

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 1730

(SENATE AUTHORS: HOFFMAN and Abeler)

DATE
03/04/2021

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OFFICIAL STATUS
Introduction and first reading
Referred to Human Services Reform Finance and Policy

1.1 A bill for an act
1.2 relating to human services; child welfare; adding sex trafficking to the definitions
1.3 of egregious harm and substantial child endangerment; adding agencies specializing
1.4 in providing services to youth who have experienced or are at risk of experiencing
1.5 sex trafficking and exploitation to the multidisciplinary child protection team;
1.6 amending Minnesota Statutes 2020, sections 260C.007, subdivision 14; 260E.02,
1.7 subdivision 1; 260E.03, subdivision 22.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 260C.007, subdivision 14, is amended to read:

1.10 Subd. 14. **Egregious harm.** "Egregious harm" means the infliction of bodily harm to a
1.11 child or neglect of a child which demonstrates a grossly inadequate ability to provide
1.12 minimally adequate parental care. ~~The Egregious harm need~~ must not have occurred in the
1.13 state or in the county where a termination of parental rights action ~~is otherwise properly~~
1.14 ~~venued~~ has proper venue. Egregious harm includes, but is not limited to:

1.15 (1) conduct ~~towards~~ toward a child that constitutes a violation of sections 609.185 to
1.16 609.2114, 609.222, subdivision 2, 609.223, or any other similar law of any other state;

1.17 (2) the infliction of "substantial bodily harm" to a child, as defined in section 609.02,
1.18 subdivision 7a;

1.19 (3) conduct ~~towards~~ toward a child that constitutes felony malicious punishment of a
1.20 child under section 609.377;

1.21 (4) conduct ~~towards~~ toward a child that constitutes felony unreasonable restraint of a
1.22 child under section 609.255, subdivision 3;

2.1 (5) conduct ~~towards~~ toward a child that constitutes felony neglect or endangerment of
2.2 a child under section 609.378;

2.3 (6) conduct ~~towards~~ toward a child that constitutes assault under section 609.221, 609.222,
2.4 or 609.223;

2.5 (7) conduct ~~towards~~ toward a child that constitutes sex trafficking, solicitation,
2.6 inducement, ~~or~~ promotion of, or receiving profit derived from prostitution under section
2.7 609.322;

2.8 (8) conduct ~~towards~~ toward a child that constitutes murder or voluntary manslaughter
2.9 as defined by United States Code, title 18, section 1111(a) or 1112(a);

2.10 (9) conduct ~~towards~~ toward a child that constitutes aiding or abetting, attempting,
2.11 conspiring, or soliciting to commit a murder or voluntary manslaughter that constitutes a
2.12 violation of United States Code, title 18, section 1111(a) or 1112(a); or

2.13 (10) conduct toward a child that constitutes criminal sexual conduct under sections
2.14 609.342 to 609.345.

2.15 Sec. 2. Minnesota Statutes 2020, section 260E.02, subdivision 1, is amended to read:

2.16 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary
2.17 child protection team that may include, but is not be limited to, the director of the local
2.18 welfare agency or designees, the county attorney or designees, the county sheriff or designees,
2.19 representatives of health and education, representatives of mental health, representatives of
2.20 agencies providing specialized services or responding to youth who experience or are at
2.21 risk of experiencing sex trafficking or sexual exploitation, or other appropriate human
2.22 services or community-based agencies, and parent groups. As used in this section, a
2.23 "community-based agency" may include, but is not limited to, schools, social services
2.24 agencies, family service and mental health collaboratives, children's advocacy centers, early
2.25 childhood and family education programs, Head Start, or other agencies serving children
2.26 and families. A member of the team must be designated as the lead person of the team
2.27 responsible for the planning process to develop standards for the team's activities with
2.28 battered women's and domestic abuse programs and services.

2.29 Sec. 3. Minnesota Statutes 2020, section 260E.03, subdivision 22, is amended to read:

2.30 Subd. 22. **Substantial child endangerment.** "Substantial child endangerment" means
2.31 that a person responsible for a child's care, by act or omission, commits or attempts to

3.1 commit an act against a child ~~under their~~ in the person's care that constitutes any of the
3.2 following:

3.3 (1) egregious harm under subdivision 5;

3.4 (2) abandonment under section 260C.301, subdivision 2;

3.5 (3) neglect under subdivision 15, paragraph (a), clause (2), that substantially endangers
3.6 the child's physical or mental health, including a growth delay, which may be referred to
3.7 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

3.8 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

3.9 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

3.10 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

3.11 (7) sex trafficking, solicitation, inducement, ~~and~~ or promotion of prostitution under
3.12 section 609.322;

3.13 (8) criminal sexual conduct under sections 609.342 to 609.3451;

3.14 (9) solicitation of children to engage in sexual conduct under section 609.352;

3.15 (10) malicious punishment or neglect or endangerment of a child under section 609.377
3.16 or 609.378;

3.17 (11) use of a minor in sexual performance under section 617.246; or

3.18 (12) parental behavior, status, or condition ~~that mandates that~~ requiring the county
3.19 attorney to file a termination of parental rights petition under section 260C.503, subdivision
3.20 2.