the commissioner of public safety for a grant for any of the purposes described in subdivision 3. The application must be on forms and pursuant to procedures developed by the commissioner.

(b) An applicant may not spend in any fiscal year more than five percent of the grant awarded for administrative costs.

Subd. 5. **Reporting by co-responder programs required.** A co-responder program that receives a grant under this section shall file an annual report with the commissioner of public safety itemizing the expenditures made during the preceding year, the purpose of those expenditures, and the impact of the co-responder teams. The report must be on forms and pursuant to procedures developed by the commissioner.

Subd. 6. **Report to legislature.** By February 1 of each year, the commissioner of public safety shall report to the chairs and ranking members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and finance on the implementation, use, and administration of the grant programs created under this section.

**Sec. 6. PUBLIC SAFETY INNOVATION BOARD; APPROPRIATION.**

\$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety to establish and maintain the Public Safety Innovation Board.

**Sec. 7. OPIATE EPIDEMIC RESPONSE GRANTS.**

\$10,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to organizations selected by the Opiate Epidemic Response Advisory Council that provide services to address the opioid addiction and overdose epidemic in Minnesota consistent with the priorities in Minnesota Statutes, section 256.042, subdivision 1, paragraph (a), clauses (1) to (4). Grant recipients must be located outside the seven-county metropolitan area.

**ARTICLE 4**

**LAW ENFORCEMENT GRANTS**

**Section 1. TASK FORCE ON ALTERNATIVE COURSES TO PEACE OFFICER LICENSURE.**

Subdivision 1. **Establishment.** The Task Force on Alternative Courses to Peace Officer Licensure is established to increase recruitment of new peace officers, increase the diversity of the racial makeup and professional background of licensed peace officers, promote education and training in

community policing models, maintain the high standards of education and training required for licensure, and make policy and funding recommendations to the legislature.

Subd. 2. **Membership.** (a) The task force consists of the following members:

(1) the chair of the Peace Officer Standards and Training Board, or a designee;

(2) a member of the Peace Officer Standards and Training Board representing the general public appointed by the chair of the Peace Officer Standards and Training Board;

(3) the chief of the State Patrol, or a designee;

(4) the superintendent of the Bureau of Criminal Apprehension, or a designee;

(5) the attorney general, or a designee;

(6) the president of the Minnesota Chiefs of Police Association, or a designee;

(7) the president of the Minnesota Sheriffs' Association, or a designee;

(8) a peace officer who is employed by a law enforcement agency of a federally recognized Tribe, as defined in United States Code, title 25, section 450b(e), appointed by the Indian Affairs Council;

(9) the executive director of the Minnesota Police and Peace Officers Association, or a designee;

(10) a peace officer appointed by the executive director of the Minnesota Police and Peace Officers Association;

(11) a member of a civilian review board appointed by the governor;

(12) an attorney who provides legal advice to victims of police brutality or who advocates for civil liberties appointed by the governor;

(13) a representative from an organization that provides direct services to families or communities impacted by police violence appointed by the governor; and

(14) two representatives from postsecondary schools certified to provide programs of professional peace officer education appointed by the governor.

(b) Appointments must be made no later than August 30, 2022.

(c) Members shall serve without compensation.

(d) Members of the task force serve at the pleasure of the appointing authority or until the task force expires. Vacancies shall be filled by the appointing authority consistent with the qualifications of the vacating member required by this subdivision.

Subd. 3. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair from among its members. The task force may elect other officers as necessary.

(b) The chair of the Peace Officer Standards and Training Board shall convene the first meeting of the task force no later than September 15, 2022, and shall provide meeting space and administrative assistance as necessary for the task force to conduct its work.

(c) The task force shall meet at least monthly or upon the call of the chair. The task force shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

Subd. 4. **Duties.** (a) The task force shall, at a minimum:

(1) identify barriers to recruiting peace officers;

(2) develop strategies for recruiting new peace officers;

(3) develop policies and procedures to increase the diversity of the racial makeup and professional background of licensed peace officers;

(4) identify or develop curriculum that utilizes community policing models;

(5) provide recommendations on how to create and support an expedited pathway for individuals to become peace officers; and

(6) assure that any alternative courses to licensure maintain the high standards of education and training required for licensure as a peace officer in Minnesota.

(b) At its discretion, the task force may examine, as necessary, other related issues consistent with this section.

Subd. 5. **Report.** By January 15, 2024, the task force must submit a report on its findings and recommendations to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over public safety finance and policy.

Subd. 6. **Expiration.** The task force expires the day after submitting its report under subdivision 5.

Sec. 2. **BODY CAMERA DATA STORAGE PROGRAM; BODY CAMERA GRANT PROGRAM; APPROPRIATION.**

Subdivision 1. **Definition.** As used in this section, "local law enforcement agency" has the meaning given to "law enforcement agency" in Minnesota Statutes, section 626.84, paragraph (f), but does not include a unit of state government.

Subd. 2. **Body camera data storage program.** (a) \$6,016,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety to develop and administer a statewide cloud-based body camera data storage program. Of this amount, the commissioner may use up to \$1,000,000 to retain and compensate a staff necessary to administer the program. The base for this appropriation is \$6,036,000 in fiscal year 2024 and \$6,057,000 in fiscal year 2025.

(b) State and local law enforcement agencies may voluntarily participate in the body camera data storage program, but must agree to the conditions established in subdivision 4.

Subd. 3. **Body camera grant program** \$9,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants administered by the Office of Justice Programs as directed by the Public Safety Innovation Board to local law enforcement agencies for portable recording systems. The executive director shall award grants to local law enforcement agencies for the purchase and maintenance of portable recording systems and portable recording system data. The executive director must give priority to applicants that do not have a portable recording system program. The executive director must award at least one grant to a local law enforcement agency located outside of the seven-county metropolitan area.

Subd. 4. **Conditions for participants.** As a condition of participating in the state body camera data storage program under subdivision 2 or receiving a body camera grant under subdivision 3, a local law enforcement agency's portable recording system policy required under Minnesota Statutes, section 626.8473, subdivision 3, must include the following provisions:

(1) prohibit altering, erasing, or destroying any recording made with a peace officer's portable recording system or data and metadata related to the recording prior to the expiration of the applicable retention period under Minnesota Statutes, section 13.825, subdivision 3, except that the full, unedited, and unredacted recording of a peace officer using deadly force must be maintained indefinitely;

(2) mandate that a deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children be entitled to view any and all recordings from a peace officer's portable recording system, redacted no more than what is required by law, of an officer's use of deadly force no later than seven days after an incident where deadly force used by a peace officer results in death of an individual, except that a chief law enforcement officer may deny a request if investigators can articulate a compelling reason as to why allowing the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children to review the recordings would interfere with the agency conducting a thorough investigation. If the chief law enforcement officer denies a request under this provision, the agency's policy must require the chief law enforcement officer to issue a prompt, written denial and provide notice to the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children that they may seek relief from the district court;

(3) mandate release of all recordings of an incident where a peace officer used deadly force and an individual dies to the deceased individual's next of kin, legal representative of the next of kin, and other parent of the deceased individual's children no later than 90 days after the incident; and

(4) mandate, whenever practicable, that an officer operating a portable recording system while entering a residence notify occupants of the residence that they are being recorded.

### Sec. 3. **LOCAL COMMUNITY POLICING GRANTS.**

Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for local community policing grants administered by the Office of Justice Programs as directed by the Public Safety Innovation Board. The base for this appropriation is \$10,000,000 in fiscal year 2024 and fiscal year 2025 except that in fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month percentage change in the Consumer Price Index as released in the previous January. The base for this appropriation is \$0 in fiscal year 2026

and beyond. Any unencumbered grant balances at the end of a fiscal year do not cancel but are available for grants in the following year.

Subd. 2. **Expedited disbursement.** (a) Application materials for grants issued under this section must be prepared and made available to the public within three months of an appropriation being made to fund the grants.

(b) Applications must be received and reviewed, and awards must be made within six months of an appropriation being made to fund the grants.

Subd. 3. **Eligible applicants; identification and notice.** (a) The commissioner of public safety shall publish the following lists by August 1 of each year:

(1) the cities or towns that have a local law enforcement agency, have recorded at least three violent crimes in the previous fiscal year, and have the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(2) the counties with the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(3) the cities or towns that are not included in the list generated pursuant to clause (1), have a local law enforcement agency, have recorded at least three violent crimes in the previous fiscal year, and have experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System; and

(4) the counties that are not included in the list generated pursuant to clause (2) and have experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System.

(b) A county, city, or town identified in any list produced pursuant to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county, city, or town may apply as part of a multijurisdictional collaboration with counties, cities, or towns that are not listed provided the portion of programs or services provided through the grant funding that are performed in the listed county, city, or town is at least equal to its proportion of the membership of the multijurisdictional collaboration.

(c) The commissioner of public safety shall notify every county, city, or town identified in any list published pursuant to paragraph (a), clauses (1) to (4), of its eligibility for a grant under this section within three business days of publication.

Subd. 4. **Grant distribution.** (a) Half of the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (1) or (2).

(b) Half the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (3) or (4).

Subd. 5. **Application materials.** (a) Applicants must submit an application in the form and manner established by the Public Safety Innovation Board.



(b) Applicants must describe the ways in which grant funds will be used to reduce crime by increasing the capacity, efficiency, and effectiveness of law enforcement community policing efforts through any of the following approaches:

(1) increasing the recruitment of officers by utilizing advertisements, or bonuses or scholarships for peace officers who remain continuously employed as a peace officer for at least 12 months and have not been subject to disciplinary action in the previous 12 months;

(2) increasing patrols outside of squad cars on foot or in transportation options that provide more interaction between police and community members;

(3) increasing, establishing, maintaining, or expanding crisis response teams in which social workers or mental health providers are sent as first responders when calls for service indicate that an individual is having a mental health crisis;

(4) establishing, maintaining, or expanding co-responder teams;

(5) purchasing equipment to perform patrols outside of squad cars on foot or in transportation options that provide more interaction between police and community members; or

(6) hiring additional non-law-enforcement personnel to conduct functions typically performed by law enforcement with the intent of freeing up additional law enforcement to perform patrols or respond to service calls.

Subd. 6. **Awards.** (a) Preference in awarding grants should be given to applicants whose proposals:

(1) involve community policing strategies;

(2) include collaboration with non-law-enforcement entities such as community-based violence prevention programs, social worker programs, or mental health specialists;

(3) are based on academic studies or based on evidence-based policing research or findings; or

(4) involve increased law enforcement accountability or transparency.

(b) Each grant recipient must receive an award of at least \$1,000,000.

(c) Grant recipients may use funds to partner with or support other programs.

(d) Grant funds may not be used to offset the costs of law enforcement agencies, counties, cities, or towns.

(e) Any funds that are not encumbered or spent six years after being awarded must be returned to the commissioner of public safety and awarded as part of a local community innovation grant.

Subd. 7. **Evaluation.** Each grant recipient shall complete a uniform evaluation program established by the Minnesota Statistical Analysis Center every two years.

Subd. 8. **Rulemaking.** The commissioner of public safety may adopt rules pursuant to Minnesota Statutes, chapter 14, to ensure that grant recipients have policies or patterns of practice that promote community trust.

Sec. 4. **LOCAL INVESTIGATION GRANTS.**

Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for local investigation grants administered by the Office of Justice Programs as directed by the Public Safety Innovation Board. The base for this appropriation is \$10,000,000 in fiscal year 2024 and fiscal year 2025 except that in fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month percentage change in the Consumer Price Index as released in the previous January. The base for this appropriation is \$0 in fiscal year 2026 and beyond. Any unencumbered grant balances at the end of a fiscal year do not cancel but are available for grants in the following year.

Subd. 2. **Expedited disbursement.** (a) Application materials for grants issued under this section must be prepared and made available to the public within three months of an appropriation being made to fund the grants.

(b) Applications must be received and reviewed, and awards must be made within six months of an appropriation being made to fund the grants.

Subd. 3. **Eligible applicants; identification and notice.** (a) The commissioner of public safety shall publish the following lists by August 1 of each year:

(1) the cities or towns that have a local law enforcement agency, have recorded at least three violent crimes in the previous fiscal year, and have the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(2) the counties with the 20 highest per capita crime rates in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System;

(3) the cities or towns that are not included in the list generated pursuant to clause (1), have a local law enforcement agency, have recorded at least three violent crimes in the previous fiscal year, and have experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System; and

(4) the counties that are not included in the list generated pursuant to clause (2) and have experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year based on the Uniform Crime Reports or National Incident Based Reporting System.

(b) A county, city, or town identified in any list produced pursuant to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county, city, or town may apply as part of a multijurisdictional collaboration with counties, cities, or towns that are not listed provided the portion of programs or services provided through the grant funding that are performed in the listed county, city, or town is at least equal to its proportion of the membership of the multijurisdictional collaboration.

(c) The commissioner of public safety shall notify every county, city, or town identified in any list published pursuant to paragraph (a), clauses (1) to (4), of its eligibility for a grant under this section within three business days of publication.

Subd. 4. **Grant distribution.** (a) Half of the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (1) or (2).

(b) Half the total amount appropriated under this section must be awarded to counties, cities, or towns identified in subdivision 4, paragraph (a), clause (3) or (4).

Subd. 5. **Application materials.** (a) Applicants must submit an application in the form and manner established by the Public Safety Innovation Board.

(b) Applicants must describe the ways in which grant funds will be used to reduce crime by increasing the capacity, efficiency, and effectiveness of law enforcement investigations through the use of any of the following approaches:

(1) increasing recruitment of additional detectives, investigators, or other individuals with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor vehicle theft, including hiring, on a temporary or permanent basis, retired officers by utilizing advertisements, or bonuses or scholarships for peace officers who remain continuously employed as a peace officer for at least 12 months and have not been subject to disciplinary action in the previous 12 months;

(2) increasing recruitment of additional peace officers to replace officers transferred or promoted to detective, investigator, or a comparable rank and assigned to investigate homicides, nonfatal shootings, or motor vehicle theft;

(3) ensuring retention of peace officers identified as a detective, investigator, or a comparable rank and assigned to investigate homicides and nonfatal shootings;

(4) acquiring, upgrading, or replacing investigative or evidence-processing technology or equipment;

(5) hiring additional evidence-processing personnel;

(6) ensuring that personnel responsible for evidence processing have sufficient resources and training;

(7) hiring and training personnel to analyze violent crime, specifically with regards to the use of intelligence information of criminal networks and the potential for retaliation among gangs or groups, and the geographic trends among homicides, nonfatal shootings, and carjackings;

(8) ensuring that victim services and personnel are sufficiently funded, staffed, and trained;

(9) ensuring that victims and family members of homicides and nonfatal shootings have access to resources, including:

(i) convenient mental health treatment and grief counseling;

(ii) assistance for funeral and burial expenses;

(iii) assistance for relocation expenses;

(iv) emergency shelter;

(v) emergency transportation; and

(vi) lost wage assistance;

(10) developing competitive and evidence-based programs to improve homicide and nonfatal shooting clearance rates; or

(11) developing best practices for improving access to, and acceptance of, victim services, including those that promote medical and psychological wellness, ongoing counseling, legal advice, and financial compensation.

Subd. 6. **Awards.** (a) Each grant recipient must receive an award of at least \$1,000,000.

(b) Grant recipients may use funds to partner with or support other programs.

(c) Grant funds may not be used to fund undercover peace officer work or offset the costs of law enforcement agencies, counties, cities, or towns.

(d) Any funds that are not encumbered or spent six years after being awarded must be returned to the commissioner of public safety and awarded as part of a local community innovation grant.

Subd. 7. **Evaluation.** Each grant recipient shall complete a uniform evaluation program established by the Minnesota Statistical Analysis Center every two years.

Subd. 8. **Rulemaking.** The commissioner of public safety may adopt rules pursuant to Minnesota Statutes, chapter 14, to ensure that grant recipients have policies or patterns of practice that promote community trust.

Sec. 5. **TASK FORCE ON ALTERNATIVE COURSES TO PEACE OFFICER LICENSURE; APPROPRIATION.**

\$50,000 in fiscal year 2023 is appropriated from the general fund to the Peace Officer Standards and Training Board to provide support for the task force on alternative courses to peace officer licensure. This is a onetime appropriation.

## ARTICLE 5

### ADDITIONAL LAW ENFORCEMENT GRANTS AND POLICY

Section 1. Minnesota Statutes 2020, section 214.10, subdivision 10, is amended to read:

Subd. 10. **Board of Peace Officers Standards and Training; receipt of complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the executive director or any member of the Board of Peace Officer Standards and Training produces or receives a written statement or complaint that alleges a violation of a statute or rule that the board is empowered to enforce, the executive director shall designate the appropriate law enforcement agency to investigate

the complaint and ~~shall~~ may order it to conduct an inquiry into the complaint's allegations. The investigating agency must complete the inquiry and submit a written summary of it to the executive director within 30 days of the order for inquiry.

Sec. 2. Minnesota Statutes 2020, section 626.843, is amended by adding a subdivision to read:

Subd. 1c. **Rules governing certain misconduct.** No later than January 1, 2024, the board must adopt rules under chapter 14 that permit the board to take disciplinary action on a licensee for a violation of a standard of conduct in Minnesota Rules, chapter 6700, whether or not criminal charges have been filed and in accordance with the evidentiary standards and civil processes for boards under chapter 214.

Sec. 3. Minnesota Statutes 2020, section 626.8473, subdivision 3, is amended to read:

**Subd. 3. Written policies and procedures required.** (a) The chief officer of every state and local law enforcement agency that uses or proposes to use a portable recording system must establish and enforce a written policy governing its use. In developing and adopting the policy, the law enforcement agency must provide for public comment and input as provided in subdivision 2. Use of a portable recording system without adoption of a written policy meeting the requirements of this section is prohibited. The written policy must be posted on the agency's website, if the agency has a website.

(b) At a minimum, the written policy must incorporate and require compliance with the following:

(1) the requirements of section 13.825 and other data classifications, access procedures, retention policies, and data security safeguards that, at a minimum, meet the requirements of chapter 13 and other applicable law. The policy must prohibit altering, erasing, or destroying any recording made with a peace officer's portable recording system or data and metadata related to the recording prior to the expiration of the applicable retention period under section 13.825, subdivision 3, except that the full, unedited, and unredacted recording of a peace officer using deadly force must be maintained indefinitely;

(2) mandate that a portable recording system be:

(i) worn where it affords an unobstructed view, and above the mid-line of the waist;

(ii) activated during all contacts with citizens in the performance of official duties other than community engagement, to the extent practical without compromising officer safety; and

(iii) activated when the officer arrives on scene of an incident and remain active until the conclusion of the officer's duties at the scene of the incident;

(3) mandate that officers assigned a portable recording system wear and operate the system in compliance with the agency's policy adopted under this section while performing law enforcement activities under the command and control of another chief law enforcement officer or federal law enforcement official;

(4) mandate that any and all recordings from a peace officer's portable recording system, redacted no more than what is required by law, involving the use of force by an officer upon or toward the

person of another without the other's consent, including the use of deadly force, be treated as public benefit data pursuant to section 13.82, subdivision 15, and be made available for viewing by the person upon whom force was used, the legal representative of a person upon whom force was used, a deceased individual's next of kin, the legal representative of the next of kin, or other parent of the deceased individual's children no later than seven days after an incident where force was used by a peace officer, except that a chief law enforcement officer may deny a request if investigators can articulate a compelling reason as to why allowing review of the recordings would interfere with the agency conducting a thorough investigation. If the chief law enforcement officer denies a request under this provision, the agency's policy must require the chief law enforcement officer to issue a prompt, written denial and provide notice to the person upon whom force was used, the legal representative of a person upon whom force was used, deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children that they may seek relief from the district court;

(5) mandate that recordings of an incident where a peace officer used force upon or toward the person of another without the other's consent, including the use of deadly force, be treated as public benefit data pursuant to section 13.82, subdivision 15, and be released to the person upon whom force was used, the legal representative of a person upon whom force was used, the deceased individual's next of kin, legal representative of the next of kin, and other parent of the deceased individual's children no later than 90 days after the incident. If the chief law enforcement officer denies a request under this provision, the agency's policy must require the chief law enforcement officer to issue a prompt, written denial and provide notice to the person upon whom force was used, the legal representative of a person upon whom force was used, deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children that they may seek relief from the district court;

(6) procedures for testing the portable recording system to ensure adequate functioning;

~~(3)~~ (7) procedures to address a system malfunction or failure, including requirements for documentation by the officer using the system at the time of a malfunction or failure;

~~(4)~~ (8) circumstances under which recording is mandatory, prohibited, or at the discretion of the officer using the system;

~~(5)~~ (9) circumstances under which a data subject must be given notice of a recording;

~~(6)~~ (10) circumstances under which a recording may be ended while an investigation, response, or incident is ongoing;

~~(7)~~ (11) procedures for the secure storage of portable recording system data and the creation of backup copies of the data; and

~~(8)~~ (12) procedures to ensure compliance and address violations of the policy, which must include, at a minimum, supervisory or internal audits and reviews, and the employee discipline standards for unauthorized access to data contained in section 13.09.

(c) The board has authority to inspect state and local law enforcement agency policies to ensure compliance with this section. The board may conduct this inspection based upon a complaint it receives about a particular agency or through a random selection process. The board may impose

licensing sanctions and seek injunctive relief under section 214.11 for an agency's or licensee's failure to comply with this section.

Sec. 4. Minnesota Statutes 2020, section 626.89, subdivision 17, is amended to read:

Subd. 17. **Civilian review.** (a) As used in this subdivision, the following terms have the meanings given:

(1) "civilian oversight council" means a civilian review board, commission, or other oversight body established by a local unit of government to provide civilian oversight of a law enforcement agency and officers employed by the agency; and

(2) "misconduct" means a violation of law, standards promulgated by the Peace Officer Standards and Training Board, or agency policy.

(b) A local unit of government may establish a civilian review board, commission, or other oversight body shall not have council and grant the council the authority to make a finding of fact or determination regarding a complaint against an officer or impose discipline on an officer. A civilian review board, commission, or other oversight body may make a recommendation regarding the merits of a complaint, however, the recommendation shall be advisory only and shall not be binding on nor limit the authority of the chief law enforcement officer of any unit of government.

(c) At the conclusion of any criminal investigation or prosecution, if any, a civilian oversight council may conduct an investigation into allegations of peace officer misconduct and retain an investigator to facilitate an investigation. Subject to other applicable law, a council may subpoena or compel testimony and documents in an investigation. Upon completion of an investigation, a council may make a finding of misconduct and recommend appropriate discipline against peace officers employed by the agency. If the governing body grants a council the authority, the council may impose discipline on peace officers employed by the agency. A council may submit investigation reports that contain findings of peace officer misconduct to the chief law enforcement officer and the Peace Officer Standards and Training Board's complaint committee. A council may also make policy recommendations to the chief law enforcement officer and the Peace Officer Standards and Training Board.

(d) The chief law enforcement officer of a law enforcement agency under the jurisdiction of a civilian oversight council shall cooperate with the council and facilitate the council's achievement of its goals. However, the officer is under no obligation to agree with individual recommendations of the council and may oppose a recommendation. If the officer fails to implement a recommendation that is within the officer's authority, the officer shall inform the council of the failure along with the officer's underlying reasons.

(e) Peace officer discipline decisions imposed pursuant to the authority granted under this subdivision shall be subject to the applicable grievance procedure established or agreed to under chapter 179A.

(f) Data collected, created, received, maintained, or disseminated by a civilian oversight council related to an investigation of a peace officer are personnel data as defined by section 13.43, subdivision 1, and are governed by that section.

Sec. 5. Laws 2021, First Special Session chapter 11, article 1, section 15, subdivision 3, is amended to read:

**Subd. 3. Peace Officer Training Assistance**

**Philando Castile Memorial Training Fund**

\$6,000,000 each year is to support and strengthen law enforcement training and implement best practices. This funding shall be named the "Philando Castile Memorial Training Fund." These funds may only be used to reimburse costs related to training courses that qualify for reimbursement under Minnesota Statutes, sections 626.8469 (training in crisis response, conflict management, and cultural diversity) and 626.8474 (autism training).

Each sponsor of a training course is required to include the following in the sponsor's application for approval submitted to the board: course goals and objectives; a course outline including at a minimum a timeline and teaching hours for all courses; instructor qualifications, ~~including skills and concepts such as crisis intervention, de-escalation, and cultural competency that are relevant to the course provided~~; and a plan for learning assessments of the course and documenting the assessments to the board during review. Upon completion of each course, instructors must submit student evaluations of the instructor's teaching to the sponsor.

The board shall keep records of the applications of all approved and denied courses. All continuing education courses shall be reviewed after the first year. The board must set a timetable for recurring review after the first year. For each review, the sponsor must submit its learning assessments to the board to show that the course is teaching the learning outcomes that were approved by the board.

A list of licensees who successfully complete the course shall be maintained by the sponsor and transmitted to the board following the



presentation of the course and the completed student evaluations of the instructors. Evaluations are available to chief law enforcement officers. The board shall establish a data retention schedule for the information collected in this section.

Each year, if funds are available after reimbursing all eligible requests for courses approved by the board under this subdivision, the board may use the funds to reimburse law enforcement agencies for other board-approved law enforcement training courses. The base for this activity is \$0 in fiscal year 2026 and thereafter.

**Sec. 6. MULTIJURISDICTIONAL LAW ENFORCEMENT TRAINING IN THE PROPER USE OF FORCE, DUTY TO INTERCEDE, AND CONFLICT DE-ESCALATION; REIMBURSEMENT; APPROPRIATION.**

(a) \$2,500,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of the Office of Higher Education to provide reimbursement grants to postsecondary schools certified to provide programs of professional peace officer education for providing in-service training programs for peace officers on the proper use of force, including deadly force, the duty to intercede, and conflict de-escalation. Of this amount, up to 2.5 percent is for administration and monitoring of the program.

(b) To be eligible for reimbursement, training offered by a postsecondary school must consist of no less than eight hours of instruction and:

(1) satisfy the requirements of Minnesota Statutes, section 626.8452, and be approved by the Board of Peace Officer Standards and Training, for use of force training;

(2) utilize scenario-based training that simulates real-world situations and involves the use of real firearms that fire nonlethal ammunition when appropriate;

(3) include a block of instruction on the physical and psychological effects of stress before, during, and after a high risk or traumatic incident and the cumulative impact of stress on the health of officers;

(4) include blocks of instruction on de-escalation methods and tactics, bias motivation, unknown risk training, defensive tactics, and force-on-force training; and

(5) be offered to peace officers at no charge to the peace officer or an officer's law enforcement agency.

(c) A postsecondary school that offers training consistent with the requirements of paragraph (b) may apply for reimbursement for the costs of offering the training. Reimbursement shall be made

at a rate of \$450 for each officer who participates in the training. The postsecondary school must submit the name and peace officer license number of the peace officer who received the training.

(d) As used in this section:

(1) "law enforcement agency" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (f); and

(2) "peace officer" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).

**Sec. 7. PEACE OFFICER STANDARDS AND TRAINING BOARD INVESTIGATORS; APPROPRIATION.**

\$2,500,000 in fiscal year 2023 is appropriated from the general fund to the Peace Officer Standards and Training Board to hire investigators and additional staff to perform compliance reviews and investigate alleged code of conduct violations, and to obtain or improve equipment for that purpose.

**ARTICLE 6**

**AT-RISK YOUTHS; GRANTS**

**Section 1. APPROPRIATIONS; SERVICES FOR AT-RISK JUVENILES.**

Subdivision 1. **Listening sessions; Juvenile Detention Alternatives Initiative.** \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for the following purposes:

(1) to conduct listening sessions throughout the state to solicit feedback from communities, local governmental units, nonprofits, and community organization groups on available grants under this section. The sessions must provide information to potential grantees on the types of grants available and the process of how to seek grants. In addition, the sessions must seek input from attendees on the needs and priorities of the communities represented and the best way to meet these needs and priorities through grant awards; and

(2) to increase funding to the Ramsey County Juvenile Detention Alternatives Initiative and to expand this initiative to other counties.

Subd. 2. **Prevention services grants.** (a) As used in this subdivision, "prevention services" includes but is not limited to the following:

(1) community-based violence prevention programs;

(2) preventative mental health and substance abuse services with a focus on youth;

(3) truancy reduction programs;

(4) programs offering culturally competent support for youth victims of trauma;

(5) programs that offer support for single parents or peer-to-peer support for parents;

(6) wrap-around services to ensure at-risk youth receive full support;

(7) community-centered programs that offer youth activities and colocated mental health services, such as youth centers and recreational leagues; and

(8) noncolonized behavioral health interventions for youth.

(b) \$...... in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to local units of government, nonprofits, and other community organizations to be used to provide prevention services to prevent juveniles from entering the criminal or juvenile justice system.

Subd. 3. **Intervention services grants.** (a) As used in this subdivision, "intervention services" includes but is not limited to the following:

(1) programs that work to disrupt the cycle of violence by providing space for community healing and wrap-around services to communities and individuals who have been impacted by group or gun violence, including those who have caused harm; and

(2) programs that work directly with youth who have experienced or caused violence to provide intervention and healing services and that work with youth to prevent future incidents.

(b) \$...... in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to local units of government, nonprofits, and other community organizations to be used to provide intervention services to support work to intervene on behalf of youth who are interacting with the criminal or juvenile justice system.

Subd. 4. **Grants for services that reduce barriers and invest in communities.** (a) As used in this subdivision, "services that reduce barriers" includes but is not limited to the following:

(1) youth employment programs, including on-the-job training;

(2) youth employment or internship opportunities in creative mediums and small business development; and

(3) mentorship programs with a focus on individualized guidance counseling, career counseling, and mental health support for justice-involved youth.

(b) \$...... in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety for grants to local units of government, nonprofits, and other community organizations to be used to provide services that reduce barriers for youth in avoiding the criminal or juvenile justice system and to increase investment in their communities.

Subd. 5. **Expedited disbursement.** (a) The commissioner of public safety shall prepare and make available to the public application materials for grants issued under this section within three months of an appropriation being made to fund the grants.

(b) The commissioner shall ensure that grant applications are received and reviewed and awards are made within six months of an appropriation being made to fund the grants.

Subd. 6. **Grant program administration; reports required.** (a) The commissioner of public safety shall ensure that the administration of grants under this section is conducted by the Office of Justice Programs.

(b) Up to 2.5 percent of the appropriations in this section may be used by the commissioner to administer these grants.

(c) The base amount for these grants is \$..... in fiscal years 2024, 2025, 2026, and 2027. Beginning in fiscal years 2028 and thereafter, the base amount for these activities is \$0. Any unspent money from this appropriation does not cancel but is available until expended.

(d) Applicants for grants under this section must submit an application in the form and manner established by the commissioner. Applicants must specify the type of grant being applied for under this section and describe the ways in which grant funds will be used in a manner that satisfies the requirements for the individual grant.

(e) When awarding grants under this section, the commissioner shall prioritize programs that provide culturally specific programming. A local unit of government may apply for grants to be used by that applicant to provide one or more services or as part of a collaborative multijurisdictional group of governmental units.

(f) Each year by February 1, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice finance and policy on the implementation, use, and administration of the grant programs created under this section. At a minimum, the report must identify the grant recipients, the amount of money granted to each recipient, the purpose of the grant, information on how the grant was used, and an evaluation of the success of the grantee in carrying out the activities funded by the grant.

## Sec. 2. **CRIMINAL APPREHENSION; APPROPRIATION.**

(a) The base appropriation from the general fund is \$84,634,000 in fiscal year 2024 and fiscal year 2025 to the commissioner of public safety for criminal apprehension.

(b) \$9,762,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of public safety to support violent crime reduction strategies. This appropriation includes funding for staff and supplies to enhance forensic, analytical, and investigations capacity, and financially support investigative partnerships to form an investigative partnership with other law enforcement agencies to address violent crime.

## **ARTICLE 7**

### **PUBLIC SAFETY AID FOR LOCAL GOVERNMENTS**

#### **Section 1. [477A.0127] PUBLIC SAFETY AID.**

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

(1) "City" means a statutory or home rule charter city that directly employs at least one peace officer as defined under section 477C.01, subdivision 7, clauses (1), (3), and (4).

(2) "City per capita aid amount" equals the total amount allocated to cities under subdivision 6, divided by the total population of every city.

(3) "County per capita aid amount" equals the total amount allocated to counties and Tribal governments under subdivision 6, divided by the sum of the total population of every county plus the total Tribal population but excluding the total population of every city.

(4) "Population" means population estimates made or conducted by the United States Bureau of the Census, the Metropolitan Council pursuant to section 473.24, or by the state demographer pursuant to section 4A.02, paragraph (d), whichever is the most recent estimate and available as of January 1 of the year in which the aid is calculated.

(5) "Tribal governments" has the meaning given to "Minnesota Tribal governments" in section 10.65, subdivision 2.

(6) "Tribal population" means population estimates made or conducted by the United States Bureau of the Census of the federally recognized American Indian reservations and off-reservation trust lands in Minnesota, whichever is the most recent estimate and available as of January 1 of the year in which the aid is calculated.

Subd. 2. **Distribution.** The commissioner of revenue must distribute payments under this section as follows:

(1) A county's public safety aid amount equals:

(i) the county's population minus the total population of every city located in that county, times;

(ii) the county per capita aid amount.

(2) A Tribal government's public safety aid amount equals:

(i) the Tribe's population times;

(ii) the county per capita aid amount.

(3) A city's public safety aid amount equals:

(i) the city's population times;

(ii) the city per capita aid amount.

Subd. 3. **Certification to commissioner.** The commissioner of public safety must certify to the commissioner of revenue, on or before June 1 each year, each city that meets the definition of city in subdivision 1 as of January 1 of the aid calculation year.

Subd. 4. **Use of aid.** (a) Counties, Tribal governments, and cities that receive a distribution under this section must use the aid to provide public safety including, but not limited to, paying personnel and equipment costs.

(b) Counties must consult with their county sheriff in determining how to use the aid.

(c) Counties, Tribal governments, and cities that receive a distribution under this section may not apply the aid toward:

(1) their employer contribution to the public employees police and fire fund, if that county, Tribal government, or city received police state aid under chapter 477C in the year immediately prior to a distribution under this section; or

(2) any costs associated with alleged wrongdoing or misconduct.

Subd. 5. **Payments.** The commissioner of revenue must calculate the amount of public safety aid payable to each county, Tribal government, and city under this section. On or before August 1 each year, the commissioner must certify the amount to be paid to each county, Tribal government, and city in the following year. The commissioner must distribute public safety aid in the same manner and at the same times as aid payments under section 477A.015. For aid payable in 2022 only, the commissioner shall certify the amount to be paid in 2022 to each county, Tribal government, and city by August 1, 2022, and the full 2022 payment to the counties, Tribal governments, and cities must be made at the time provided in section 477A.015 for the second installment of local government aid.

Subd. 6. **Aid allocation.** (a) The total amount of aid to be annually allocated to counties and Tribal governments under this section is \$30,000,000.

(b) The total amount of aid to be annually allocated to cities under this section is \$70,000,000.

Subd. 7. **Redistribution of a city's public safety aid to a county.** (a) Any statutory or home rule charter city that receives a distribution under this section when that statutory or home rule charter city did not meet the definition of city under subdivision 1 shall redistribute those payments to the county where the statutory or home rule charter city is located.

(b) If a statutory or home rule charter city that must redistribute aid under paragraph (a) is located in two or more counties, that statutory or home rule charter city shall redistribute aid payments proportionally to each county where it is located based on the share of that city's population in each county.

Subd. 8. **Aid amount corrections.** If, due to a clerical error, the amount certified by the commissioner to a county, Tribal government, or city is less than the amount to which the county, Tribal government, or city is entitled pursuant to this section, the commissioner of revenue shall distribute additional aid payments in the same manner as additional aid payments are made under section 477A.014. The additional payments shall be paid from the general fund and shall not diminish the distributions made to other counties, Tribal governments, and cities under this section.

Subd. 9. **Appropriation.** An amount sufficient to discharge the duties imposed under this section is annually appropriated from the general fund to the commissioner of revenue.

**EFFECTIVE DATE.** This section is effective beginning with aid payable in 2022 and thereafter."

Amend the title accordingly

Pursuant to Rule 7.4, Senator Kiffmeyer questioned whether the Latz amendment was in order. The President ruled the amendment was out of order.

S.F. No. 2673 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 19, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Howe	López Franzen	Rosen
Anderson	Draheim	Ingebrigtsen	Mathews	Ruud
Bakk	Duckworth	Jasinski	Miller	Senjem
Benson	Eichorn	Johnson	Nelson	Tomassoni
Bigham	Eken	Kiffmeyer	Newman	Utke
Chamberlain	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Lang	Pratt	Wiger
Cwodzinski	Hoffman	Latz	Putnam	
Dahms	Housley	Limmer	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Gazelka, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senator: Clausen.

Those who voted in the negative were:

Carlson	Eaton	Johnson Stewart	McEwen	Rest
Champion	Fateh	Kent	Murphy	Torres Ray
Dibble	Hawj	Kunesh	Pappas	Wiklund
Dziedzic	Isaacson	Marty	Port	

Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senators: Fateh and Port.

So the bill, as amended, was passed and its title was agreed to.

### RECESS

Senator Miller moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, and Second Reading of Senate Bills.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3438 and 4366.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 25, 2022

**FIRST READING OF HOUSE BILLS**

The following bills were read the first time.

**H.F. No. 3438:** A bill for an act relating to legacy; appropriating money from outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; modifying terms of Clean Water Council; modifying prior appropriations; amending Minnesota Statutes 2020, section 114D.30, subdivisions 2, 7; Laws 2019, First Special Session chapter 2, article 4, section 2, subdivision 4; Laws 2021, First Special Session chapter 1, article 3, sections 2, subdivision 1; 3; 4; 7; article 4, section 2.

Referred to the Committee on Finance.

**H.F. No. 4366:** A bill for an act relating to state government; establishing agriculture grant programs; making policy and technical changes to agricultural and animal health provisions; modifying provisions governing housing finance, housing policy, and various other housing-related provisions; establishing housing grant and loan programs; modifying the border-to-border broadband grant program; requiring reports; transferring money; appropriating money; amending Minnesota Statutes 2020, sections 17.041, subdivision 1; 17.117, subdivisions 9, 9a, 10, 11, 11a; 17.118, subdivisions 1, 3, 4; 18B.01, by adding subdivisions; 18B.051; 18B.07, by adding a subdivision; 18C.005, by adding subdivisions; 18C.201, by adding a subdivision; 21.81, by adding a subdivision; 21.86, subdivision 2; 28A.08, by adding a subdivision; 28A.09, by adding a subdivision; 28A.10; 28A.21, subdivision 2; 35.155, subdivision 10; 41A.16, subdivisions 1, 2; 41A.17, subdivisions 1, 2; 41A.18, subdivisions 1, 2; 41B.047, subdivision 3; 116J.395, subdivision 7; 223.17, subdivisions 4, 6; 363A.09, subdivisions 1, 2, by adding a subdivision; 462A.03, subdivision 13; 462A.05, by adding subdivisions; 462A.07, subdivisions 9, 10, 14; 462A.201, subdivision 2; 462A.204, subdivisions 3, 8; 462A.21, subdivision 4a; 462A.22, subdivision 1; 462A.36, subdivision 4, by adding a subdivision; 462A.37, subdivisions 1, 2, 4, by adding subdivisions; 462A.38, subdivision 1; 462A.39, subdivisions 2, 5; 484.014, subdivisions 2, 3; 500.20, subdivision 2a; 504B.135; 504B.161, subdivision 1; 504B.211, subdivisions 2, 6; 504B.291; 504B.321; 504B.375, subdivision 1; 504B.381, subdivisions 1, 5, by adding a subdivision; Minnesota Statutes 2021 Supplement,



sections 41A.19; 41A.21, subdivisions 2, 6; 462A.05, subdivision 14; 462A.37, subdivision 5; Laws 2021, First Special Session chapter 3, article 1, sections 2; 4; Laws 2021, First Special Session chapter 8, article 1, section 3, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 17; 21; 462A; 504B.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 4019, now on General Orders.

### REPORTS OF COMMITTEES

Senator Johnson moved that the Committee Report at the Desk be now adopted. The motion prevailed.

#### **Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 4091:** A bill for an act relating to state government; appropriating money for higher education, commerce, jobs, and economic growth; making policy and technical changes; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 3.732, subdivision 1; 116C.779, subdivision 1; 116J.035, by adding a subdivision; 116J.55, subdivisions 1, 5, 6; 116J.552, subdivision 6; 116J.8747, subdivisions 2, 3, 4; 116J.993, subdivision 3; 116L.04, subdivision 1a; 116L.17, subdivision 1; 116L.98, subdivisions 2, 3; 136A.103; 136A.25; 136A.26; 136A.27; 136A.28; 136A.29, subdivisions 1, 3, 6, 9, 10, 14, 19, 20, 21, 22, by adding a subdivision; 136A.32, subdivision 4; 136A.33; 136A.34, subdivisions 3, 4; 136A.36; 136A.38; 136A.41; 136A.42; 136F.02, subdivision 1; 136F.302, subdivisions 1, 2; 136F.38, subdivisions 2, 4; 136F.67, subdivision 1; 137.022, subdivision 4; 181.032; 181.101; 216B.096, subdivision 11; 216B.24, by adding a subdivision; 216B.243, subdivision 3b; 216B.50, subdivision 1; 216C.435, subdivision 8; 216C.436, subdivision 2, by adding a subdivision; 237.55; 268.18, by adding a subdivision; 326B.106, subdivision 4; 326B.163, subdivision 5, by adding a subdivision; 326B.164, subdivision 13; 326B.36, subdivision 7, by adding a subdivision; 326B.42, subdivisions 1b, 1c; 326B.437; 326B.46, subdivision 2; 354B.20, subdivision 7; Minnesota Statutes 2021 Supplement, sections 10A.01, subdivision 35; 116C.7792; 136F.38, subdivision 3; 216C.376, subdivision 5; 326B.153, subdivision 1; Laws 2020, chapter 118, section 5, subdivision 1; Laws 2021, First Special Session chapter 2, article 1, sections 2, subdivisions 1, 9, 19, 20, 25, 26, 27, 33, 34, 38; 3, subdivisions 1, 3; 4, subdivisions 1, 4; Laws 2021, First Special Session chapter 4, article 2, section 3, subdivision 1; Laws 2021, First Special Session chapter 10, article 1, sections 2, subdivision 2; 5; article 2, section 24, subdivisions 1, 3, 4, 5, 7; article 3, section 14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116L; 124D; 136A; 216B; 216H; 465; repealing Minnesota Statutes 2020, sections 136A.29, subdivision 4; 136F.03; Laws 2005, chapter 97, article 10, section 3, as amended; Laws 2021, First Special Session chapter 4, article 2, section 3, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete article 1

Page 18, delete article 2

Page 27, delete article 3

Page 40, delete article 4

Page 110, after line 4, insert:

## "ARTICLE 6

### FRONTLINE WORKER PREMIUM PAY

#### Section 1. FRONTLINE WORKER PREMIUM PAY PROGRAM.

Subdivision 1. Program established; payments authorized. The commissioner of revenue, to the extent feasible, shall make premium payments to eligible frontline workers as provided in this section.

Subd. 2. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "First responder or other emergency frontline worker" means a person who performs service for hire for an employer for one day or more as one of the following:

(1) law enforcement personnel;

(2) firefighter;

(3) corrections officer at congregate living settings;

(4) paramedic;

(5) ambulance service personnel; and

(6) emergency medical technician or other first responder whose primary responsibility is to respond to medical emergencies before the arrival of a licensed ambulance service.

(c) "Long-term or other health care frontline worker" means a person who performs service for hire for an employer for one day or more as one of the following:

(1) long-term care facility worker;

(2) outpatient care worker;

(3) home care worker;

(4) personal assistance provider;

(5) home health provider;

(6) home delivered meal provider;

(7) nurse;

(8) nursing assistant;

(9) nursing aide;

(10) medical resident;

(11) pharmacy staff;

(12) phlebotomist;

(13) hospice provider;

(14) respiratory therapist; or

(15) worker providing direct patient care in inpatient and outpatient dialysis facilities.

Subd. 3. **Eligibility.** A first responder or other emergency frontline worker or a long-term or other health care frontline worker is eligible to receive frontline worker premium pay as provided under this section if the first responder or other emergency frontline worker or long-term or other health care frontline worker:

(1) was employed as of March 15, 2020, in a position that did not allow for remote work;

(2) worked at least 1,200 hours in a position as a first responder or other emergency frontline worker or a long-term or other health care frontline worker during the period between March 15, 2020, and December 31, 2020;

(3) did not collect unemployment benefits for more than four weeks on a cumulative basis for the period between March 15, 2020, and December 31, 2020; and

(4) is a resident of Minnesota.

Subd. 4. **Application; verification of eligibility.** (a) An eligible first responder or other emergency frontline worker or an eligible long-term or other health care frontline worker may apply to the commissioner of revenue in the form and manner determined by the commissioner for a payment under this section.

(b) The commissioner must begin accepting applications from eligible applicants on May 16, 2022. The commissioner must not accept applications submitted after June 17, 2022.

(c) The commissioner must verify each applicant's eligibility for a payment under this section.

Subd. 5. **Use of information.** The commissioner of revenue may consult with the commissioner of employment and economic development and disclose information to the extent necessary to verify eligibility and administer the payments under this section.

Subd. 6. **Payments; amounts.** (a) As soon as practicable, the commissioner of revenue must make payments to verified applicants in the order in which the application was received.

(b) The payment for a verified eligible first responder or other emergency frontline worker or a verified eligible long-term or other health care frontline worker equals \$1,200.

Subd. 7. **Report.** By January 15, 2023, the commissioner of revenue shall report to the legislative committees with jurisdiction over taxes and economic development policy and finance on the program under this section.

Subd. 8. **Appropriation.** (a) \$250,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of revenue to make the payments required under this section. This is a onetime appropriation.

(b) Any unexpended amount from the appropriation in paragraph (a) remaining after June 30, 2023, is canceled.

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

Sec. 2. **TAX TREATMENT OF FRONTLINE WORKER PREMIUM PAYMENTS.**

(a) For the purposes of this section, "subtraction" has the meaning given in Minnesota Statutes, section 290.0132, subdivision 1, and the rules in that subdivision apply for this section.

(b) The amount of frontline worker premium payments received under section 1 is a subtraction.

(c) For purposes of Minnesota Statutes, section 290.0674, subdivision 2a, paragraph (b), "income" does not include frontline worker premium payments received under section 1.

(d) For purposes of Minnesota Statutes, section 290A.03, subdivision 3, paragraph (b), "income" does not include frontline worker premium payments received under section 1.

**EFFECTIVE DATE.** This section is effective for taxable years in which a taxpayer received a frontline worker premium payment."

Renumber the articles in sequence

Amend the title as follows:

Page 1, line 2, delete "higher education,"

Page 1, line 3, after the second semicolon, insert "authorizing frontline worker premium payments;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. No. 4091 was read the second time.

95TH DAY]

MONDAY, APRIL 25, 2022

7511

**ADJOURNMENT**

Senator Johnson moved that the Senate do now adjourn until 11:00 a.m., Tuesday, April 26, 2022. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

