

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 803

(SENATE AUTHORS: LIMMER)

DATE	D-PG	OFFICIAL STATUS
02/09/2017	555	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
03/23/2017	1672a	Comm report: To pass as amended and re-refer to Finance
03/27/2017	1946a	Comm report: To pass as amended
	1963	Second reading
03/28/2017	2178a	Special Order: Amended
	2181	Third reading Passed
04/03/2017	3118	Returned from House with amendment
	3118	Senate not concur, conference committee of 5 requested
04/18/2017	3170	Senate conferees Limmer; Relph; Johnson; Anderson, B.; Latz
04/20/2017	3185	House conferees Cornish; Johnson, B.; Zerwas; Scott; Hilstrom
05/15/2017		Conference committee report, delete everything Senate adopted CC report and repassed bill Third reading House adopted SCC report and repassed bill

1.1 A bill for an act

1.2 relating to public safety; modifying certain provisions relating to courts, public

1.3 safety, corrections, crime, and controlled substances; requesting reports; providing

1.4 for penalties; appropriating money for public safety, courts, corrections, Guardian

1.5 Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board

1.6 of Public Defense, Sentencing Guidelines, Peace Officer Standards and Training

1.7 (POST) Board, and Private Detective Board; amending Minnesota Statutes 2016,

1.8 sections 2.722, subdivision 1; 3.739, subdivision 1; 13.69, subdivision 1; 152.02,

1.9 subdivisions 2, 12, by adding a subdivision; 152.105; 171.015, by adding a

1.10 subdivision; 241.01, subdivision 3a; 243.05, subdivision 1; 243.17, subdivision

1.11 1; 243.49; 244.05, subdivision 3; 244.198, by adding a subdivision; 271.21,

1.12 subdivision 2; 299A.55, subdivision 2; 299A.707, subdivision 2; 299C.46,

1.13 subdivision 6; 357.021, subdivision 2; 357.022; 357.42; 358.116; 480.242,

1.14 subdivision 2; 484.70, subdivision 7; 484.702, by adding a subdivision; 486.05,

1.15 subdivision 1; 486.06; 513.41; 518.179, subdivision 2; 549.09, subdivision 1;

1.16 609.14, by adding a subdivision; 609.475; 609.48, by adding a subdivision; 609.595,

1.17 subdivisions 1, 2, by adding a subdivision; 609.605, by adding a subdivision;

1.18 609.74; 609.748, subdivisions 3, 3a, 4, 5, by adding subdivisions; 609.855,

1.19 subdivision 2; 624.714, subdivision 17; 631.52, subdivision 2; 634.36; Laws 2009,

1.20 chapter 59, article 3, section 4, subdivisions 8, as amended, 9, as amended;

1.21 proposing coding for new law in Minnesota Statutes, chapters 609; 626; repealing

1.22 Minnesota Statutes 2016, sections 169.685, subdivision 4; 486.05, subdivision 1a;

1.23 525.112.

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

1.25 **ARTICLE 1**

1.26 **APPROPRIATIONS**

1.27 Section 1. **APPROPRIATIONS.**

1.28 The sums shown in the columns marked "Appropriations" are appropriated to the agencies

1.29 and for the purposes specified in this article. The appropriations are from the general fund,

1.30 or another named fund, and are available for the fiscal years indicated for each purpose.

1.31 The figures "2018" and "2019" used in this article mean that the appropriations listed under

2.1 them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively.
 2.2 "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium"
 2.3 is fiscal years 2018 and 2019. Appropriations for the fiscal year ending June 30, 2017, are
 2.4 effective the day following final enactment.

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
	<u>2017</u>	<u>2018</u>	<u>2019</u>

2.9 **Sec. 2. SUPREME COURT**

2.10	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>49,848,000</u>	<u>\$</u>	<u>50,262,000</u>
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2.11 The amounts that may be spent for each
 2.12 purpose are specified in the following
 2.13 subdivisions.

2.14	<u>Subd. 2. Supreme Court Operations</u>		<u>36,378,000</u>		<u>36,792,000</u>
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2.15 **(a) Contingent Account**

2.16 \$5,000 each year is for a contingent account
 2.17 for expenses necessary for the normal
 2.18 operation of the court for which no other
 2.19 reimbursement is provided.

2.20 **(b) Harassment Restraining Orders**

2.21 \$993,000 each year is to implement the
 2.22 changes related to harassment restraining
 2.23 orders required in article 3. The base for this
 2.24 activity is \$993,000 in fiscal year 2020 and
 2.25 zero in fiscal year 2021.

2.26	<u>Subd. 3. Civil Legal Services</u>		<u>13,470,000</u>		<u>13,470,000</u>
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2.27 **Legal Services to Low-Income Clients in**
 2.28 **Family Law Matters.** \$948,000 each year is
 2.29 to improve the access of low-income clients
 2.30 to legal representation in family law matters.
 2.31 This appropriation must be distributed under
 2.32 Minnesota Statutes, section 480.242, to the
 2.33 qualified legal services program described in
 2.34 Minnesota Statutes, section 480.242,

3.1 subdivision 2, paragraph (a). Any
 3.2 unencumbered balance remaining in the first
 3.3 year does not cancel and is available in the
 3.4 second year.

3.5 Sec. 3. COURT OF APPEALS \$ 12,082,000 \$ 12,163,000

3.6 Sec. 4. DISTRICT COURTS \$ 283,495,000 \$ 286,074,000

3.7 (a) New Trial Judges

3.8 \$884,000 the first year and \$818,000 the
 3.9 second year are for two new trial court judge
 3.10 units.

3.11 (b) Mandated Services

3.12 \$503,000 the first year and \$504,000 the
 3.13 second year are for mandated court services.

3.14 (c) Treatment Courts Stability

3.15 \$100,000 each year is for treatment courts
 3.16 stability.

3.17 Sec. 5. GUARDIAN AD LITEM BOARD \$ 15,547,000 \$ 15,675,000

3.18 Sec. 6. TAX COURT \$ 1,501,000 \$ 1,505,000

3.19 \$104,000 each year is for a case management
 3.20 system.

3.21 Sec. 7. UNIFORM LAWS COMMISSION \$ 93,000 \$ 93,000

3.22 Sec. 8. BOARD ON JUDICIAL STANDARDS \$ 486,000 \$ 486,000

3.23 Major Disciplinary Actions. \$125,000 each
 3.24 year is for special investigative and hearing
 3.25 costs for major disciplinary actions undertaken
 3.26 by the board. This appropriation does not
 3.27 cancel. Any unencumbered and unspent
 3.28 balances remain available for these
 3.29 expenditures until June 30, 2021.

4.1	Sec. 9. <u>BOARD OF PUBLIC DEFENSE</u>		<u>\$ 84,083,000</u>	<u>\$ 84,853,000</u>
4.2	Sec. 10. <u>SENTENCING GUIDELINES</u>		<u>\$ 647,000</u>	<u>\$ 651,000</u>
4.3	Sec. 11. <u>PUBLIC SAFETY</u>			
4.4	<u>Subdivision 1. Total Appropriation</u>		<u>\$ 189,984,000</u>	<u>\$ 190,388,000</u>
4.5	<u>Appropriations by Fund</u>			
4.6		<u>2018</u>	<u>2019</u>	
4.7	<u>General</u>	<u>96,912,000</u>	<u>97,153,000</u>	
4.8	<u>Special Revenue</u>	<u>13,436,000</u>	<u>13,572,000</u>	
4.9	<u>State Government</u>			
4.10	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>	
4.11	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>	
4.12	<u>Trunk Highway</u>	<u>2,341,000</u>	<u>2,356,000</u>	
4.13	<u>911 Fund</u>	<u>77,119,000</u>	<u>77,131,000</u>	
4.14	<u>The amounts that may be spent for each</u>			
4.15	<u>purpose are specified in the following</u>			
4.16	<u>subdivisions.</u>			
4.17	<u>Subd. 2. Emergency Management</u>		<u>4,779,000</u>	<u>3,893,000</u>
4.18	<u>Appropriations by Fund</u>			
4.19	<u>General</u>	<u>3,306,000</u>	<u>2,420,000</u>	
4.20	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>	
4.21	<u>Special Revenue</u>			
4.22	<u>Fund</u>	<u>1,400,000</u>	<u>1,400,000</u>	
4.23	<u>(a) Hazmat and Chemical Assessment</u>			
4.24	<u>Teams</u>			
4.25	<u>\$850,000 each year is from the fire safety</u>			
4.26	<u>account in the special revenue fund. These</u>			
4.27	<u>amounts must be used to fund the hazardous</u>			
4.28	<u>materials and chemical assessment teams. Of</u>			
4.29	<u>this amount, \$100,000 the first year is for</u>			
4.30	<u>cases for which there is no identified</u>			
4.31	<u>responsible party.</u>			
4.32	<u>(b) Emergency Response Teams</u>			

5.1 \$550,000 each year is from the fire safety
5.2 account in the special revenue fund to maintain
5.3 three emergency response teams: one under
5.4 the jurisdiction of the St. Cloud Fire
5.5 Department or a similarly located fire
5.6 department if necessary; one under the
5.7 jurisdiction of the Duluth Fire Department;
5.8 and one under the jurisdiction of the Moorhead
5.9 Fire Department. The commissioner must
5.10 allocate the appropriation as follows: (1)
5.11 \$225,000 each year to the St. Cloud Fire
5.12 Department; (2) \$225,000 each year to the
5.13 Duluth Fire Department; and (3) \$100,000
5.14 each year to the Moorhead Fire Department.
5.15 These are onetime appropriations.

5.16 **(c) Roseau County Disaster Reimbursement**

5.17 \$750,000 the first year is from the general fund
5.18 for distribution to Roseau County for
5.19 reimbursement of costs to repair public
5.20 infrastructure damaged by the 1999 and 2002
5.21 floods.

5.22 **(d) Supplemental Nonprofit Security Grants**

5.23 \$150,000 the first year is from the general fund
5.24 for supplemental nonprofit security grants
5.25 under this paragraph.

5.26 Nonprofit organizations whose applications
5.27 for funding through the Federal Emergency
5.28 Management Agency's nonprofit security grant
5.29 program have been approved by the Division
5.30 of Homeland Security and Emergency
5.31 Management are eligible for grants under this
5.32 paragraph. No additional application shall be
5.33 required for grants under this paragraph, and
5.34 an application for a grant from the federal

6.1 program is also an application for funding
 6.2 from the state supplemental program.

6.3 Eligible organizations may receive grants of
 6.4 up to \$75,000, except that the total received
 6.5 by any individual from both the federal
 6.6 nonprofit security grant program and the state
 6.7 supplemental nonprofit security grant program
 6.8 shall not exceed \$75,000. Grants shall be
 6.9 awarded in an order consistent with the
 6.10 ranking given to applicants for the federal
 6.11 nonprofit security grant program. No grants
 6.12 under the state supplemental nonprofit security
 6.13 grant program shall be awarded until the
 6.14 announcement of the recipients and the
 6.15 amount of the grants awarded under the federal
 6.16 nonprofit security grant program.

6.17 The commissioner may use up to one percent
 6.18 of the appropriation received under this
 6.19 paragraph to pay costs incurred by the
 6.20 department in administering the supplemental
 6.21 nonprofit security grant program.

6.22 **Subd. 3. Criminal Apprehension** 54,388,000 55,502,000

6.23	<u>Appropriations by Fund</u>		
6.24	<u>General</u>	<u>52,040,000</u>	<u>53,139,000</u>
6.25	<u>State Government</u>		
6.26	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
6.27	<u>Trunk Highway</u>	<u>2,341,000</u>	<u>2,356,000</u>

6.28 **(a) DWI Lab Analysis; Trunk Highway**
 6.29 **Fund**

6.30 Notwithstanding Minnesota Statutes, section
 6.31 161.20, subdivision 3, \$2,341,000 the first
 6.32 year and \$2,356,000 the second year are from
 6.33 the trunk highway fund for laboratory analysis
 6.34 related to driving-while-impaired cases.

6.35 **(b) Predatory Registration System**

7.1 \$1,000,000 the second year is to be used to
 7.2 build the predatory registration system. This
 7.3 appropriation is available until June 30, 2020.
 7.4 The base for fiscal year 2020 is \$3,100,000
 7.5 and the base for fiscal year 2021 is \$400,000
 7.6 to maintain the system.

7.7 **(c) BCA Investment Initiative**

7.8 \$275,000 each year is:
 7.9 (1) for an additional firearms examiner; and
 7.10 (2) for additional staff in the drug chemistry
 7.11 lab.

7.12 **(d) Harassment Restraining Orders**

7.13 \$169,000 the first year and \$47,000 the second
 7.14 year are for the Bureau of Criminal
 7.15 Apprehension to implement the changes
 7.16 related to harassment restraining orders
 7.17 required in article 3.

7.18 **(e) Base Adjustment**

7.19 The base from the general fund for the Bureau
 7.20 of Criminal Apprehension is \$55,239,000 in
 7.21 fiscal year 2020 and \$52,539,000 in fiscal year
 7.22 2021.

7.23 **Subd. 4. Fire Marshal**

6,274,000

6,408,000

7.24 Appropriations by Fund

7.25 Special Revenue 6,274,000 6,408,000

7.26 The special revenue fund appropriation is from
 7.27 the fire safety account in the special revenue
 7.28 fund and is for activities under Minnesota
 7.29 Statutes, section 299F.012.

7.30 **Inspections**

7.31 \$300,000 each year is for inspection of nursing
 7.32 homes and boarding care facilities.

8.1	<u>Subd. 5. Firefighter Training and Education</u>			
8.2	<u>Board</u>		<u>5,015,000</u>	<u>5,015,000</u>
8.3	<u>Appropriations by Fund</u>			
8.4	<u>Special Revenue</u>	<u>5,015,000</u>	<u>5,015,000</u>	
8.5	<u>The special revenue fund appropriation is from</u>			
8.6	<u>the fire safety account in the special revenue</u>			
8.7	<u>fund and is for activities under Minnesota</u>			
8.8	<u>Statutes, section 299F.012.</u>			
8.9	<u>(a) Firefighter Training and Education</u>			
8.10	<u>\$4,265,000 each year is for firefighter training</u>			
8.11	<u>and education.</u>			
8.12	<u>(b) Task Force 1</u>			
8.13	<u>\$500,000 each year is for the Minnesota Task</u>			
8.14	<u>Force 1.</u>			
8.15	<u>(c) Air Rescue</u>			
8.16	<u>\$250,000 each year is for the Minnesota Air</u>			
8.17	<u>Rescue Team.</u>			
8.18	<u>(d) Unappropriated Revenue</u>			
8.19	<u>Any additional unappropriated money</u>			
8.20	<u>collected in fiscal year 2017 is appropriated</u>			
8.21	<u>to the commissioner of public safety for the</u>			
8.22	<u>purposes of Minnesota Statutes, section</u>			
8.23	<u>299F.012. The commissioner may transfer</u>			
8.24	<u>appropriations and base amounts between</u>			
8.25	<u>activities in this subdivision.</u>			
8.26	<u>Subd. 6. Alcohol and Gambling Enforcement</u>		<u>2,506,000</u>	<u>2,521,000</u>
8.27	<u>Appropriations by Fund</u>			
8.28	<u>General</u>	<u>1,759,000</u>	<u>1,772,000</u>	
8.29	<u>Special Revenue</u>	<u>747,000</u>	<u>749,000</u>	
8.30	<u>\$677,000 the first year and \$679,000 the</u>			
8.31	<u>second year are from the alcohol enforcement</u>			
8.32	<u>account in the special revenue fund. Of this</u>			

9.1 appropriation, \$500,000 each year shall be
 9.2 transferred to the general fund.

9.3 \$70,000 each year is from the lawful gambling
 9.4 regulation account in the special revenue fund.

9.5 **Field Agent or Alcohol Educator**

9.6 \$90,000 each year is from the general fund for
 9.7 a field agent or an alcohol educator.

9.8 **Subd. 7. Office of Justice Programs** 39,903,000 39,918,000

9.9 Appropriations by Fund

9.10 General 39,807,000 39,822,000

9.11 State Government

9.12 Special Revenue 96,000 96,000

9.13 **(a) OJP Administration Costs**

9.14 Up to 2.5 percent of the grant funds
 9.15 appropriated in this subdivision may be used
 9.16 by the commissioner to administer the grant
 9.17 program.

9.18 **(b) Violent Crime Enforcement**

9.19 \$35,000 each year is for additional grants for
 9.20 Statewide Violent Crime Enforcement Teams.

9.21 **(c) Combating Terrorism Recruitment**

9.22 \$250,000 each year is for grants to local law
 9.23 enforcement agencies to develop strategies
 9.24 and make efforts to combat the recruitment of
 9.25 Minnesota residents by terrorist organizations
 9.26 such as ISIS and al-Shabaab. This is a onetime
 9.27 appropriation.

9.28 **(d) Sex Trafficking Prevention Grants**

9.29 \$180,000 each year is for grants to state and
 9.30 local units of government for the following
 9.31 purposes:

10.1 (1) to support new or existing
 10.2 multijurisdictional entities to investigate sex
 10.3 trafficking crimes; and
 10.4 (2) to provide technical assistance, including
 10.5 training and case consultation, to law
 10.6 enforcement agencies statewide.
 10.7 **(e) Pathway to Policing Reimbursement Grants**

10.8 \$400,000 each year is for reimbursement
 10.9 grants to local units of government that operate
 10.10 pathway to policing programs intended to
 10.11 bring persons with nontraditional backgrounds
 10.12 into law enforcement. Applicants for
 10.13 reimbursement grants may receive up to 50
 10.14 percent of the cost of compensating and
 10.15 training pathway to policing participants.
 10.16 Reimbursement grants shall be proportionally
 10.17 allocated based on the number of grant
 10.18 applications approved by the commissioner.

10.19	<u>Subd. 8. Emergency Communication Networks</u>	<u>77,119,000</u>	<u>77,131,000</u>
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10.20 This appropriation is from the state
 10.21 government special revenue fund for 911
 10.22 emergency telecommunications services.

10.23 This appropriation includes funds for
 10.24 information technology project services and
 10.25 support subject to the provisions of Minnesota
 10.26 Statutes, section 16E.0466. Any ongoing
 10.27 information technology costs will be
 10.28 incorporated into the service level agreement
 10.29 and will be paid to the Office of MN.IT
 10.30 Services by the Department of Public Safety
 10.31 under the rates and mechanism specified in
 10.32 that agreement.

10.33 **(a) Public Safety Answering Points**

- 11.1 \$13,664,000 each year is to be distributed as
11.2 provided in Minnesota Statutes, section
11.3 403.113, subdivision 2.
- 11.4 **(b) Medical Resource Communication Centers**
- 11.5 \$683,000 each year is for grants to the
11.6 Minnesota Emergency Medical Services
11.7 Regulatory Board for the Metro East and
11.8 Metro West Medical Resource
11.9 Communication Centers that were in operation
11.10 before January 1, 2000.
- 11.11 **(c) ARMER Debt Service**
- 11.12 \$23,261,000 each year is to the commissioner
11.13 of management and budget to pay debt service
11.14 on revenue bonds issued under Minnesota
11.15 Statutes, section 403.275.
- 11.16 Any portion of this appropriation not needed
11.17 to pay debt service in a fiscal year may be used
11.18 by the commissioner of public safety to pay
11.19 cash for any of the capital improvements for
11.20 which bond proceeds were appropriated by
11.21 Laws 2005, chapter 136, article 1, section 9,
11.22 subdivision 8; or Laws 2007, chapter 54,
11.23 article 1, section 10, subdivision 8.
- 11.24 **(d) ARMER State Backbone Operating**
11.25 **Costs**
- 11.26 \$9,650,000 each year is to the commissioner
11.27 of transportation for costs of maintaining and
11.28 operating the statewide radio system
11.29 backbone.
- 11.30 **(e) ARMER Improvements**
- 11.31 \$1,000,000 each year is to the Statewide
11.32 Emergency Communications Board for
11.33 improvements to those elements of the

12.1 statewide public safety radio and
 12.2 communication system that support mutual
 12.3 aid communications and emergency medical
 12.4 services or provide interim enhancement of
 12.5 public safety communication interoperability
 12.6 in those areas of the state where the statewide
 12.7 public safety radio and communication system
 12.8 is not yet implemented, and grants to local
 12.9 units of government to further the strategic
 12.10 goals set forth by the Statewide Emergency
 12.11 Communications Board strategic plan.

12.12 **Sec. 12. PEACE OFFICER STANDARDS AND**
 12.13 **TRAINING (POST) BOARD**

12.14 **Subdivision 1. Total Appropriation** \$ **10,634,000** \$ **10,638,000**

12.15 Appropriations by Fund

	<u>2018</u>	<u>2019</u>
12.16 <u>General</u>	<u>6,500,000</u>	<u>6,500,000</u>
12.17 <u>Special Revenue</u>	<u>4,134,000</u>	<u>4,138,000</u>

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

12.22 **Subd. 2. Excess Amounts Transferred**

12.23 The special revenue fund appropriation is from
 12.24 the peace officer training account. Any new
 12.25 receipts credited to that account in the first
 12.26 year in excess of \$4,134,000 must be
 12.27 transferred and credited to the general fund.
 12.28 Any new receipts credited to that account in
 12.29 the second year in excess of \$4,138,000 must
 12.30 be transferred and credited to the general fund.

12.31 **Subd. 3. Peace Officer Training Reimbursements**

12.32 \$2,859,000 each year is from the peace officer
 12.33 training account in the special revenue fund

13.1 for reimbursements to local governments for
 13.2 peace officer training costs.

13.3 **Subd. 4. Peace Officer Training Assistance**

13.4 \$6,500,000 each year is from the general fund
 13.5 to support and strengthen law enforcement
 13.6 training and implement best practices. The
 13.7 base for this activity is \$6,500,000 in fiscal
 13.8 years 2020 and 2021, and zero in fiscal year
 13.9 2022 and thereafter.

13.10 **Subd. 5. De-escalation Training**

13.11 \$100,000 each year is from the peace officer
 13.12 training account in the special revenue fund
 13.13 for training state and local community safety
 13.14 personnel in the use of crisis de-escalation
 13.15 techniques. When selecting a service provider
 13.16 for this training, the board may consult with
 13.17 any postsecondary institution, any state or
 13.18 local governmental official, or any
 13.19 nongovernmental authority the board
 13.20 determines to be relevant. Among any other
 13.21 criteria the board may establish, the training
 13.22 provider must have a demonstrated
 13.23 understanding of the transitions and challenges
 13.24 that veterans may experience during their
 13.25 re-entry into society following combat service.
 13.26 The board must ensure that training
 13.27 opportunities provided are reasonably
 13.28 distributed statewide.

13.29 **Sec. 13. PRIVATE DETECTIVE BOARD** \$ **190,000** \$ **190,000**

13.30 **Sec. 14. CORRECTIONS**

13.31 **Subdivision 1. Total**

13.32 **Appropriation** \$ **9,200,000** \$ **567,929,000** \$ **558,772,000**

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

14.4 **Subd. 2. Correctional**

14.5	<u>Institutions</u>	<u>9,200,000</u>	<u>412,949,000</u>	<u>403,591,000</u>
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14.6 **(a) Offender Health Care**

14.7 \$9,200,000 in fiscal year 2017 is to fund a
 14.8 deficiency in the base budget for the offender
 14.9 health care contract.

14.10 \$11,400,000 the first year is for the offender
 14.11 health care contract.

14.12 Prior to entering into a new health care
 14.13 contract, the commissioner must identify and
 14.14 directly solicit bids from at least five health
 14.15 care organizations that provide, or are willing
 14.16 to provide, health care to prison inmates. In
 14.17 the department's next report required under
 14.18 Minnesota Statutes, section 241.016, after
 14.19 entering a new health care contract, the
 14.20 commissioner shall:

14.21 (1) provide the names and a summary of each
 14.22 bid proposal from the health care organizations
 14.23 that submitted a proposal to provide health
 14.24 care to state inmates; and

14.25 (2) explain, in detail, why the commissioner
 14.26 selected the chosen provider.

14.27 The base for offender health care is
 14.28 \$11,400,000 in fiscal years 2020 and 2021.

14.29 **(b) Federal Prison Rape Elimination Act**

14.30 \$500,000 each year is to comply with
 14.31 requirements of the federal Prison Rape
 14.32 Elimination Act. The commissioner must limit
 14.33 the number of juveniles accepted at MCF-Red

- 15.1 Wing so that the staffing-to-offender ratio at
 15.2 the facility complies with the act.
- 15.3 **Subd. 3. Community Services** 128,070,000 128,213,000
- 15.4 **(a) DOC Supervision Services**
- 15.5 \$696,000 the first year and \$697,000 the
 15.6 second year are for Department of Corrections
 15.7 probation and supervised release agents.
- 15.8 **(b) Community Corrections Act**
- 15.9 \$2,100,000 each year is added to the
 15.10 Community Corrections Act subsidy, as
 15.11 described in Minnesota Statutes, section
 15.12 401.14.
- 15.13 **(c) County Probation Officer**
 15.14 **Reimbursement**
- 15.15 \$230,000 each year is added to the county
 15.16 probation officers reimbursement, as described
 15.17 in Minnesota Statutes, section 244.19,
 15.18 subdivision 6.
- 15.19 **(d) Alternatives to Incarceration Pilot Program**
 15.20 **Fund**
- 15.21 \$159,000 the first year and \$160,000 the
 15.22 second year are to fund grants to facilitate
 15.23 access to community treatment options under
 15.24 article 3, section 29.
- 15.25 **Subd. 4. Operations Support** 26,910,000 26,968,000
- 15.26 **Critical Technology Needs**
- 15.27 \$1,187,000 each year is to support critical
 15.28 technology needs.

15.29 **ARTICLE 2**

15.30 **COURTS**

- 15.31 Section 1. Minnesota Statutes 2016, section 2.722, subdivision 1, is amended to read:

16.1 Subdivision 1. **Description.** Effective July 1, 1959, the state is divided into ten judicial
16.2 districts composed of the following named counties, respectively, in each of which districts
16.3 judges shall be chosen as hereinafter specified:

16.4 1. Goodhue, Dakota, Carver, Le Sueur, McLeod, Scott, and Sibley; 36 judges; and four
16.5 permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe
16.6 and one other shall be maintained at the place designated by the chief judge of the district;

16.7 2. Ramsey; 26 judges;

16.8 3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower,
16.9 and Fillmore; 23 judges; and permanent chambers shall be maintained in Faribault, Albert
16.10 Lea, Austin, Rochester, and Winona;

16.11 4. Hennepin; 60 judges;

16.12 5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood,
16.13 Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; 16 judges; and permanent
16.14 chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

16.15 6. Carlton, St. Louis, Lake, and Cook; 15 judges;

16.16 7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and
16.17 Wadena; ~~28~~ 29 judges; and permanent chambers shall be maintained in Moorhead, Fergus
16.18 Falls, Little Falls, and St. Cloud;

16.19 8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big
16.20 Stone, Grant, Pope, Stevens, Traverse, and Wilkin; 11 judges; and permanent chambers
16.21 shall be maintained in Morris, Montevideo, and Willmar;

16.22 9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnommen, Pennington, Aitkin,
16.23 Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and
16.24 Koochiching; ~~23~~ 24 judges; and permanent chambers shall be maintained in Crookston,
16.25 Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls; and

16.26 10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; 45
16.27 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places
16.28 designated by the chief judge of the district.

16.29 Sec. 2. Minnesota Statutes 2016, section 13.69, subdivision 1, is amended to read:

16.30 Subdivision 1. **Classifications.** (a) The following government data of the Department
16.31 of Public Safety are private data:

17.1 (1) medical data on driving instructors, licensed drivers, and applicants for parking
 17.2 certificates and special license plates issued to physically disabled persons;

17.3 (2) other data on holders of a disability certificate under section 169.345, except that (i)
 17.4 data that are not medical data may be released to law enforcement agencies, and (ii) data
 17.5 necessary for enforcement of sections 169.345 and 169.346 may be released to parking
 17.6 enforcement employees or parking enforcement agents of statutory or home rule charter
 17.7 cities and towns;

17.8 (3) Social Security numbers in driver's license and motor vehicle registration records,
 17.9 except that Social Security numbers must be provided to the Department of Revenue for
 17.10 purposes of tax administration, the Department of Labor and Industry for purposes of
 17.11 workers' compensation administration and enforcement, the judicial branch for purposes of
 17.12 debt collection, and the Department of Natural Resources for purposes of license application
 17.13 administration; and

17.14 (4) data on persons listed as standby or temporary custodians under section 171.07,
 17.15 subdivision 11, except that the data must be released to:

17.16 (i) law enforcement agencies for the purpose of verifying that an individual is a designated
 17.17 caregiver; or

17.18 (ii) law enforcement agencies who state that the license holder is unable to communicate
 17.19 at that time and that the information is necessary for notifying the designated caregiver of
 17.20 the need to care for a child of the license holder.

17.21 The department may release the Social Security number only as provided in clause (3)
 17.22 and must not sell or otherwise provide individual Social Security numbers or lists of Social
 17.23 Security numbers for any other purpose.

17.24 (b) The following government data of the Department of Public Safety are confidential
 17.25 data: data concerning an individual's driving ability when that data is received from a member
 17.26 of the individual's family.

17.27 Sec. 3. Minnesota Statutes 2016, section 243.49, is amended to read:

17.28 **243.49 COMMITMENT PAPERS; DUTY OF COURT ADMINISTRATOR.**

17.29 Upon a plea of guilty or finding of guilty after trial, the court administrator of every
 17.30 court which sentences a defendant for a felony or gross misdemeanor to the custody of the
 17.31 commissioner of corrections or to the superintendent of the workhouse or work farm, shall
 17.32 provide the officer or person having custody of the defendant a certified record for

18.1 commitment, including ~~(1) a copy of the indictment and plea, (2) a transcript of the sentencing~~
 18.2 ~~proceedings, with the date thereof, together with the defendant's statement under oath, if~~
 18.3 ~~obtained, as to the defendant's true name, residence, if any, the date and place of birth, the~~
 18.4 ~~names and addresses of parents and other relatives and of employers and others who know~~
 18.5 ~~the defendant well, social and other affiliations, past occupations and employments, former~~
 18.6 ~~places of residence and the period of time and the dates the defendant has resided in each,~~
 18.7 ~~citizenship, the number, dates, places and causes of any prior convictions, and (3) if the~~
 18.8 ~~person pleaded guilty, a transcript of the sentencing proceedings. The record shall also~~
 18.9 include the trial judge's impressions of the defendant's mental and physical condition, general
 18.10 character, capacity, disposition, habits and special needs. ~~The court reporter shall provide~~
 18.11 ~~the required transcripts.~~ The certified record for commitment may be used as evidence in
 18.12 any postconviction proceeding brought by the defendant. The court administrator shall also
 18.13 deliver to the sheriff or other officer or person conveying the defendant to the correctional
 18.14 facility, workhouse, or work farm designated by the commissioner of corrections or the
 18.15 judge a warrant of commitment together with a certified copy of the warrant directing the
 18.16 conveyor to deliver the person and the certified record for commitment to the principal
 18.17 officer in charge of the correctional facility, workhouse, or work farm. Upon the delivery
 18.18 of any person, the principal officer in charge of the correctional facility, workhouse, or work
 18.19 farm shall keep the certified copy of the warrant of commitment and endorse the principal
 18.20 officer's receipt upon the original, which shall be filed with the sentencing court. The court
 18.21 administrator shall retain ~~one copy of the required transcripts, and a tape recording and the~~
 18.22 court reporter's notes of all ~~other~~ proceedings.

18.23 Sec. 4. Minnesota Statutes 2016, section 271.21, subdivision 2, is amended to read:

18.24 Subd. 2. **Jurisdiction.** At the election of the taxpayer, the Small Claims Division shall
 18.25 have jurisdiction only in the following matters:

18.26 (a) cases involving valuation, assessment, or taxation of real or personal property, if:

18.27 (i) the issue is a denial of a current year application for the homestead classification for
 18.28 the taxpayer's property;

18.29 (ii) only one parcel is included in the petition, the entire parcel is classified as homestead
 18.30 class 1a or 1b under section 273.13, and the parcel contains no more than one dwelling unit;

18.31 (iii) the entire property is classified as agricultural homestead class 2a or 1b under section
 18.32 273.13; or

19.1 (iv) the assessor's estimated market value of the property included in the petition is less
 19.2 than \$300,000; or

19.3 (b) any case not involving valuation, assessment, or taxation of real and personal property
 19.4 in which the amount in controversy does not exceed ~~\$5,000~~ \$15,000, including penalty and
 19.5 interest.

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

19.7 Sec. 5. Minnesota Statutes 2016, section 299A.707, subdivision 2, is amended to read:

19.8 Subd. 2. **Account purpose, grants.** Money in this account shall be allocated by a grant
 19.9 program administered by the commissioner of public safety through the Office of Justice
 19.10 Programs. Local units of government and nonprofit organizations are eligible for grants to
 19.11 establish or operate chemical dependency and mental health treatment programs, programs
 19.12 that improve supervision, including pretrial and precharge supervision, and programs to
 19.13 reduce recidivism of controlled substances offenders on probation or supervised release or
 19.14 participating in ~~drug treatment~~ courts or to fund local participation in ~~drug treatment~~ court
 19.15 initiatives approved by the Judicial Council.

19.16 Sec. 6. Minnesota Statutes 2016, section 357.42, is amended to read:

19.17 **357.42 DRUG TREATMENT COURT FEES.**

19.18 (a) When a court establishes a ~~drug treatment~~ court process, the court may establish one
 19.19 or more fees for services provided to defendants participating in the process.

19.20 (b) In each fiscal year, the court shall deposit the ~~drug treatment~~ court participation fees
 19.21 in the special revenue fund and credit the fees to a separate account for the trial courts. The
 19.22 balance in this account is appropriated to the trial courts and does not cancel but is available
 19.23 until expended. Expenditures from this account must be made for ~~drug treatment~~ court
 19.24 purposes.

19.25 Sec. 7. Minnesota Statutes 2016, section 358.116, is amended to read:

19.26 **358.116 COURT DOCUMENTS.**

19.27 Unless specifically required by court rule, a pleading, motion, affidavit, or other document
 19.28 filed with a court of the Minnesota judicial branch, or presented to a judge or judicial officer
 19.29 in support of a request for a court order, warrant, or other relief, is not required to be
 19.30 notarized. Signing a document filed with the court or presented to a judge or judicial officer
 19.31 constitutes "verification upon oath or affirmation" as defined in section 358.41, clause (3),

20.1 without administration of an oath under section 358.07, provided that the signature, as
20.2 defined by court rules, is affixed immediately below a declaration using substantially the
20.3 following language: "I declare under penalty of perjury that everything I have stated in this
20.4 document is true and correct." In addition to the signature, the date of signing and the county
20.5 and state where the document was signed shall be noted on the document. A person who
20.6 signs knowing that the document is false in any material respect is guilty of perjury under
20.7 section 609.48, even if the date, county, and state of signing are omitted from the document.

20.8 Sec. 8. Minnesota Statutes 2016, section 480.242, subdivision 2, is amended to read:

20.9 Subd. 2. **Review of applications; selection of recipients.** At times and in accordance
20.10 with any procedures as the Supreme Court adopts in the form of court rules, applications
20.11 for the expenditure of civil legal services funds shall be accepted from qualified legal services
20.12 programs or from local government agencies and nonprofit organizations seeking to establish
20.13 qualified alternative dispute resolution programs. The applications shall be reviewed by the
20.14 advisory committee, and the advisory committee, subject to review by the Supreme Court,
20.15 shall distribute the funds available for this expenditure to qualified legal services programs
20.16 or to qualified alternative dispute resolution programs submitting applications. The funds
20.17 shall be distributed in accordance with the following formula:

20.18 (a) Eighty-five percent of the funds distributed shall be distributed to qualified legal
20.19 services programs that have demonstrated an ability as of July 1, 1982, to provide legal
20.20 services to persons unable to afford private counsel with funds provided by the federal Legal
20.21 Services Corporation. The allocation of funds among the programs selected shall be based
20.22 upon the number of persons with incomes below the poverty level established by the United
20.23 States Census Bureau who reside in the geographical area served by each program, as
20.24 determined by the Supreme Court on the basis of the most recent national census. All funds
20.25 distributed pursuant to this clause shall be used for the provision of legal services in civil
20.26 and farm legal assistance matters as prioritized by program boards of directors to eligible
20.27 clients.

20.28 (b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal
20.29 services programs for the provision of legal services in civil matters to eligible clients,
20.30 including programs which organize members of the private bar to perform services and
20.31 programs for qualified alternative dispute resolution, (2) to programs for training mediators
20.32 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal
20.33 services programs to provide family farm legal assistance for financially distressed state
20.34 farmers. The family farm legal assistance must be directed at farm financial problems

21.1 including, but not limited to, liquidation of farm property including bankruptcy, farm
 21.2 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit
 21.3 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed
 21.4 pursuant to this clause cannot be distributed because of insufficient acceptable applications,
 21.5 the remaining funds shall be distributed pursuant to clause (a).

21.6 A person is eligible for legal assistance under this section if the person is an eligible
 21.7 client as defined in section 480.24, subdivision 2, or:

21.8 (1) is a state resident;

21.9 (2) is or has been a farmer or a family shareholder of a family farm corporation within
 21.10 the preceding 24 months;

21.11 (3) has a debt-to-asset ratio greater than 50 percent; and

21.12 ~~(4) has a reportable federal adjusted gross income of \$15,000 or less in the previous~~
 21.13 ~~year; and~~

21.14 ~~(5) is financially unable to retain legal representation~~ (4) satisfies the income eligibility
 21.15 guidelines established under section 480.243, subdivision 1.

21.16 Qualifying farmers and small business operators whose bank loans are held by the Federal
 21.17 Deposit Insurance Corporation are eligible for legal assistance under this section.

21.18 Sec. 9. Minnesota Statutes 2016, section 484.70, subdivision 7, is amended to read:

21.19 Subd. 7. **Referee duties.** The duties and powers of referees shall be as follows:

21.20 (a) Hear and report all matters assigned by the chief judge.

21.21 (b) Recommend findings of fact, conclusions of law, temporary and interim orders, and
 21.22 final orders for judgment.

21.23 All recommended orders and findings of a referee shall be subject to confirmation by a
 21.24 judge.

21.25 (c) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge
 21.26 the court file together with recommended findings and orders in writing. The recommended
 21.27 findings and orders of a referee become the findings and orders of the court when confirmed
 21.28 by a judge. The order of the court shall be proof of such confirmation, and also of the fact
 21.29 that the matter was duly referred to the referees.

21.30 (d) Review of any recommended order or finding of a referee by a judge may be by
 21.31 notice served and filed within ten days of effective notice of the recommended order or

22.1 finding. The notice of review shall specify the grounds for review and the specific provisions
 22.2 of the recommended findings or orders disputed, and the court, upon receipt of a notice of
 22.3 review, shall set a time and place for a review hearing.

22.4 (e) All orders and findings recommended by a referee become an effective order when
 22.5 countersigned by a judge and remain effective during the pendency of a review, including
 22.6 a remand to the referee, unless a judge:

22.7 (1) expressly stays the effect of the order;

22.8 (2) changes the order during the pendency of the review; or

22.9 (3) changes or vacates the order upon completion of the review.

22.10 (f) Notwithstanding paragraphs (d) and (e), referee orders and decrees in probate or civil
 22.11 commitment court proceedings, if appealed, must be appealed directly to the Court of
 22.12 Appeals, in the same manner as judicial orders and decrees.

22.13 Sec. 10. Minnesota Statutes 2016, section 484.702, is amended by adding a subdivision
 22.14 to read:

22.15 Subd. 6. **Expedited child support process.** Hearings and proceedings conducted in the
 22.16 expedited child support process under this section may be reported by use of electronic
 22.17 recording equipment provided that the equipment meets the minimum standards established
 22.18 by the state court administrator. Electronic recording equipment must be operated and
 22.19 monitored by a person who meets the minimum qualifications established by the state court
 22.20 administrator.

22.21 Sec. 11. Minnesota Statutes 2016, section 486.05, subdivision 1, is amended to read:

22.22 Subdivision 1. **Salaries.** The salary for each court reporter shall be set ~~annually by the~~
 22.23 ~~district administrator~~ as provided in judicial branch personnel policies and collective
 22.24 bargaining agreements within the range established under section 480.181 as provided in
 22.25 the judicial branch personnel rules.

22.26 Sec. 12. Minnesota Statutes 2016, section 486.06, is amended to read:

22.27 **486.06 CHARGE FOR TRANSCRIPT.**

22.28 In addition to the salary set in section 486.05, the court reporter may charge for a
 22.29 transcript of a record ordered by any person other than the judge ~~50 cents per original folio~~
 22.30 ~~thereof and ten cents per folio for each manifold or other copy thereof when so ordered that~~

23.1 ~~it can be made with the original transcript. The chief judge of the judicial district may by~~
 23.2 ~~order establish new transcript fee ceilings annually~~ at a rate set by the chief justice.

23.3 A court reporter may impose a fee authorized under this section only if the transcript is
 23.4 delivered to the person who ordered it within a reasonable time after it was ordered.

23.5 Sec. 13. Minnesota Statutes 2016, section 513.41, is amended to read:

23.6 **513.41 DEFINITIONS.**

23.7 As used in sections 513.41 to 513.51:

23.8 (1) "Affiliate" means:

23.9 (i) a person that directly or indirectly owns, controls, or holds with power to vote, 20
 23.10 percent or more of the outstanding voting securities of the debtor, other than a person that
 23.11 holds the securities,

23.12 (A) as a fiduciary or agent without sole discretionary power to vote the securities; or

23.13 (B) solely to secure a debt, if the person has not in fact exercised the power to vote;

23.14 (ii) a corporation 20 percent or more of whose outstanding voting securities are directly
 23.15 or indirectly owned, controlled, or held with power to vote, by the debtor or a person that
 23.16 directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the
 23.17 outstanding voting securities of the debtor, other than a person that holds the securities,

23.18 (A) as a fiduciary or agent without sole discretionary power to vote the securities; or

23.19 (B) solely to secure a debt, if the person has not in fact exercised the power to vote;

23.20 (iii) a person whose business is operated by the debtor under a lease or other agreement,
 23.21 or a person substantially all of whose assets are controlled by the debtor; or

23.22 (iv) a person that operates the debtor's business under a lease or other agreement or
 23.23 controls substantially all of the debtor's assets.

23.24 (2) "Asset" means property of a debtor, but the term does not include:

23.25 (i) property to the extent it is encumbered by a valid lien;

23.26 (ii) property to the extent it is generally exempt under nonbankruptcy law; or

23.27 (iii) an interest in property held in tenancy by the entirety to the extent it is not subject
 23.28 to process by a creditor holding a claim against only one tenant.

24.1 (3) "Claim" means a right to payment, whether or not the right is reduced to judgment,
24.2 liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal,
24.3 equitable, secured, or unsecured.

24.4 (4) "Creditor" means a person that has a claim.

24.5 (5) "Debt" means liability on a claim.

24.6 (6) "Debtor" means a person that is liable on a claim.

24.7 (7) "Electronic" means relating to technology having electrical, digital, magnetic, wireless,
24.8 optical, electromagnetic, or similar capabilities.

24.9 (8) "Insider" includes:

24.10 (i) if the debtor is an individual,

24.11 (A) a relative of the debtor or of a general partner of the debtor;

24.12 (B) a partnership in which the debtor is a general partner;

24.13 (C) a general partner in a partnership described in subitem (B); or

24.14 (D) a corporation of which the debtor is a director, officer, or a person in control;

24.15 (ii) if the debtor is a corporation,

24.16 (A) a director of the debtor;

24.17 (B) an officer of the debtor;

24.18 (C) a person in control of the debtor;

24.19 (D) a partnership in which the debtor is a general partner;

24.20 (E) a general partner in a partnership described in subitem (D); or

24.21 (F) a relative of a general partner, director, officer, or person in control of the debtor;

24.22 (iii) if the debtor is a partnership,

24.23 (A) a general partner in the debtor;

24.24 (B) a relative of a general partner in, or a general partner of, or a person in control of
24.25 the debtor;

24.26 (C) another partnership in which the debtor is a general partner;

24.27 (D) a general partner in a partnership described in subitem (C); or

24.28 (E) a person in control of the debtor;

25.1 (iv) an affiliate, or an insider of an affiliate as if the affiliate were the debtor; and

25.2 (v) a managing agent of the debtor.

25.3 (9) "Lien" means a charge against or an interest in property to secure payment of a debt
25.4 or performance of an obligation, and includes a security interest created by agreement, a
25.5 judicial lien obtained by legal or equitable process or proceedings, a common-law lien, or
25.6 a statutory lien.

25.7 (10) "Organization" means a person other than an individual.

25.8 (11) "Person" means an individual, estate, business or nonprofit entity, public corporation,
25.9 government or governmental subdivision, agency, or instrumentality, or other legal entity.

25.10 (12) "Property" means anything that may be subject of ownership.

25.11 (13) "Record" means information that is inscribed on a tangible medium or that is stored
25.12 in an electronic or other medium and is retrievable in perceivable form.

25.13 (14) "Relative" means an individual related by consanguinity within the third degree as
25.14 determined by the common law, a spouse, or an individual related to a spouse within the
25.15 third degree as so determined, and includes an individual in an adoptive relationship within
25.16 the third degree.

25.17 (15) "Sign" means, with present intent to authenticate or adopt a record:

25.18 (i) to execute or adopt a tangible symbol; or

25.19 (ii) to attach to or logically associate with the record an electronic symbol, sound, or
25.20 process.

25.21 (16) "Transfer" means every mode, direct or indirect, absolute or conditional, voluntary
25.22 or involuntary, of disposing of or parting with an asset or an interest in an asset, and includes
25.23 payment of money, release, lease, license, and creation of a lien or other encumbrance.
25.24 Transfer does not include a donation or contribution of money or an asset made to a qualified
25.25 charitable or religious organization or entity, whether made by a debtor or by any other
25.26 person and whether or not the donation or contribution requires or results in a payment
25.27 being made by a debtor to the charitable or religious organization pursuant to a promissory
25.28 note, stock, bond, debenture, or by any other method, unless the donation or contribution
25.29 was made within two years of commencement of an action under sections 513.41 to 513.51
25.30 against the qualified charitable or religious organization or entity, was made by the debtor,
25.31 and:

26.1 (i) the debtor made the donation or charitable contribution with actual intent to hinder,
 26.2 delay, or defraud any creditor of the debtor; or

26.3 (ii) the debtor made the donation or charitable contribution and:

26.4 (A) was insolvent at the time of the contribution or would be rendered insolvent by
 26.5 reason of the contribution;

26.6 (B) was engaged or was about to engage in a business or a transaction for which the
 26.7 remaining assets of the debtor were unreasonably small in relation to the business or
 26.8 transaction; or

26.9 (C) intended to incur, or the charitable or religious organization or entity believed or
 26.10 had reason to believe that the debtor would incur, debts beyond the debtor's ability to pay
 26.11 as the debts become due.

26.12 A transfer of a charitable contribution to a qualified charitable or religious organization
 26.13 or entity is not considered a transfer covered under item (ii) if the amount of that contribution
 26.14 did not exceed 15 percent of the gross annual income of the debtor for the year in which
 26.15 the transfer of the contribution was made; or the contribution exceeded that amount but the
 26.16 transfer was consistent with practices of the debtor in making charitable contributions.

26.17 Transfer does include a return on investment made directly by a qualified charitable or
 26.18 religious organization or entity. A charitable or religious organization shall not be deemed
 26.19 to have made an investment by reason of accepting the donation or contribution of a
 26.20 promissory note, stock, bond, debenture, or other nonmonetary asset nor by extending or
 26.21 modifying the terms of repayment of the promissory note, stock, bond, debenture, or other
 26.22 similar nonmonetary asset. "Qualified charitable or religious organization or entity" means
 26.23 an organization or entity described in United States Code, title 26, section 170(c)(1), (2),
 26.24 or (3).

26.25 (17) "Valid lien" means a lien that is effective against the holder of a judicial lien
 26.26 subsequently obtained by legal or equitable process or proceedings.

26.27 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 26.28 applies to all pending cases and to causes of action arising before, on, or after that date.

26.29 Sec. 14. Minnesota Statutes 2016, section 518.179, subdivision 2, is amended to read:

26.30 Subd. 2. **Applicable crimes.** This section applies to the following crimes or similar
 26.31 crimes under the laws of the United States, or any other state:

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

- 27.1 (2) manslaughter in the first degree under section 609.20;
- 27.2 (3) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
- 27.3 (4) kidnapping under section 609.25;
- 27.4 (5) depriving another of custodial or parental rights under section 609.26;
- 27.5 (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving
- 27.6 a minor under section 609.322;
- 27.7 (7) criminal sexual conduct in the first degree under section 609.342;
- 27.8 (8) criminal sexual conduct in the second degree under section 609.343;
- 27.9 (9) criminal sexual conduct in the third degree under section 609.344, subdivision 1,
- 27.10 paragraph (c), (f), or (g);
- 27.11 (10) solicitation of a child to engage in sexual conduct under section 609.352;
- 27.12 (11) incest under section 609.365;
- 27.13 (12) malicious punishment of a child under section 609.377;
- 27.14 (13) neglect of a child under section 609.378;
- 27.15 (14) terroristic threats under section 609.713; ~~or~~
- 27.16 (15) felony stalking under section 609.749, subdivision 4; or
- 27.17 (16) domestic assault by strangulation under section 609.2247.

27.18 Sec. 15. Minnesota Statutes 2016, section 549.09, subdivision 1, is amended to read:

27.19 Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery of

27.20 money, including a judgment for the recovery of taxes, interest from the time of the verdict,

27.21 award, or report until judgment is finally entered shall be computed by the court administrator

27.22 or arbitrator as provided in paragraph (c) and added to the judgment or award.

27.23 (b) Except as otherwise provided by contract or allowed by law, preverdict, preaward,

27.24 or prereport interest on pecuniary damages shall be computed as provided in paragraph (c)

27.25 from the time of the commencement of the action or a demand for arbitration, or the time

27.26 of a written notice of claim, whichever occurs first, except as provided herein. The action

27.27 must be commenced within two years of a written notice of claim for interest to begin to

27.28 accrue from the time of the notice of claim. If either party serves a written offer of settlement,

27.29 the other party may serve a written acceptance or a written counteroffer within 30 days.

27.30 After that time, interest on the judgment or award shall be calculated by the judge or arbitrator

28.1 in the following manner. The prevailing party shall receive interest on any judgment or
 28.2 award from the time of commencement of the action or a demand for arbitration, or the time
 28.3 of a written notice of claim, or as to special damages from the time when special damages
 28.4 were incurred, if later, until the time of verdict, award, or report only if the amount of its
 28.5 offer is closer to the judgment or award than the amount of the opposing party's offer. If
 28.6 the amount of the losing party's offer was closer to the judgment or award than the prevailing
 28.7 party's offer, the prevailing party shall receive interest only on the amount of the settlement
 28.8 offer or the judgment or award, whichever is less, and only from the time of commencement
 28.9 of the action or a demand for arbitration, or the time of a written notice of claim, or as to
 28.10 special damages from when the special damages were incurred, if later, until the time the
 28.11 settlement offer was made. Subsequent offers and counteroffers supersede the legal effect
 28.12 of earlier offers and counteroffers. For the purposes of clause (2), the amount of settlement
 28.13 offer must be allocated between past and future damages in the same proportion as determined
 28.14 by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict,
 28.15 preaward, or prereport interest shall not be awarded on the following:

28.16 (1) judgments, awards, or benefits in workers' compensation cases, but not including
 28.17 third-party actions;

28.18 (2) judgments or awards for future damages;

28.19 (3) punitive damages, fines, or other damages that are noncompensatory in nature;

28.20 (4) judgments or awards not in excess of the amount specified in section 491A.01; and

28.21 (5) that portion of any verdict, award, or report which is founded upon interest, or costs,
 28.22 disbursements, attorney fees, or other similar items added by the court or arbitrator.

28.23 (c)(1)(i) ~~For a judgment or award of \$50,000 or less or a judgment or award for or against~~
 28.24 ~~the state or a political subdivision of the state, regardless of the amount, or a judgment or~~
 28.25 ~~award in a family court action, regardless of the amount,~~ The interest shall be computed as
 28.26 simple interest per annum. The rate of interest shall be based on the secondary market yield
 28.27 of one year United States Treasury bills, calculated on a bank discount basis as provided in
 28.28 this section.

28.29 On or before the 20th day of December of each year the state court administrator shall
 28.30 determine the rate from the one-year constant maturity treasury yield for the most recent
 28.31 calendar month, reported on a monthly basis in the latest statistical release of the board of
 28.32 governors of the Federal Reserve System. This yield, rounded to the nearest one percent,
 28.33 or four percent, whichever is greater, shall be the annual interest rate during the succeeding
 28.34 calendar year. The state court administrator shall communicate the interest rates to the court

29.1 administrators and sheriffs for use in computing the interest on verdicts and shall make the
 29.2 interest rates available to arbitrators.

29.3 ~~This item applies to any section that references section 549.09 by citation for the purposes
 29.4 of computing an interest rate on any amount owed to or by the state or a political subdivision
 29.5 of the state, regardless of the amount.~~

29.6 (ii) The court, in a family court action, may order a lower interest rate or no interest rate
 29.7 if the parties agree or if the court makes findings explaining why application of a lower
 29.8 interest rate or no interest rate is necessary to avoid causing an unfair hardship to the debtor.
 29.9 This item does not apply to child support or spousal maintenance judgments subject to
 29.10 section 548.091.

29.11 ~~(2) For a judgment or award over \$50,000, other than a judgment or award for or against
 29.12 the state or a political subdivision of the state or a judgment or award in a family court
 29.13 action, the interest rate shall be ten percent per year until paid.~~

29.14 ~~(3) When a judgment creditor, or the judgment creditor's attorney or agent, has received
 29.15 a payment after entry of judgment, whether the payment is made voluntarily by or on behalf
 29.16 of the judgment debtor, or is collected by legal process other than execution levy where a
 29.17 proper return has been filed with the court administrator, the judgment creditor, or the
 29.18 judgment creditor's attorney, before applying to the court administrator for an execution
 29.19 shall file with the court administrator an affidavit of partial satisfaction. The affidavit must
 29.20 state the dates and amounts of payments made upon the judgment after the most recent
 29.21 affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable
 29.22 disbursements and to accrued interest and to the unpaid principal balance of the judgment;
 29.23 and the accrued, but the unpaid interest owing, if any, after application of each payment.~~

29.24 (d) This section does not apply to arbitrations between employers and employees under
 29.25 chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding
 29.26 interest under chapter 179 or under section 179A.16 for essential employees.

29.27 ~~(e) For purposes of this subdivision:~~

29.28 ~~(1) "state" includes a department, board, agency, commission, court, or other entity in
 29.29 the executive, legislative, or judicial branch of the state; and~~

29.30 ~~(2) "political subdivision" includes a town, statutory or home rule charter city, county,
 29.31 school district, or any other political subdivision of the state.~~

29.32 (e) This section does not apply to a judgment or award upon which interest is entitled
 29.33 to be recovered under section 60A.0811.

30.1 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to judgments
30.2 and awards entered on or after that date.

30.3 Sec. 16. Minnesota Statutes 2016, section 609.48, is amended by adding a subdivision to
30.4 read:

30.5 Subd. 5. **Venue.** A violation of subdivision 1, clause (4), may be prosecuted in the county
30.6 where the statement, under penalty of perjury, was signed, or the county of the district court
30.7 in which the statement was filed.

30.8 Sec. 17. Minnesota Statutes 2016, section 609.748, subdivision 4, is amended to read:

30.9 Subd. 4. **Temporary restraining order; relief by court.** (a) The court may issue a
30.10 temporary restraining order that provides any or all of the following:

30.11 (1) orders the respondent to cease or avoid the harassment of another person; or

30.12 (2) orders the respondent to have no contact with another person.

30.13 (b) The court may issue an order under paragraph (a) if the petitioner files a petition in
30.14 compliance with subdivision 3 and if the court finds reasonable grounds to believe that the
30.15 respondent has engaged in harassment. When a petition alleges harassment as defined by
30.16 subdivision 1, paragraph (a), clause (1), the petition must further allege an immediate and
30.17 present danger of harassment before the court may issue a temporary restraining order under
30.18 this section. When signed by a referee, the temporary order becomes effective upon the
30.19 referee's signature.

30.20 (c) Notice need not be given to the respondent before the court issues a temporary
30.21 restraining order under this subdivision. A copy of the restraining order must be served on
30.22 the respondent along with the order for hearing and petition, as provided in subdivision 3.
30.23 If the respondent is a juvenile, whenever possible, a copy of the restraining order, along
30.24 with notice of the pendency of the case and the time and place of the hearing, shall also be
30.25 served by mail at the last known address upon any parent or guardian of the juvenile
30.26 respondent who is not the petitioner. A temporary restraining order may be entered only
30.27 against the respondent named in the petition.

30.28 (d) The temporary restraining order is in effect until a hearing is held on the issuance of
30.29 a restraining order under subdivision 5. The court shall hold the hearing on the issuance of
30.30 a restraining order if the petitioner requests a hearing. The hearing may be continued by the
30.31 court upon a showing that the respondent has not been served with a copy of the temporary
30.32 restraining order despite the exercise of due diligence or if service is made by published

31.1 notice under subdivision 3 and the petitioner files the affidavit required under that
31.2 subdivision.

31.3 (e) If the temporary restraining order has been issued and the respondent requests a
31.4 hearing, the hearing shall be scheduled by the court upon receipt of the respondent's request.
31.5 Service of the notice of hearing must be made upon the petitioner not less than five days
31.6 prior to the hearing. The court shall serve the notice of the hearing upon the petitioner by
31.7 mail in the manner provided in the Rules of Civil Procedure for pleadings subsequent to a
31.8 complaint and motions and shall also mail notice of the date and time of the hearing to the
31.9 respondent. In the event that service cannot be completed in time to give the respondent or
31.10 petitioner the minimum notice required under this subdivision, the court may set a new
31.11 hearing date.

31.12 (f) A request for a hearing under this subdivision must be made within ~~45~~ 20 days ~~after~~
31.13 ~~the temporary restraining order is issued~~ of the date of completed service of the petition.

31.14 Sec. 18. Minnesota Statutes 2016, section 631.52, subdivision 2, is amended to read:

31.15 Subd. 2. **Application.** Subdivision 1 applies to the following crimes or similar crimes
31.16 under the laws of the United States or any other state:

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

31.18 (2) manslaughter in the first degree under section 609.20;

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

31.20 (4) kidnapping under section 609.25;

31.21 (5) depriving another of custodial or parental rights under section 609.26;

31.22 (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving
31.23 a minor under section 609.322;

31.24 (7) criminal sexual conduct in the first degree under section 609.342;

31.25 (8) criminal sexual conduct in the second degree under section 609.343;

31.26 (9) criminal sexual conduct in the third degree under section 609.344, subdivision 1,
31.27 paragraph (c), (f), or (g);

31.28 (10) solicitation of a child to engage in sexual conduct under section 609.352;

31.29 (11) incest under section 609.365;

31.30 (12) malicious punishment of a child under section 609.377;

- 32.1 (13) neglect of a child under section 609.378;
- 32.2 (14) terroristic threats under section 609.713; ~~or~~
- 32.3 (15) felony stalking under section 609.749; or
- 32.4 (16) domestic assault by strangulation under section 609.2247.

32.5 Sec. 19. Minnesota Statutes 2016, section 634.36, is amended to read:

32.6 **634.36 EVIDENCE OF VIDEOTAPES, AUDIOTAPES, OR OTHER**
 32.7 **RECORDINGS.**

32.8 In any hearing or trial of a criminal offense or petty misdemeanor or proceeding pursuant
 32.9 to section 169A.53, subdivision 3, evidence of a videotape, audiotape, or electronic or digital
 32.10 recording prepared by a peace officer, using recording equipment in a law enforcement
 32.11 vehicle or on the officer's person, while in the performance of official duties shall not be
 32.12 excluded on the ground that a written transcript of the recording was not prepared and
 32.13 available at or prior to trial. As used in this section, "peace officer" has the meaning given
 32.14 in section 169A.03, subdivision 18.

32.15 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to trials and
 32.16 hearings beginning on or after that date.

32.17 Sec. 20. **REPEALER.**

32.18 Minnesota Statutes 2016, sections 169.685, subdivision 4; 486.05, subdivision 1a; and
 32.19 525.112, are repealed.

32.20 **ARTICLE 3**

32.21 **CORRECTIONS AND PUBLIC SAFETY**

32.22 Section 1. Minnesota Statutes 2016, section 3.739, subdivision 1, is amended to read:

32.23 Subdivision 1. **Permissible claims.** Claims and demands arising out of the circumstances
 32.24 described in this subdivision shall be presented to, heard, and determined as provided in
 32.25 subdivision 2:

32.26 (1) an injury to or death of an inmate of a state, regional, or local correctional facility
 32.27 or county jail ~~who has been conditionally released and ordered to perform~~ while performing
 32.28 compensated or uncompensated work in the community for a state agency, a political
 32.29 subdivision or public corporation of this state, a nonprofit educational, medical, or social

33.1 service agency, or a private business or individual, ~~as a condition of the release,~~ while
 33.2 performing the work;

33.3 (2) an injury to or death of a person sentenced by a court, granted a suspended sentence
 33.4 by a court, or subject to a court disposition order, and who, ~~under court order,~~ is performing
 33.5 work ~~(a) (i) in restitution, (b) (ii) in lieu of or to work off fines or court ordered,~~ court-ordered
 33.6 costs, or other statutorily authorized correctional fees, ~~(c) (iii) in lieu of incarceration, or~~
 33.7 ~~(d) (iv) as a term or condition of a sentence, suspended sentence, or disposition order,~~ while
 33.8 performing the work;

33.9 (3) an injury to or death of a person, who has been diverted from the court system and
 33.10 who is performing work as described in ~~paragraph~~ clause (1) or (2) under a written agreement
 33.11 signed by the person, and if a juvenile, by a parent or guardian; and

33.12 (4) an injury to or death of any person caused by an individual who was performing
 33.13 work as described in ~~paragraph~~ clause (1), (2), or (3).

33.14 Sec. 2. Minnesota Statutes 2016, section 152.105, is amended to read:

33.15 **152.105 DISPOSAL.**

33.16 Subdivision 1. Disposal of controlled substances. Controlled substances listed in section
 33.17 152.02, subdivisions 3 to 6, may be collected and disposed of only pursuant to the provisions
 33.18 of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305, 1307, and 1317, that
 33.19 are applicable to the disposal of controlled substances. Disposal of controlled substances
 33.20 and legend and nonlegend drugs must also comply with the requirements of section 116.07
 33.21 governing the disposal of hazardous waste, and the rules promulgated thereunder.

33.22 Subd. 2. Sheriff to maintain collection receptacle. The sheriff of each county shall
 33.23 maintain or contract for the maintenance of at least one collection receptacle for the disposal
 33.24 of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs,
 33.25 as permitted by federal law. For purposes of this section, "legend drug" has the meaning
 33.26 given in section 151.01, subdivision 17. The collection receptacle must comply with federal
 33.27 law. In maintaining and operating the collection receptacle, the sheriff shall follow all
 33.28 applicable provisions of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305,
 33.29 1307, and 1317, as amended through May 1, 2017.

34.1 Sec. 3. Minnesota Statutes 2016, section 171.015, is amended by adding a subdivision to
34.2 read:

34.3 Subd. 7. **Rulemaking limitation.** (a) Notwithstanding any law to the contrary, the
34.4 commissioner is prohibited from adopting any final rule that amends, conflicts with, or has
34.5 the effect of modifying requirements in Minnesota Rules, parts 7410.0100 to 7410.0800.

34.6 (b) This subdivision does not constitute authorization for the commissioner to adopt
34.7 rules absent authority otherwise provided by other law.

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

34.9 Sec. 4. Minnesota Statutes 2016, section 241.01, subdivision 3a, is amended to read:

34.10 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the
34.11 following powers and duties:

34.12 (a) To accept persons committed to the commissioner by the courts of this state for care,
34.13 custody, and rehabilitation.

34.14 (b) To determine the place of confinement of committed persons in a correctional facility
34.15 or other facility of the Department of Corrections and to prescribe reasonable conditions
34.16 and rules for their employment, conduct, instruction, and discipline within or outside the
34.17 facility. Inmates shall not exercise custodial functions or have authority over other inmates.

34.18 (c) To administer the money and property of the department.

34.19 (d) To administer, maintain, and inspect all state correctional facilities.

34.20 (e) To transfer authorized positions and personnel between state correctional facilities
34.21 as necessary to properly staff facilities and programs.

34.22 (f) To utilize state correctional facilities in the manner deemed to be most efficient and
34.23 beneficial to accomplish the purposes of this section, but not to close the Minnesota
34.24 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without
34.25 legislative approval. The commissioner may place juveniles and adults at the same state
34.26 minimum security correctional facilities, if there is total separation of and no regular contact
34.27 between juveniles and adults, except contact incidental to admission, classification, and
34.28 mental and physical health care.

34.29 (g) To organize the department and employ personnel the commissioner deems necessary
34.30 to discharge the functions of the department, including a chief executive officer for each
34.31 facility under the commissioner's control who shall serve in the unclassified civil service
34.32 and may, under the provisions of section 43A.33, be removed only for cause.

35.1 (h) To define the duties of these employees and to delegate to them any of the
35.2 commissioner's powers, duties and responsibilities, subject to the commissioner's control
35.3 and the conditions the commissioner prescribes.

35.4 (i) To annually develop a comprehensive set of goals and objectives designed to clearly
35.5 establish the priorities of the Department of Corrections. This report shall be submitted to
35.6 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory
35.7 committees.

35.8 (j) The commissioner may not expand the bed capacity of an existing adult male
35.9 correctional facility or build a new adult male correctional facility, or propose or seek
35.10 funding for either, unless the commissioner submits to the legislature an outside, independent
35.11 appraisal estimating the market value of the existing prison facility located in Appleton,
35.12 Minnesota. The appraisal must have been completed within 90 days of submission to the
35.13 legislature. This requirement does not apply if the Appleton facility is in use in a manner
35.14 that makes it unavailable to meet the department's prison capacity needs.

35.15 Sec. 5. Minnesota Statutes 2016, section 243.05, subdivision 1, is amended to read:

35.16 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole
35.17 any person sentenced to confinement in any state correctional facility for adults under the
35.18 control of the commissioner of corrections, provided that:

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

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

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

35.31 (4) any new rule or policy or change of rule or policy adopted by the commissioner of
35.32 corrections which has the effect of postponing eligibility for parole has prospective effect

36.1 only and applies only with respect to persons committing offenses after the effective date
36.2 of the new rule or policy or change.

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

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

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

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

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

36.29 (g) Except as otherwise provided in subdivision 1b, in considering applications for
36.30 conditional release or discharge, the commissioner is not required to hear oral argument
36.31 from any attorney or other person not connected with an adult correctional facility of the
36.32 Department of Corrections in favor of or against the parole or release of any inmates. The
36.33 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
36.34 as to the previous history, physical or mental condition, and character of the inmate and, to

37.1 that end, has the authority to require the attendance of the chief executive officer of any
37.2 state adult correctional facility and the production of the records of these facilities, and to
37.3 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
37.4 witnesses for these purposes.

37.5 (h) Unless the district court directs otherwise, state parole and probation agents may
37.6 require a person who is under the supervision of the commissioner of corrections to perform
37.7 community work service for violating a condition of probation imposed by the court.
37.8 Community work service may be imposed for the purpose of protecting the public, to aid
37.9 the offender's rehabilitation, or both. Agents may impose up to eight hours of community
37.10 work service for each violation and up to a total of 24 hours per offender per 12-month
37.11 period, beginning with the date on which community work service is first imposed. The
37.12 commissioner may authorize an additional 40 hours of community work services, for a total
37.13 of 64 hours per offender per 12-month period, beginning with the date on which community
37.14 work service is first imposed. At the time community work service is imposed, parole and
37.15 probation agents are required to provide written notice to the offender that states:

- 37.16 (1) the condition of probation that has been violated;
- 37.17 (2) the number of hours of community work service imposed for the violation; and
- 37.18 (3) the total number of hours of community work service imposed to date in the 12-month
37.19 period.

37.20 An offender may challenge the imposition of community work service by filing a petition
37.21 in district court. An offender must file the petition within five days of receiving written
37.22 notice that community work service is being imposed. If the offender challenges the
37.23 imposition of community work service, the state bears the burden of showing, by a
37.24 preponderance of the evidence, that the imposition of community work service is reasonable
37.25 under the circumstances.

37.26 Community work service includes sentencing to service.

37.27 (i) Prior to revoking a nonviolent controlled substance offender's parole or probation
37.28 based on a technical violation, when the offender does not present a risk to the public and
37.29 the offender is amenable to continued supervision in the community, a parole or probation
37.30 agent must identify community options to address and correct the violation including, but
37.31 not limited to, inpatient chemical dependency treatment. If a probation or parole agent
37.32 determines that community options are appropriate, the agent shall seek to restructure the
37.33 offender's terms of release to incorporate those options. If an offender on probation stipulates

38.1 in writing to restructure the terms of release, a probation agent must forward a report to the
38.2 district court containing:

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

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

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

38.7 The recommended restructuring of probation becomes effective when confirmed by a
38.8 judge. The order of the court shall be proof of such confirmation and amend the terms of
38.9 the sentence imposed by the court under section 609.135. If a nonviolent controlled substance
38.10 offender's parole or probation is revoked, the offender's agent must first attempt to place
38.11 the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance
38.12 offender" is a person who meets the criteria described under section 244.0513, subdivision
38.13 2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order
38.14 of probation or a condition of parole, except an allegation of a subsequent criminal act that
38.15 is alleged in a formal complaint, citation, or petition.

38.16 Sec. 6. Minnesota Statutes 2016, section 243.17, subdivision 1, is amended to read:

38.17 Subdivision 1. **Allowed expenses.** ~~The necessary expenses of sheriffs and other peace~~
38.18 ~~officers~~ commissioner of management and budget shall pay out of the state treasury to the
38.19 commissioner of corrections each fiscal year the amount necessary to offset expenses
38.20 incurred in conveying to convey convicted persons and children adjudicated delinquent and
38.21 committed to the custody of the commissioner of corrections to the appropriate adult or
38.22 juvenile correctional facility as designated by the commissioner of corrections, including
38.23 per diem and expenses of correctional officers, shall be allowed by the commissioner of
38.24 management and budget and paid out of the state treasury. The commissioner of management
38.25 and budget may allow and pay for the necessary expenses incurred by the sheriff, deputy,
38.26 or other peace officer in going to and returning from the correctional facility and \$10 per
38.27 day for each correctional officer. Not more than one correctional officer shall be allowed
38.28 for one prisoner, but one additional correctional officer shall be allowed for every two
38.29 additional prisoners. All bills shall be in writing, fully itemized, verified, and accompanied
38.30 by the receipt of the chief executive officer of the facility for the delivery of the convicted
38.31 or adjudicated persons, in a form prescribed by the commissioner of management and
38.32 budget. The total amount of payments shall not exceed \$500,000 each fiscal year. Payments
38.33 shall be made one or two times each fiscal year based on a fee schedule agreed to by the
38.34 Department of Corrections and the Minnesota Sheriffs' Association.

39.1 Sec. 7. Minnesota Statutes 2016, section 244.05, subdivision 3, is amended to read:

39.2 Subd. 3. **Sanctions for violation.** If an inmate violates the conditions of the inmate's
39.3 supervised release imposed by the commissioner, the commissioner may:

39.4 (1) continue the inmate's supervised release term, with or without modifying or enlarging
39.5 the conditions imposed on the inmate; or

39.6 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate
39.7 period of time.

39.8 Prior to revoking a nonviolent controlled substance offender's supervised release based
39.9 on a technical violation, when the offender does not present a risk to the public and the
39.10 offender is amenable to continued supervision in the community, the commissioner must
39.11 identify community options to address and correct the violation including, but not limited
39.12 to, inpatient chemical dependency treatment. If the commissioner determines that community
39.13 options are appropriate, the commissioner shall restructure the inmate's terms of release to
39.14 incorporate those options. If a nonviolent controlled substance offender's supervised release
39.15 is revoked, the offender's agent must first attempt to place the offender in a local jail. For
39.16 purposes of this subdivision, "nonviolent controlled substance offender" is a person who
39.17 meets the criteria described under section 244.0513, subdivision 2, clauses (1), (2), and (5),
39.18 and "technical violation" means a violation of a condition of supervised release, except an
39.19 allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or
39.20 petition.

39.21 The period of time for which a supervised release may be revoked may not exceed the
39.22 period of time remaining in the inmate's sentence, except that if a sex offender is sentenced
39.23 and conditionally released under Minnesota Statutes 2004, section 609.108, subdivision 5,
39.24 the period of time for which conditional release may be revoked may not exceed the balance
39.25 of the conditional release term.

39.26 Sec. 8. Minnesota Statutes 2016, section 244.198, is amended by adding a subdivision to
39.27 read:

39.28 Subd. 1a. **Alternatives to incarceration.** At a sanctions conference regarding a
39.29 nonviolent controlled substance offender, when the offender does not present a risk to the
39.30 public and the offender is amenable to continued supervision in the community, a probation
39.31 agency must identify community options to address and correct the violation including, but
39.32 not limited to, inpatient chemical dependency treatment. If the agency determines that
39.33 community options are appropriate, the county probation officer shall recommend a sanction

40.1 that incorporates those options. For purposes of this subdivision, "nonviolent controlled
40.2 substance offender" is a person who meets the criteria described under section 244.0513,
40.3 subdivision 2, clauses (1), (2), and (5).

40.4 Sec. 9. Minnesota Statutes 2016, section 299A.55, subdivision 2, is amended to read:

40.5 Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety
40.6 account is created in the special revenue fund. The account consists of funds collected under
40.7 subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

40.8 (b) \$104,000 is annually appropriated from the railroad and pipeline safety account to
40.9 the commissioner of the Pollution Control Agency for environmental protection activities
40.10 related to railroad discharge preparedness under chapter 115E.

40.11 (c) \$600,000 in fiscal year 2018 and \$600,000 in fiscal year 2019 are appropriated from
40.12 the railroad and pipeline safety account to the commissioner of transportation for improving
40.13 safety at railroad grade crossings.

40.14 (d) Following the appropriation in ~~paragraph~~ paragraphs (b) and (c), the remaining
40.15 money in the account is annually appropriated to the commissioner of public safety for the
40.16 purposes specified in subdivision 3.

40.17 Sec. 10. Minnesota Statutes 2016, section 299C.46, subdivision 6, is amended to read:

40.18 Subd. 6. **Orders for protection and no contact orders.** (a) As used in this subdivision,
40.19 "no contact orders" include orders issued as pretrial orders under section 629.72, subdivision
40.20 2, orders under section 629.75, and orders issued as probationary or sentencing orders at
40.21 the time of disposition in a criminal domestic abuse case.

40.22 (b) The data communications network must include orders for protection issued under
40.23 section 518B.01 ~~and~~ harassment restraining orders, and no contact orders issued against
40.24 adults and juveniles. A no contact order must be accompanied by a photograph of the
40.25 offender for the purpose of enforcement of the order, if a photograph is available and verified
40.26 by the court to be an image of the defendant.

40.27 (c) Data from orders for protection, harassment restraining orders, or no contact orders
40.28 and data entered by law enforcement to assist in the enforcement of those orders are classified
40.29 as private data on individuals as defined in section 13.02, subdivision 12. Data about the
40.30 offender can be shared with the victim for purposes of enforcement of the order.

41.1 Sec. 11. Minnesota Statutes 2016, section 609.14, is amended by adding a subdivision to
41.2 read:

41.3 Subd. 2a. **Alternatives to incarceration.** (a) A probation agent must present the court
41.4 with local options to address and correct the violation including, but not limited to, inpatient
41.5 chemical dependency treatment when the defendant at a summary hearing provided by
41.6 subdivision 2 is:

41.7 (1) a nonviolent controlled substance offender;

41.8 (2) subject to supervised probation;

41.9 (3) appearing based on a technical violation; and

41.10 (4) admitting or found to have violated any of the conditions of probation.

41.11 (b) For purposes of this subdivision, "nonviolent controlled substance offender" is a
41.12 person who meets the criteria described under section 244.0513, subdivision 2, clauses (1),
41.13 (2), and (5), and "technical violation" has the meaning given in section 244.196, subdivision
41.14 6.

41.15 Sec. 12. Minnesota Statutes 2016, section 609.475, is amended to read:

41.16 **609.475 IMPERSONATING OFFICER A MILITARY SERVICE MEMBER,**
41.17 **VETERAN, OR PUBLIC OFFICIAL.**

41.18 Whoever falsely impersonates a ~~police or military officer~~ an active or reserve component
41.19 military service member, veteran, or public official with intent to ~~mislead another into~~
41.20 believing that the impersonator is actually such officer or official ~~wrongfully obtain money,~~
41.21 property, or any other tangible benefit is guilty of a misdemeanor.

41.22 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
41.23 committed on or after that date.

41.24 Sec. 13. **[609.4751] IMPERSONATING A PEACE OFFICER.**

41.25 Subdivision 1. **Misdemeanor.** Whoever falsely impersonates a peace officer with intent
41.26 to mislead another into believing that the impersonator is actually an officer is guilty of a
41.27 misdemeanor.

41.28 Subd. 2. **Gross misdemeanor.** Whoever violates subdivision 1 while committing any
41.29 of the following acts is guilty of a gross misdemeanor:

42.1 (1) gaining access to a public building or government facility that is not open to the
 42.2 public;

42.3 (2) without legal authority, directing or ordering another person to act or refrain from
 42.4 acting;

42.5 (3) violating section 169.64, subdivision 2, 3, or 4, or the siren provisions of section
 42.6 169.68; or

42.7 (4) operating a motor vehicle marked:

42.8 (i) with the word or words "police," "patrolman," "sheriff," "deputy," "trooper," "state
 42.9 patrol," "conservation officer," "agent," or "marshal"; or

42.10 (ii) with any lettering, marking, or insignia, or colorable imitation thereof, including,
 42.11 but not limited to, stars, badges, or shields identifying the vehicle as a law enforcement
 42.12 vehicle, and which a reasonable person would believe is a law enforcement vehicle governed
 42.13 under section 169.98, subdivision 1.

42.14 Subd. 3. **Felony.** Whoever violates this section within five years of a previous violation
 42.15 of this section is guilty of a felony and may be sentenced to imprisonment for not more than
 42.16 two years or to payment of a fine of not more than \$4,000, or both.

42.17 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
 42.18 committed on or after that date.

42.19 Sec. 14. Minnesota Statutes 2016, section 609.595, subdivision 1, is amended to read:

42.20 Subdivision 1. **Criminal damage to property in the first degree.** Whoever intentionally
 42.21 causes damage to physical property of another without the latter's consent may be sentenced
 42.22 to imprisonment for not more than five years or to payment of a fine of not more than
 42.23 \$10,000, or both, if:

42.24 (1) the damage to the property caused a reasonably foreseeable risk of bodily harm; or

42.25 (2) the property damaged was a public safety motor vehicle, the defendant knew the
 42.26 vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial
 42.27 interruption or impairment of public safety service or a reasonably foreseeable risk of bodily
 42.28 harm; or

42.29 (3) the property damaged belongs to a common carrier and the damage impairs the
 42.30 service to the public rendered by the carrier; or

43.1 ~~(3)~~ (4) the damage reduces the value of the property by more than \$1,000 measured by
 43.2 the cost of repair and replacement; or

43.3 ~~(4)~~ (5) the damage reduces the value of the property by more than \$500 measured by
 43.4 the cost of repair and replacement and the defendant has been convicted within the preceding
 43.5 three years of an offense under this subdivision or subdivision 2.

43.6 In any prosecution under clause ~~(3)~~ (4), the value of any property damaged by the
 43.7 defendant in violation of that clause within any six-month period may be aggregated and
 43.8 the defendant charged accordingly in applying the provisions of this section; provided that
 43.9 when two or more offenses are committed by the same person in two or more counties, the
 43.10 accused may be prosecuted in any county in which one of the offenses was committed for
 43.11 all of the offenses aggregated under this paragraph.

43.12 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
 43.13 committed on or after that date.

43.14 Sec. 15. Minnesota Statutes 2016, section 609.595, subdivision 2, is amended to read:

43.15 Subd. 2. **Criminal damage to property in the third degree.** (a) Except as otherwise
 43.16 provided in subdivision 1a, whoever intentionally causes damage to another person's physical
 43.17 property without the other person's consent may be sentenced to imprisonment for not more
 43.18 than one year or to payment of a fine of not more than \$3,000, or both, if: (1) the damage
 43.19 reduces the value of the property by more than \$500 but not more than \$1,000 as measured
 43.20 by the cost of repair and replacement; or (2) the damage was to a public safety motor vehicle
 43.21 and the defendant knew the vehicle was a public safety motor vehicle.

43.22 (b) Whoever intentionally causes damage to another person's physical property without
 43.23 the other person's consent because of the property owner's or another's actual or perceived
 43.24 race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age,
 43.25 or national origin may be sentenced to imprisonment for not more than one year or to
 43.26 payment of a fine of not more than \$3,000, or both, if the damage reduces the value of the
 43.27 property by not more than \$500.

43.28 (c) In any prosecution under paragraph (a), clause (1), the value of property damaged
 43.29 by the defendant in violation of that paragraph within any six-month period may be
 43.30 aggregated and the defendant charged accordingly in applying this section. When two or
 43.31 more offenses are committed by the same person in two or more counties, the accused may
 43.32 be prosecuted in any county in which one of the offenses was committed for all of the
 43.33 offenses aggregated under this paragraph.

44.1 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
44.2 committed on or after that date.

44.3 Sec. 16. Minnesota Statutes 2016, section 609.595, is amended by adding a subdivision
44.4 to read:

44.5 Subd. 4. **Definitions.** (a) As used in this section, "public safety motor vehicle" includes:

44.6 (1) marked vehicles used by law enforcement agencies and specially marked vehicles
44.7 permitted under section 169.98, subdivision 2a, owned or leased by the state or a political
44.8 subdivision;

44.9 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the
44.10 state or a political subdivision;

44.11 (3) ambulances owned or leased by the state or a political subdivision;

44.12 (4) vehicles owned by ambulance services licensed under section 144E.10 that are
44.13 equipped and specifically intended for emergency response or providing ambulance services;
44.14 and

44.15 (5) marked vehicles used by conservation officers of the Division of Enforcement and
44.16 Field Service of the Department of Natural Resources.

44.17 (b) As used in subdivision 1, clause (2), and subdivision 2, paragraph (a), clause (2),
44.18 "damage" includes tampering with a public safety motor vehicle and acts that obstruct or
44.19 interfere with the vehicle's use.

44.20 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
44.21 committed on or after that date.

44.22 Sec. 17. Minnesota Statutes 2016, section 609.605, is amended by adding a subdivision
44.23 to read:

44.24 Subd. 4a. **Trespass on a school bus.** (a) As used in this subdivision, "school bus" has
44.25 the meaning given in section 169.011, subdivision 71.

44.26 (b) As used in this subdivision, "pupils" means persons in grades prekindergarten through
44.27 grade 12.

44.28 (c) A person who boards a school bus when the bus is on its route or otherwise in
44.29 operation, or while it has pupils on it, and who refuses to leave the bus on demand of the
44.30 bus operator, is guilty of a misdemeanor.

45.1 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations
 45.2 committed on or after that date.

45.3 Sec. 18. Minnesota Statutes 2016, section 609.74, is amended to read:

45.4 **609.74 PUBLIC NUISANCE.**

45.5 (a) Whoever by an act or failure to perform a legal duty intentionally does any of the
 45.6 following is guilty of maintaining a public nuisance, which is a misdemeanor:

45.7 (1) maintains or permits a condition which unreasonably annoys, injures or endangers
 45.8 the safety, health, morals, comfort, or repose of any considerable number of members of
 45.9 the public; or

45.10 (2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous
 45.11 for passage, any public highway or right-of-way, or waters used by the public; or

45.12 (3) is guilty of any other act or omission declared by law to be a public nuisance and for
 45.13 which no sentence is specifically provided.

45.14 (b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is
 45.15 entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the
 45.16 boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt
 45.17 traffic. This paragraph does not apply to the actions of law enforcement or other emergency
 45.18 responders, road or airport authorities, or utility officials, or their agents, employees, or
 45.19 contractors when carrying out duties imposed by law or contract. For purposes of this
 45.20 paragraph: (1) "airport" means an airport that has a control tower and airline service; and
 45.21 (2) "freeway" means any section of a divided highway where the only access and egress for
 45.22 vehicular traffic is from entrance and exit ramps.

45.23 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
 45.24 committed on or after that date.

45.25 Sec. 19. Minnesota Statutes 2016, section 609.748, subdivision 3, is amended to read:

45.26 Subd. 3. **Contents of petition; hearing; notice.** (a) A petition for relief must allege
 45.27 facts sufficient to show the following:

45.28 (1) the name of the alleged harassment victim;

45.29 (2) the name of the respondent; and

45.30 (3) that the respondent has engaged in harassment.

46.1 A petition for relief must state whether the petitioner has had a previous restraining order
46.2 in effect against the respondent. The petition shall be accompanied by an affidavit made
46.3 under oath stating the specific facts and circumstances from which relief is sought. The
46.4 court shall provide simplified forms and clerical assistance to help with the writing and
46.5 filing of a petition under this section and shall advise the petitioner of the right to sue in
46.6 forma pauperis under section 563.01. The court shall advise the petitioner of the right to
46.7 request a hearing. If the petitioner does not request a hearing, the court shall advise the
46.8 petitioner that the respondent may request a hearing and that notice of the hearing date and
46.9 time will be provided to the petitioner by mail at least five days before the hearing. Upon
46.10 receipt of the petition and a request for a hearing by the petitioner, the court shall order a
46.11 hearing. Personal service must be made upon the respondent not less than five days before
46.12 the hearing. If personal service cannot be completed in time to give the respondent the
46.13 minimum notice required under this paragraph, the court may set a new hearing date. Nothing
46.14 in this section shall be construed as requiring a hearing on a matter that has no merit.

46.15 (b) Notwithstanding paragraph (a), the order for a hearing and a temporary order issued
46.16 under subdivision 4 may be served on the respondent by means of a one-week published
46.17 notice under section 645.11, if:

46.18 (1) the petitioner files an affidavit with the court stating that an attempt at personal
46.19 service made by a ~~sheriff~~ peace officer was unsuccessful because the respondent is avoiding
46.20 service by concealment or otherwise; and

46.21 (2) a copy of the petition and order for hearing and any temporary restraining order has
46.22 been mailed to the respondent at the respondent's residence or place of business, if the
46.23 respondent is an organization, or the respondent's residence or place of business is not known
46.24 to the petitioner.

46.25 (c) Regardless of the method of service, if the respondent is a juvenile, whenever possible,
46.26 the court also shall have notice of the pendency of the case and of the time and place of the
46.27 hearing served by mail at the last known address upon any parent or guardian of the juvenile
46.28 respondent who is not the petitioner.

46.29 (d) A request for a hearing under this subdivision must be made within 20 days of service
46.30 of the petition.

46.31 Sec. 20. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

46.32 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this
46.33 section are waived for the petitioner if the petition alleges acts that would constitute a

47.1 violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to 609.3451. The
 47.2 court administrator and ~~the sheriff of any county~~ any peace officer in this state shall perform
 47.3 their duties relating to service of process without charge to the petitioner. The court shall
 47.4 direct payment of the reasonable costs of service of process if served by a private process
 47.5 server when ~~the sheriff~~ a peace officer is unavailable or if service is made by publication.
 47.6 The court may direct a respondent to pay to the court administrator the petitioner's filing
 47.7 fees and reasonable costs of service of process if the court determines that the respondent
 47.8 has the ability to pay the petitioner's fees and costs.

47.9 Sec. 21. Minnesota Statutes 2016, section 609.748, subdivision 5, is amended to read:

47.10 Subd. 5. **Restraining order.** (a) The court may issue a restraining order that provides
 47.11 any or all of the following:

47.12 (1) orders the respondent to cease or avoid the harassment of another person; or

47.13 (2) orders the respondent to have no contact with another person.

47.14 (b) The court may issue an order under paragraph (a) if all of the following occur:

47.15 (1) the petitioner has filed a petition under subdivision 3;

47.16 (2) ~~the sheriff~~ a peace officer has served respondent with a copy of the temporary
 47.17 restraining order obtained under subdivision 4, and with notice of the right to request a
 47.18 hearing, or service has been made by publication under subdivision 3, paragraph (b); and

47.19 (3) the court finds at the hearing that there are reasonable grounds to believe that the
 47.20 respondent has engaged in harassment.

47.21 A restraining order may be issued only against the respondent named in the petition; except
 47.22 that if the respondent is an organization, the order may be issued against and apply to all of
 47.23 the members of the organization. If the court finds that the petitioner has had two or more
 47.24 previous restraining orders in effect against the same respondent or the respondent has
 47.25 violated a prior or existing restraining order on two or more occasions, relief granted by the
 47.26 restraining order may be for a period of up to 50 years. In all other cases, relief granted by
 47.27 the restraining order must be for a fixed period of not more than two years. When a referee
 47.28 presides at the hearing on the petition, the restraining order becomes effective upon the
 47.29 referee's signature.

47.30 (c) An order issued under this subdivision must be personally served upon the respondent.

47.31 (d) If the court orders relief for a period of up to 50 years under paragraph (a), the
 47.32 respondent named in the restraining order may request to have the restraining order vacated

48.1 or modified if the order has been in effect for at least five years and the respondent has not
 48.2 violated the order. Application for relief under this paragraph must be made in the county
 48.3 in which the restraining order was issued. Upon receipt of the request, the court shall set a
 48.4 hearing date. Personal service must be made upon the petitioner named in the restraining
 48.5 order not less than 30 days before the date of the hearing. At the hearing, the respondent
 48.6 named in the restraining order has the burden of proving by a preponderance of the evidence
 48.7 that there has been a material change in circumstances and that the reasons upon which the
 48.8 court relied in granting the restraining order no longer apply and are unlikely to occur. If
 48.9 the court finds that the respondent named in the restraining order has met the burden of
 48.10 proof, the court may vacate or modify the order. If the court finds that the respondent named
 48.11 in the restraining order has not met the burden of proof, the court shall deny the request and
 48.12 no request may be made to vacate or modify the restraining order until five years have
 48.13 elapsed from the date of denial. An order vacated or modified under this paragraph must
 48.14 be personally served on the petitioner named in the restraining order.

48.15 Sec. 22. Minnesota Statutes 2016, section 609.748, is amended by adding a subdivision
 48.16 to read:

48.17 Subd. 5a. **Short-form notification.** (a) In lieu of personal service of a harassment
 48.18 restraining order, a peace officer may serve a person with a short-form notification. The
 48.19 short-form notification must include the following clauses: the respondent's name; the
 48.20 respondent's date of birth, if known; the petitioner's name; the names of other protected
 48.21 parties; the date and county in which the temporary restraining order or restraining order
 48.22 was filed; the court file number; the hearing date and time, if known; the conditions that
 48.23 apply to the respondent, either in checklist form or handwritten; and the name of the judge
 48.24 who signed the order.

48.25 The short-form notification must be in bold print in the following form:

48.26 "The restraining order is now enforceable. You must report to your nearest sheriff's
 48.27 office or county court to obtain a copy of the restraining order. You are subject to arrest
 48.28 and may be charged with a misdemeanor, gross misdemeanor, or felony if you violate any
 48.29 of the terms of the restraining order or this short-form notification."

48.30 (b) Upon verification of the identity of the respondent and the existence of an unserved
 48.31 harassment restraining order against the respondent, a law enforcement officer may detain
 48.32 the respondent for a reasonable time necessary to complete and serve the short-form
 48.33 notification.

49.1 (c) When service is made by short-form notification, it may be proved by the affidavit
 49.2 of the law enforcement officer making the service.

49.3 (d) For service under this section only, service upon an individual may occur at any
 49.4 time, including Sundays and legal holidays.

49.5 (e) The superintendent of the Bureau of Criminal Apprehension shall provide the short
 49.6 form to law enforcement agencies.

49.7 **EFFECTIVE DATE.** This section is effective 30 days following publication of a notice
 49.8 on the Bureau of Criminal Apprehension's website that a computer system is available to
 49.9 send harassment restraining order data from the Minnesota judicial branch to law
 49.10 enforcement.

49.11 Sec. 23. Minnesota Statutes 2016, section 609.748, is amended by adding a subdivision
 49.12 to read:

49.13 Subd. 5b. **Service by others.** In addition to peace officers, corrections officers, including
 49.14 but not limited to probation officers, court services officers, parole officers, and employees
 49.15 of jails or correctional facilities, may serve a temporary restraining order or restraining
 49.16 order.

49.17 Sec. 24. Minnesota Statutes 2016, section 609.855, subdivision 2, is amended to read:

49.18 Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally
 49.19 commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the
 49.20 operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime
 49.21 and may be sentenced as provided in paragraph (c).

49.22 (b) An act ~~that is~~ committed on a transit vehicle that distracts the driver from the safe
 49.23 operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers
 49.24 passengers is a violation of this subdivision if an authorized transit representative has clearly
 49.25 warned the person once to stop the act.

49.26 (c) A person who violates this subdivision may be sentenced as follows:

49.27 (1) to imprisonment for not more than three years or to payment of a fine of not more
 49.28 than \$5,000, or both, if the violation was accompanied by force or violence or a
 49.29 communication of a threat of force or violence; or

50.1 (2) to imprisonment for not more than ~~90 days~~ one year or to payment of a fine of not
 50.2 more than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence
 50.3 or a communication of a threat of force or violence.

50.4 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
 50.5 committed on or after that date.

50.6 Sec. 25. Minnesota Statutes 2016, section 624.714, subdivision 17, is amended to read:

50.7 Subd. 17. **Posting; trespass.** (a) A person carrying a firearm on or about his or her person
 50.8 or clothes under a permit or otherwise who remains at a private establishment knowing that
 50.9 the operator of the establishment or its agent has made a reasonable request that firearms
 50.10 not be brought into the establishment may be ordered to leave the premises. A person who
 50.11 fails to leave when so requested is guilty of a petty misdemeanor. The fine for a first offense
 50.12 must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of
 50.13 this subdivision is not subject to forfeiture.

50.14 (b) As used in this subdivision, the terms in this paragraph have the meanings given.

50.15 (1) "Reasonable request" means a request made under the following circumstances:

50.16 (i) the requester has prominently posted a conspicuous sign at every entrance to the
 50.17 establishment containing the following language: "(INDICATE IDENTITY OF OPERATOR)
 50.18 BANS GUNS IN THESE PREMISES."; or

50.19 (ii) the requester or the requester's agent personally informs the person that guns are
 50.20 prohibited in the premises and demands compliance.

50.21 (2) "Prominently" means readily visible and within four feet laterally of the entrance
 50.22 with the bottom of the sign at a height of four to six feet above the floor.

50.23 (3) "Conspicuous" means lettering in black arial typeface at least 1-1/2 inches in height
 50.24 against a bright contrasting background that is at least 187 square inches in area.

50.25 (4) "Private establishment" means a building, structure, or portion thereof that is owned,
 50.26 leased, controlled, or operated by a nongovernmental entity for a nongovernmental purpose.

50.27 (c) The owner or operator of a private establishment may not prohibit the lawful carry
 50.28 or possession of firearms in a parking facility or parking area.

50.29 (d) The owner or operator of a private establishment may not prohibit the lawful carry
 50.30 or possession of firearms by a peace officer, as defined in section 626.84, subdivision 1,
 50.31 paragraph (c), within the private establishment or deny the officer access thereto, except
 50.32 when specifically authorized by statute. The owner or operator of the private establishment

51.1 may require the display of official credentials issued by the agency that employs the peace
 51.2 officer prior to granting the officer entry into the private establishment.

51.3 ~~(d)~~ (e) This subdivision does not apply to private residences. The lawful possessor of a
 51.4 private residence may prohibit firearms, and provide notice thereof, in any lawful manner.

51.5 ~~(e)~~ (f) A landlord may not restrict the lawful carry or possession of firearms by tenants
 51.6 or their guests.

51.7 ~~(f)~~ (g) Notwithstanding any inconsistent provisions in section 609.605, this subdivision
 51.8 sets forth the exclusive criteria to notify a permit holder when otherwise lawful firearm
 51.9 possession is not allowed in a private establishment and sets forth the exclusive penalty for
 51.10 such activity.

51.11 ~~(g)~~ (h) This subdivision does not apply to:

51.12 ~~(1) an active licensed peace officer; or~~

51.13 ~~(2) a security guard acting in the course and scope of employment. The owner or operator~~
 51.14 of a private establishment may require the display of official credentials issued by the
 51.15 company, which must be licensed by the Private Detective and Protective Agent Services
 51.16 Board, that employs the security guard and the guard's permit card prior to granting the
 51.17 guard entrance into the private establishment.

51.18 Sec. 26. **[626.8469] TRAINING IN CRISIS RESPONSE, CONFLICT**
 51.19 **MANAGEMENT, AND CULTURAL DIVERSITY.**

51.20 Subdivision 1. **In-service training required.** Beginning July 1, 2018, the chief law
 51.21 enforcement officer of every state and local law enforcement agency shall provide in-service
 51.22 training in crisis intervention and mental illness crises; conflict management and mediation;
 51.23 and recognizing and valuing community diversity and cultural differences to include implicit
 51.24 bias training to every peace officer and part-time peace officer employed by the agency.
 51.25 The training shall comply with learning objectives developed and approved by the board
 51.26 and shall meet board requirements for board-approved continuing education credit. The
 51.27 training shall consist of at least 16 continuing education credits within an officer's three-year
 51.28 licensing cycle. Each peace officer with a license renewal date after June 30, 2018, is not
 51.29 required to complete this training until the officer's next full three-year licensing cycle.

51.30 Subd. 2. **Record keeping required.** The head of every local and state law enforcement
 51.31 agency shall maintain written records of the agency's compliance with the requirements of
 51.32 subdivision 1. The documentation is subject to periodic review by the board, and shall be
 51.33 made available to the board at its request.

52.1 Subd. 3. **Licensing sanctions; injunctive relief.** The board may impose licensing
 52.2 sanctions and seek injunctive relief under section 214.11 for failure to comply with the
 52.3 requirements of this section.

52.4 Sec. 27. Laws 2009, chapter 59, article 3, section 4, subdivision 8, as amended by Laws
 52.5 2011, chapter 87, section 1, subdivision 8, is amended to read:

52.6 Subd. 8. **Report.** (a) By February 1, ~~2013~~ 2019, the commissioner of public safety and
 52.7 each eligible city and county that participates in the diversion program shall report to the
 52.8 legislative committees with jurisdiction over transportation and the judiciary concerning
 52.9 the results of the program. ~~The report must be made electronically and available in print~~
 52.10 ~~only upon request.~~ At a minimum, the report must include, without limitation, the effect of
 52.11 ~~the program on:~~

52.12 (1) recidivism rates for participants in the diversion pilot program;

52.13 (2) ~~payment of the~~ information for reinstatement fees, surcharges, restitution, and criminal
 52.14 finances collected in the diversion pilot program to cities, counties, and the state;

52.15 (3) educational support provided to participants in the diversion pilot program; ~~and~~

52.16 (4) the total number of participants in the diversion pilot program ~~and~~;

52.17 (5) the number of participants who have terminated from the pilot program under
 52.18 subdivision 7, paragraph (a), clauses (1) to (3); and

52.19 (6) the names of all third-party program administrators and their program fee refund
 52.20 policy, and, for each administrator the amount charged for program fees, and the amount
 52.21 of program fees retained from participants who have terminated from the program.

52.22 (b) The report must include recommendations regarding the future of the program and
 52.23 any necessary legislative changes.

52.24 Sec. 28. Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended by Laws
 52.25 2010, chapter 197, section 1, Laws 2011, chapter 87, section 1, subdivision 9, and Laws
 52.26 2013, chapter 127, section 60, is amended to read:

52.27 Subd. 9. **Sunset.** A city or county participating in this pilot program may accept an
 52.28 individual for diversion into the pilot program until June 30, ~~2017~~ 2019. The third party
 52.29 administering the diversion program may collect and disburse fees collected pursuant to
 52.30 subdivision 6, paragraph (a), clause (2), through December 31, ~~2018~~ 2020, at which time
 52.31 the pilot program under this section expires.

53.1 **Sec. 29. ALTERNATIVES TO INCARCERATION PILOT PROGRAM FUND.**

53.2 (a) Agencies providing supervision to offenders on probation, parole, or supervised
 53.3 release are eligible for grants to facilitate access to community options including, but not
 53.4 limited to, inpatient chemical dependency treatment for nonviolent controlled substance
 53.5 offenders to address and correct behavior that is, or is likely to result in, a technical violation
 53.6 of the conditions of release. For purposes of this section, "nonviolent controlled substance
 53.7 offender" is a person who meets the criteria described under Minnesota Statutes, section
 53.8 244.0513, subdivision 2, clauses (1), (2), and (5), and "technical violation" means a violation
 53.9 of a court order of probation, condition of parole, or condition of supervised release, except
 53.10 an allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or
 53.11 petition.

53.12 (b) The Department of Corrections shall establish criteria for selecting grant recipients
 53.13 and the amount awarded to each grant recipient.

53.14 (c) By January 15, 2019, the commissioner of corrections shall submit a report to the
 53.15 chairs of the house of representatives and senate committees with jurisdiction over public
 53.16 safety policy and finance. At a minimum, the report must include:

53.17 (1) the total number of grants issued under this program;

53.18 (2) the average amount of each grant;

53.19 (3) the community services accessed as a result of the grants;

53.20 (4) a summary of the type of supervision offenders were under when a grant was used
 53.21 to help access a community option;

53.22 (5) the number of individuals who completed, and the number who failed to complete,
 53.23 programs accessed as a result of this grant; and

53.24 (6) the number of individuals who violated the terms of release following participation
 53.25 in a program accessed as a result of this grant, separating technical violations and new
 53.26 criminal offenses.

53.27 **ARTICLE 4**

53.28 **COURT-RELATED FEE DECREASES**

53.29 Section 1. Minnesota Statutes 2016, section 357.021, subdivision 2, is amended to read:

53.30 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator
 53.31 shall be as follows:

54.1 (1) In every civil action or proceeding in said court, including any case arising under
54.2 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,
54.3 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
54.4 action, a fee of ~~\$310~~ \$280, except in marriage dissolution actions the fee is ~~\$340~~ \$310.

54.5 The defendant or other adverse or intervening party, or any one or more of several
54.6 defendants or other adverse or intervening parties appearing separately from the others,
54.7 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$280, except
54.8 in marriage dissolution actions the fee is ~~\$340~~ \$310. This subdivision does not apply to the
54.9 filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application
54.10 for Discharge of Judgment.

54.11 The party requesting a trial by jury shall pay \$100.

54.12 The fees above stated shall be the full trial fee chargeable to said parties irrespective of
54.13 whether trial be to the court alone, to the court and jury, or disposed of without trial, and
54.14 shall include the entry of judgment in the action, but does not include copies or certified
54.15 copies of any papers so filed or proceedings under chapter 103E, except the provisions
54.16 therein as to appeals.

54.17 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8
54.18 for an uncertified copy.

54.19 (3) Issuing a subpoena, \$16 for each name.

54.20 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
54.21 guardianship cases, ~~\$100~~ \$75.

54.22 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
54.23 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
54.24 mentioned, \$55.

54.25 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
54.26 from another court, \$40.

54.27 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
54.28 judgment, \$5.

54.29 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
54.30 certified to.

55.1 (9) Filing and indexing trade name; or recording basic science certificate; or recording
 55.2 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
 55.3 \$5.

55.4 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

55.5 (11) For the deposit of a will, \$27.

55.6 (12) For recording notary commission, \$20.

55.7 (13) Filing a motion or response to a motion for modification of child support, a fee of
 55.8 ~~\$100~~ \$50.

55.9 (14) All other services required by law for which no fee is provided, such fee as compares
 55.10 favorably with those herein provided, or such as may be fixed by rule or order of the court.

55.11 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
 55.12 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
 55.13 petition filed in district court to fund the fathers' adoption registry under section 259.52.

55.14 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
 55.15 public authority represents.

55.16 Sec. 2. Minnesota Statutes 2016, section 357.022, is amended to read:

55.17 **357.022 CONCILIATION COURT FEE.**

55.18 The court administrator in every county shall charge and collect a filing fee of ~~\$65~~ \$50
 55.19 from every plaintiff and from every defendant when the first paper for that party is filed in
 55.20 any conciliation court action. This section does not apply to conciliation court actions filed
 55.21 by the state. The court administrator shall transmit the fees monthly to the commissioner
 55.22 of management and budget for deposit in the state treasury and credit to the general fund.

55.23 Sec. 3. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

55.24 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this
 55.25 section are waived for the petitioner and the respondent if the petition alleges acts that would
 55.26 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to
 55.27 609.3451. The court administrator and the sheriff of any county in this state shall perform
 55.28 their duties relating to service of process without charge to the petitioner. The court shall
 55.29 direct payment of the reasonable costs of service of process if served by a private process
 55.30 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~
 55.31 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~

56.1 ~~costs of service of process if the court determines that the respondent has the ability to pay~~
56.2 ~~the petitioner's fees and costs.~~

56.3 **ARTICLE 5**

56.4 **CONTROLLED SUBSTANCES**

56.5 Section 1. Minnesota Statutes 2016, section 152.02, subdivision 2, is amended to read:

56.6 Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this subdivision.

56.7 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the
56.8 following substances, including their analogs, isomers, esters, ethers, salts, and salts of
56.9 isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers,
56.10 and salts is possible:

56.11 (1) acetylmethadol;

56.12 (2) allylprodine;

56.13 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl
56.14 acetate);

56.15 (4) alphameprodine;

56.16 (5) alphamethadol;

56.17 (6) alpha-methylfentanyl benzethidine;

56.18 (7) betacetylmethadol;

56.19 (8) betameprodine;

56.20 (9) betamethadol;

56.21 (10) betaprodine;

56.22 (11) clonitazene;

56.23 (12) dextromoramide;

56.24 (13) diampromide;

56.25 (14) diethylambutene;

56.26 (15) difenoxin;

56.27 (16) dimenoxadol;

56.28 (17) dimepheptanol;

- 57.1 (18) dimethyliambutene;
- 57.2 (19) dioxaphetyl butyrate;
- 57.3 (20) dipipanone;
- 57.4 (21) ethylmethylthiambutene;
- 57.5 (22) etonitazene;
- 57.6 (23) etoxeridine;
- 57.7 (24) furethidine;
- 57.8 (25) hydroxypethidine;
- 57.9 (26) ketobemidone;
- 57.10 (27) levomoramide;
- 57.11 (28) levophenacylmorphane;
- 57.12 (29) 3-methylfentanyl;
- 57.13 (30) acetyl-alpha-methylfentanyl;
- 57.14 (31) alpha-methylthiofentanyl;
- 57.15 (32) benzylfentanyl beta-hydroxyfentanyl;
- 57.16 (33) beta-hydroxy-3-methylfentanyl;
- 57.17 (34) 3-methylthiofentanyl;
- 57.18 (35) thenylfentanyl;
- 57.19 (36) thiofentanyl;
- 57.20 (37) para-fluorofentanyl;
- 57.21 (38) morpheridine;
- 57.22 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 57.23 (40) noracymethadol;
- 57.24 (41) norlevorphanol;
- 57.25 (42) normethadone;
- 57.26 (43) norpipanone;
- 57.27 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);

- 58.1 (45) phenadoxone;
- 58.2 (46) phenampromide;
- 58.3 (47) phenomorphan;
- 58.4 (48) phenoperidine;
- 58.5 (49) piritramide;
- 58.6 (50) proheptazine;
- 58.7 (51) properidine;
- 58.8 (52) propiram;
- 58.9 (53) racemoramide;
- 58.10 (54) tilidine;
- 58.11 (55) trimeperidine;
- 58.12 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 58.13 (57)
- 58.14 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-methylbenzamide(U47700);
- 58.15 and
- 58.16 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanyl fentanyl).
- 58.17 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 58.18 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 58.19 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 58.20 (1) acetorphine;
- 58.21 (2) acetyldihydrocodeine;
- 58.22 (3) benzylmorphine;
- 58.23 (4) codeine methylbromide;
- 58.24 (5) codeine-n-oxide;
- 58.25 (6) cyprenorphine;
- 58.26 (7) desomorphine;
- 58.27 (8) dihydromorphine;
- 58.28 (9) drotebanol;

- 59.1 (10) etorphine;
- 59.2 (11) heroin;
- 59.3 (12) hydromorphenol;
- 59.4 (13) methyldesorphine;
- 59.5 (14) methyldihydromorphine;
- 59.6 (15) morphine methylbromide;
- 59.7 (16) morphine methylsulfonate;
- 59.8 (17) morphine-n-oxide;
- 59.9 (18) myrophine;
- 59.10 (19) nicocodeine;
- 59.11 (20) nicomorphine;
- 59.12 (21) normorphine;
- 59.13 (22) pholcodine; and
- 59.14 (23) thebacon.

59.15 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any
59.16 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,
59.17 or geometric), and salts of isomers, unless specifically excepted or unless listed in another
59.18 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is
59.19 possible:

- 59.20 (1) methylenedioxy amphetamine;
- 59.21 (2) methylenedioxymethamphetamine;
- 59.22 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 59.23 (4) n-hydroxy-methylenedioxyamphetamine;
- 59.24 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 59.25 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 59.26 (7) 4-methoxyamphetamine;
- 59.27 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 59.28 (9) alpha-ethyltryptamine;

- 60.1 (10) bufotenine;
- 60.2 (11) diethyltryptamine;
- 60.3 (12) dimethyltryptamine;
- 60.4 (13) 3,4,5-trimethoxyamphetamine;
- 60.5 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 60.6 (15) ibogaine;
- 60.7 (16) lysergic acid diethylamide (LSD);
- 60.8 (17) mescaline;
- 60.9 (18) parahexyl;
- 60.10 (19) N-ethyl-3-piperidyl benzilate;
- 60.11 (20) N-methyl-3-piperidyl benzilate;
- 60.12 (21) psilocybin;
- 60.13 (22) psilocyn;
- 60.14 (23) tenocyclidine (TPCP or TCP);
- 60.15 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 60.16 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 60.17 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 60.18 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 60.19 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 60.20 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 60.21 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 60.22 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 60.23 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 60.24 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 60.25 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 60.26 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 60.27 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);

- 61.1 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 61.2 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 61.3 (2-CB-FLY);
- 61.4 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 61.5 (40) alpha-methyltryptamine (AMT);
- 61.6 (41) N,N-diisopropyltryptamine (DiPT);
- 61.7 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 61.8 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 61.9 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 61.10 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 61.11 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 61.12 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 61.13 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 61.14 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 61.15 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 61.16 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 61.17 (52) ~~5-methoxy-N-methyl-N-propyltryptamine~~
- 61.18 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 61.19 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 61.20 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 61.21 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 61.22 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 61.23 (57) methoxetamine (MXE);
- 61.24 (58) 5-iodo-2-aminoindane (5-IAI);
- 61.25 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 61.26 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 61.27 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 61.28 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);

- 62.1 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 62.2 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 62.3 (65) N,N-Dipropyltryptamine (DPT);
- 62.4 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 62.5 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 62.6 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 62.7 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 62.8 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine,
62.9 ethketamine, NENK); ~~and~~
- 62.10 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 62.11 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 62.12 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

62.13 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*
62.14 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,
62.15 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,
62.16 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not
62.17 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian
62.18 Church, and members of the American Indian Church are exempt from registration. Any
62.19 person who manufactures peyote for or distributes peyote to the American Indian Church,
62.20 however, is required to obtain federal registration annually and to comply with all other
62.21 requirements of law.

62.22 (f) Central nervous system depressants. Unless specifically excepted or unless listed in
62.23 another schedule, any material compound, mixture, or preparation which contains any
62.24 quantity of the following substances, their analogs, salts, isomers, and salts of isomers
62.25 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 62.26 (1) mecloqualone;
- 62.27 (2) methaqualone;
- 62.28 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 62.29 (4) flunitrazepam; and

63.1 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
63.2 methoxyketamine).

63.3 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any
63.4 material compound, mixture, or preparation which contains any quantity of the following
63.5 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the
63.6 analogs, salts, isomers, and salts of isomers is possible:

63.7 (1) aminorex;

63.8 (2) cathinone;

63.9 (3) fenethylamine;

63.10 (4) methcathinone;

63.11 (5) methylaminorex;

63.12 (6) N,N-dimethylamphetamine;

63.13 (7) N-benzylpiperazine (BZP);

63.14 (8) methylmethcathinone (mephedrone);

63.15 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);

63.16 (10) methoxymethcathinone (methedrone);

63.17 (11) methylenedioxypropylamphetamine (MDPV);

63.18 (12) 3-fluoro-N-methylcathinone (3-FMC);

63.19 (13) methylethcathinone (MEC);

63.20 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);

63.21 (15) dimethylmethcathinone (DMMC);

63.22 (16) fluoroamphetamine;

63.23 (17) fluoromethamphetamine;

63.24 (18) α -methylaminobutyrophenone (MABP or buphedrone);

63.25 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);

63.26 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);

63.27 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
63.28 naphyrone);

- 64.1 (22) alpha-pyrrolidinopentiophenone (alpha-PVP);
- 64.2 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 64.3 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 64.4 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 64.5 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 64.6 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 64.7 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 64.8 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 64.9 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 64.10 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 64.11 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 64.12 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 64.13 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); ~~and~~
- 64.14 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 64.15 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4-chloro-PPP);
- 64.16 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 64.17 and
- 64.18 (38) any other substance, except bupropion or compounds listed under a different
- 64.19 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
- 64.20 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
- 64.21 compound is further modified in any of the following ways:
- 64.22 (i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
- 64.23 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
- 64.24 system by one or more other univalent substituents;
- 64.25 (ii) by substitution at the 3-position with an acyclic alkyl substituent;
- 64.26 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
- 64.27 methoxybenzyl groups; or
- 64.28 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

65.1 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
65.2 excepted or unless listed in another schedule, any natural or synthetic material, compound,
65.3 mixture, or preparation that contains any quantity of the following substances, their analogs,
65.4 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
65.5 of the isomers, esters, ethers, or salts is possible:

65.6 (1) marijuana;

65.7 (2) tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis*, synthetic
65.8 equivalents of the substances contained in the cannabis plant or in the resinous extractives
65.9 of the plant, or synthetic substances with similar chemical structure and pharmacological
65.10 activity to those substances contained in the plant or resinous extract, including, but not
65.11 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
65.12 cis or trans tetrahydrocannabinol;

65.13 (3) synthetic cannabinoids, including the following substances:

65.14 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
65.15 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
65.16 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
65.17 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
65.18 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
65.19 naphthoylindoles include, but are not limited to:

65.20 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

65.21 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

65.22 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

65.23 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

65.24 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

65.25 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

65.26 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

65.27 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

65.28 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

65.29 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

65.30 (ii) Naphthylmethylindoles, which are any compounds containing a
65.31 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the

66.1 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
66.2 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
66.3 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
66.4 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:

66.5 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

66.6 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

66.7 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
66.8 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
66.9 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
66.10 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
66.11 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
66.12 naphthoylpyrroles include, but are not limited to,
66.13 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

66.14 (iv) Naphthylmethyloindenes, which are any compounds containing a naphthylideneindene
66.15 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,
66.16 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
66.17 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any
66.18 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
66.19 naphthylmethyloindenes include, but are not limited to,
66.20 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

66.21 (v) Phenylacetyloindoles, which are any compounds containing a 3-phenylacetyloindole
66.22 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
66.23 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
66.24 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
66.25 extent, whether or not substituted in the phenyl ring to any extent. Examples of
66.26 phenylacetyloindoles include, but are not limited to:

66.27 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

66.28 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

66.29 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);

66.30 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

66.31 (vi) Cyclohexylphenols, which are compounds containing a
66.32 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
66.33 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

67.1 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
67.2 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
67.3 limited to:

67.4 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

67.5 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
67.6 (Cannabicyclohexanol or CP 47,497 C8 homologue);

67.7 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
67.8 -phenol (CP 55,940).

67.9 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure
67.10 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
67.11 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or
67.12 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
67.13 extent and whether or not substituted in the phenyl ring to any extent. Examples of
67.14 benzoylindoles include, but are not limited to:

67.15 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

67.16 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

67.17 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN
67.18 48,098 or Pravadoline).

67.19 (viii) Others specifically named:

67.20 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
67.21 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);

67.22 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
67.23 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);

67.24 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
67.25 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);

67.26 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

67.27 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
67.28 (XLR-11);

67.29 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
67.30 (AKB-48(APINACA));

- 68.1 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
68.2 (5-Fluoro-AKB-48);
- 68.3 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 68.4 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);
- 68.5 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide
68.6 (AB-PINACA);
- 68.7 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-
68.8 1H-indazole-3-carboxamide (AB-FUBINACA);
- 68.9 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-
68.10 indazole-3-carboxamide(AB-CHMINACA);
- 68.11 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
68.12 (5-fluoro-AMB);
- 68.13 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 68.14 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone
68.15 (FUBIMINA);
- 68.16 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
68.17 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 68.18 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
68.19 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 68.20 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
68.21 -1H-indole-3-carboxamide;
- 68.22 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
68.23 -1H-indazole-3-carboxamide;
- 68.24 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 68.25 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1
68.26 H-indazole-3-carboxamide (MAB-CHMINACA);
- 68.27 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
68.28 (ADB-PINACA);
- 68.29 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);

69.1 (X)
 69.2 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-3-carboxamide.
 69.3 (APP-CHMINACA); ~~and~~

69.4 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and

69.5 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).

69.6 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended
 69.7 for human consumption.

69.8 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes
 69.9 committed on or after that date.

69.10 Sec. 2. Minnesota Statutes 2016, section 152.02, subdivision 12, is amended to read:

69.11 Subd. 12. **Coordination of controlled substance regulation with federal law and**
 69.12 **state statute.** (a) If any substance is designated, rescheduled, or deleted as a controlled
 69.13 substance under federal law and notice thereof is given to the state Board of Pharmacy, the
 69.14 state Board of Pharmacy shall ~~may~~ similarly and temporarily control the substance under
 69.15 this chapter, after the expiration of 30 days from publication in the Federal Register of a
 69.16 final order designating a substance as a controlled substance or rescheduling or deleting a
 69.17 substance. Such order shall be filed with the secretary of state. If within that 30-day period,
 69.18 the state Board of Pharmacy objects to inclusion, rescheduling, or deletion, it shall publish
 69.19 the reasons for objection and afford all interested parties an opportunity to be heard. At the
 69.20 conclusion of the hearing, the state Board of Pharmacy shall publish its decision, which
 69.21 shall be subject to the provisions of chapter 14 by issuing an order and causing it to be
 69.22 published in the State Register and filed with the secretary of state. In issuing the order, the
 69.23 board is not required to engage in rulemaking. The order expires no later than 12 months
 69.24 after the date of issue and may not be renewed. After issuing the order, the board may
 69.25 permanently schedule the substance only by exercising the authority granted to it under
 69.26 subdivision 8.

69.27 ~~In exercising the authority granted by this chapter, the state Board of Pharmacy shall be~~
 69.28 ~~subject to the provisions of chapter 14.~~

69.29 (b) The state Board of Pharmacy shall annually submit a report to the legislature on or
 69.30 before December 1 that specifies what changes the board made to the controlled substance
 69.31 schedules maintained by the board in Minnesota Rules, parts 6800.4210 to 6800.4250, in
 69.32 the preceding 12 months. The report must also specify any orders issued by the board under
 69.33 this subdivision. The report must include specific recommendations for amending the

70.1 controlled substance schedules contained in subdivisions 2 to 6, so that they conform with
70.2 the controlled substance schedules maintained by the board in Minnesota Rules, parts
70.3 6800.4210 to 6800.4250, and with the federal schedules.

70.4 Sec. 3. Minnesota Statutes 2016, section 152.02, is amended by adding a subdivision to
70.5 read:

70.6 Subd. 14. **Procedural requirements.** Except as otherwise permitted in this section, the
70.7 Board of Pharmacy is subject to the provisions of chapter 14 in exercising the authority
70.8 granted by this chapter.

APPENDIX
Article locations in S0803-4

ARTICLE 1	APPROPRIATIONS	Page.Ln 1.25
ARTICLE 2	COURTS	Page.Ln 15.29
ARTICLE 3	CORRECTIONS AND PUBLIC SAFETY	Page.Ln 32.20
ARTICLE 4	COURT-RELATED FEE DECREASES	Page.Ln 53.27
ARTICLE 5	CONTROLLED SUBSTANCES	Page.Ln 56.3

169.685 SEAT BELT; PASSENGER RESTRAINT SYSTEM FOR CHILDREN.

Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of the use or failure to use seat belts or a child passenger restraint system as described in subdivision 5, or proof of the installation or failure of installation of seat belts or a child passenger restraint system as described in subdivision 5 shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

(b) Paragraph (a) does not affect the right of a person to bring an action for damages arising out of an incident that involves a defectively designed, manufactured, installed, or operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the introduction of evidence pertaining to the use of a seat belt or child passenger restraint system in an action described in this paragraph.

486.05 DISTRICT COURT; REPORTERS' SALARIES AND EXPENSES.

Subd. 1a. **Expenses.** A court reporter, in addition to a salary, shall be paid necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the home chambers where the judge the reporter serves is assigned. The expenses are to be paid by the state upon presentation of a verified itemized statement approved by the judge.

525.112 COURT REPORTERS FOR HENNEPIN COUNTY COURT.

The county judge or judge of probate of any county now having or which may hereafter have 400,000 inhabitants, or over, may appoint a competent stenographer as court reporter and secretary, who shall be paid a salary of \$3,000 per annum; and, in addition to this salary, the court reporter may also be paid such fees for transcripts of evidence made in relation to probate hearings, as the judge of probate shall fix and allow, and appoint two additional clerks who shall be competent stenographers, who shall each be paid a salary of \$1,200 per annum.