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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH SESSION

**H. F. No. 849**

02/12/2015 Authored by Cornish

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

04/16/2015 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act  
1.2 relating to public safety; modifying certain provisions relating to courts, public  
1.3 safety, firefighters, corrections, crime, disaster assistance, and controlled  
1.4 substances; requesting reports; providing for penalties; appropriating money  
1.5 for public safety, courts, corrections, Guardian Ad Litem Board, Uniform  
1.6 Laws Commission, Board on Judicial Standards, Board of Public Defense,  
1.7 and Sentencing Guidelines; amending Minnesota Statutes 2014, sections  
1.8 5B.11; 12.221, subdivision 6; 12A.15, subdivision 1; 12B.15, subdivision 2,  
1.9 by adding a subdivision; 12B.25, subdivision 1; 12B.40; 13.03, subdivision 6;  
1.10 13.82, subdivision 17; 43A.241; 152.02, subdivisions 2, 3, 4, 5, 6; 168A.1501,  
1.11 subdivisions 1, 6; 169.13, subdivisions 1, 3; 169A.03, subdivision 3; 169A.07;  
1.12 169A.275, subdivision 5; 169A.285, subdivision 1; 169A.46, subdivision 1;  
1.13 169A.53, subdivision 3; 181.06, subdivision 2; 181.101; 241.88, subdivision 1,  
1.14 by adding a subdivision; 241.89, subdivisions 1, 2; 243.166, subdivision 1b;  
1.15 244.05, by adding a subdivision; 244.15, subdivision 6; 253B.08, subdivision  
1.16 2a; 253B.12, subdivision 2a; 253D.28, subdivision 2; 260B.198, by adding a  
1.17 subdivision; 271.08, subdivision 1; 271.21, subdivision 2; 299A.73, subdivision  
1.18 2; 299C.35; 299C.38; 299C.46, subdivisions 2, 2a; 299F.012, subdivision 1;  
1.19 299N.02, subdivision 2; 299N.03, subdivisions 5, 6, 7; 299N.04, subdivision  
1.20 3; 299N.05, subdivisions 1, 5, 6, 7, 8; 325E.21, subdivisions 1, 2; 352B.011,  
1.21 subdivision 10; 401.10, subdivision 1; 486.10, subdivisions 2, 3; 549.09,  
1.22 subdivision 1; 609.1095, subdivision 1; 609.2111; 609.2112, subdivision 1;  
1.23 609.2114, subdivision 1; 609.2231, subdivision 3a; 609.324, subdivision  
1.24 1; 609.325, subdivision 4, by adding a subdivision; 609.3451, subdivision  
1.25 1; 609.3471; 609.531, subdivision 1; 609.564; 609.5641, subdivision 1a;  
1.26 609.66, subdivision 1g; 609.746, by adding a subdivision; 609.765; 611A.26,  
1.27 subdivisions 1, 6; 611A.31, subdivision 1; 611A.33; 611A.35; 617.242,  
1.28 subdivision 6; 624.71; 624.714, subdivision 16; 628.26; 631.461; Laws 2013,  
1.29 chapter 86, article 1, sections 7; 9; proposing coding for new law in Minnesota  
1.30 Statutes, chapters 299C; 299N; 609; 624; repealing Minnesota Statutes 2014,  
1.31 sections 168A.1501, subdivisions 5, 5a; 299C.36; 299N.05, subdivision 3;  
1.32 325E.21, subdivisions 1c, 1d; Laws 2014, chapter 190, sections 10; 11.

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

ARTICLE 1

APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2016" and "2017" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017. "The biennium" is fiscal years 2016 and 2017. Appropriations for the fiscal year ending June 30, 2015, are effective the day following final enactment.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2016</u></b>	<b><u>2017</u></b>

Sec. 2. SUPREME COURT

<u>Subdivision 1. Total Appropriation</u>	<b>\$</b>	<b><u>45,826,000</u></b>	<b>\$</b>	<b><u>46,426,000</u></b>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

<u>Subd. 2. Supreme Court Operations</u>		<b><u>33,060,000</u></b>		<b><u>33,660,000</u></b>
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<u>Subd. 3. Civil Legal Services</u>		<b><u>12,766,000</u></b>		<b><u>12,766,000</u></b>
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**Legal Services to Low-Income Clients in**

**Family Law Matters**

\$948,000 each year is to improve the access of low-income clients to legal representation in family law matters. This appropriation must be distributed under Minnesota Statutes, section 480.242, to the qualified legal services program described in Minnesota Statutes, section 480.242, subdivision 2, paragraph (a). Any unencumbered balance



4.1	Sec. 9. <b><u>BOARD OF PUBLIC DEFENSE</u></b>	\$	<b><u>76,547,000</u></b>	\$	<b><u>80,499,000</u></b>
4.2	Sec. 10. <b><u>SENTENCING GUIDELINES</u></b>	\$	<b><u>595,000</u></b>	\$	<b><u>604,000</u></b>
4.3	Sec. 11. <b><u>PUBLIC SAFETY</u></b>				
4.4	<b><u>Subdivision 1. Total Appropriation</u></b>	\$	<b><u>191,945,000</u></b>	\$	<b><u>181,859,000</u></b>

4.5	<u>Appropriations by Fund</u>			
4.6		<u>2016</u>	<u>2017</u>	
4.7	<u>General</u>	<u>94,618,000</u>	<u>87,502,000</u>	
4.8	<u>Special Revenue</u>	<u>17,791,000</u>	<u>14,697,000</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>70,000</u>	<u>72,000</u>	
4.12	<u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>	
4.13	<u>911 Fund</u>	<u>77,068,000</u>	<u>77,085,000</u>	

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

4.17	<b><u>Subd. 2. Emergency Management</u></b>		<b><u>6,810,000</u></b>		<b><u>3,861,000</u></b>
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4.18	<u>Appropriations by Fund</u>			
4.19	<u>General</u>	<u>5,331,000</u>	<u>2,480,000</u>	
4.20	<u>Environmental</u>	<u>70,000</u>	<u>72,000</u>	
4.21	<u>Special Revenue</u>			
4.22	<u>Fund</u>	<u>1,409,000</u>	<u>1,309,000</u>	

4.23 **(a) Hazmat and Chemical Assessment Teams**

4.24 \$1,409,000 the first year and \$1,309,000 the  
 4.25 second year are from the fire safety account  
 4.26 in the special revenue fund. These amounts  
 4.27 must be used to fund the hazardous materials  
 4.28 and chemical assessment teams.

4.29 **(b) School Safety**

4.30 \$405,000 the first year and \$410,000 the  
 4.31 second year from the general fund are for the  
 4.32 school safety center to provide for school  
 4.33 safety.

4.34 **(c) Combating Terrorism Recruitment**

5.1 \$25,000 the first year is for the commissioner  
 5.2 to develop strategies to combat the  
 5.3 recruitment of Minnesota residents by  
 5.4 terrorist organizations such as ISIS and  
 5.5 al-Shabaab. The commissioner must  
 5.6 collaborate with federal, state, and local  
 5.7 agencies in developing the required  
 5.8 strategies. The commissioner shall prepare  
 5.9 a report that explains in detail the strategies  
 5.10 proposed and steps to implement the  
 5.11 strategies. The commissioner must submit  
 5.12 the report to the chairs and ranking minority  
 5.13 members of the house and senate committees  
 5.14 with jurisdiction over public safety by  
 5.15 February 1, 2016.

5.16 **(d) Disaster Assistance Account**

5.17 \$2,500,000 in 2016 is for the disaster  
 5.18 assistance contingency account in Minnesota  
 5.19 Statutes, section 12.221. These funds are  
 5.20 available until spent.

5.21 **Subd. 3. Criminal Apprehension** 53,619,000 49,339,000

5.22	<u>Appropriations by Fund</u>	
5.23	<u>General</u>	<u>51,317,000</u> <u>47,007,000</u>
5.24	<u>State Government</u>	
5.25	<u>Special Revenue</u>	<u>7,000</u> <u>7,000</u>
5.26	<u>Trunk Highway</u>	<u>2,295,000</u> <u>2,325,000</u>

5.27 **(a) DWI Lab Analysis; Trunk Highway Fund**

5.28 Notwithstanding Minnesota Statutes, section  
 5.29 161.20, subdivision 3, \$1,941,000 each year  
 5.30 is from the trunk highway fund for laboratory  
 5.31 analysis related to driving-while-impaired  
 5.32 cases.

5.33 **(b) BCA Investment Initiative**

6.1 \$2,223,000 the first year and \$2,795,000 the  
6.2 second year are from the general fund for the  
6.3 Bureau of Criminal Apprehension:  
6.4 (1) for two permanent latent fingerprint  
6.5 examiner positions;  
6.6 (2) for one permanent mitochondrial DNA  
6.7 analyst positions;  
6.8 (3) to replace equipment and instruments in  
6.9 the forensic laboratory;  
6.10 (4) to purchase supplies for the forensic  
6.11 laboratory;  
6.12 (5) for five permanent positions to form a  
6.13 digital forensics examination unit;  
6.14 (6) for three permanent positions to form a  
6.15 financial crimes unit; and  
6.16 (7) for seven permanent positions to increase  
6.17 the capabilities of the predatory crimes  
6.18 section.

6.19 **(c) Livescan Replacement**

6.20 \$650,000 each year is from the general fund  
6.21 for the Bureau of Criminal Apprehension  
6.22 to replace electronic fingerprint capture  
6.23 equipment in criminal justice agencies  
6.24 around the state. The equipment is to be used  
6.25 to automatically submit the fingerprints to  
6.26 the bureau for identification of the person  
6.27 and processing. For each of fiscal years 2018  
6.28 and 2019, \$650,000 is added to the base for  
6.29 livescan replacement.

6.30 **(d) Report**

6.31 If the vehicle services special revenue account  
6.32 accrues an unallocated balance in excess  
6.33 of 50 percent of the previous fiscal year's

7.1 expenditures, the commissioner of public  
 7.2 safety shall submit a report to the chairs  
 7.3 and ranking minority members of the house  
 7.4 of representatives and senate committees  
 7.5 with jurisdiction over transportation and  
 7.6 public safety policy and finance. The report  
 7.7 must contain specific policy and legislative  
 7.8 recommendations for reducing the fund  
 7.9 balance and avoiding future excessive fund  
 7.10 balances. The report is due within three  
 7.11 months of the fund balance exceeding the  
 7.12 threshold established in this paragraph.

7.13 Subd. 4. Fire Marshal 15,668,000 12,722,000

	<u>Appropriations by Fund</u>		
7.14			
7.15	<u>General</u>	<u>18,000</u>	<u>-0-</u>
7.16	<u>Special Revenue</u>	<u>15,650,000</u>	<u>12,722,000</u>

7.17 This appropriation is from the fire safety  
 7.18 account in the special revenue fund and is for  
 7.19 activities under Minnesota Statutes, section  
 7.20 299F.012. Of this amount:

7.21 (1) \$4,673,000 the first year and \$3,270,000  
 7.22 the second year are for an increase to the  
 7.23 Minnesota Board of Firefighter Training. Of  
 7.24 these amounts, \$75,000 each year is onetime  
 7.25 spending;

7.26 (2) \$2,200,000 the first year and \$1,200,000  
 7.27 the second year are for an increase to  
 7.28 Minnesota Task Force 1; and

7.29 (3) \$190,000 each year is to fund the  
 7.30 Minnesota Air Rescue Team.

7.31 Subd. 5. Alcohol and Gambling Enforcement 2,338,000 2,373,000

	<u>Appropriations by Fund</u>		
7.32			
7.33	<u>General</u>	<u>1,606,000</u>	<u>1,632,000</u>
7.34	<u>Special Revenue</u>	<u>732,000</u>	<u>741,000</u>

8.1 \$662,000 the first year and \$671,000 the  
 8.2 second year are from the alcohol enforcement  
 8.3 account in the special revenue fund. Of this  
 8.4 appropriation, \$500,000 each year shall be  
 8.5 transferred to the general fund.

8.6 \$70,000 each year is appropriated from the  
 8.7 lawful gambling regulation account in the  
 8.8 special revenue fund.

8.9 **Subd. 6. Office of Justice Programs** 36,442,000 36,479,000

	<u>Appropriations by Fund</u>		
8.10			
8.11	<u>General</u>	<u>36,346,000</u>	<u>36,383,000</u>
8.12	<u>State Government</u>		
8.13	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

8.14 **(a) OJP Administration Costs**

8.15 Up to 2.5 percent of the grant funds  
 8.16 appropriated in this subdivision may be used  
 8.17 by the commissioner to administer the grant  
 8.18 program.

8.19 **(b) Crime Victim Programs**

8.20 \$1,500,000 each year must be distributed  
 8.21 through an open and competitive grant  
 8.22 process for existing crime victim programs.  
 8.23 The funds must be used to meet the needs  
 8.24 of underserved and unserved areas and  
 8.25 populations.

8.26 **(c) Youth Intervention Programs**

8.27 \$1,000,000 each year is for youth intervention  
 8.28 programs under Minnesota Statutes, section  
 8.29 299A.73. The appropriations must be  
 8.30 used to create new programs statewide  
 8.31 in underserved areas and to help existing  
 8.32 programs serve unmet needs in program  
 8.33 communities. These appropriations are  
 8.34 available until expended. This amount must

9.1 be added to the department's base budget for  
9.2 grants to youth intervention programs.

9.3 **(d) Crime Victim Services**

9.4 \$50,000 each year is for additional grants to  
9.5 organizations awarded grants in fiscal years  
9.6 2014 and 2015. These appropriations are  
9.7 available through June 30, 2017.

9.8 **(e) Child Advocacy Centers**

9.9 \$50,000 each year is for grants to  
9.10 existing child advocacy centers whose  
9.11 primary purposes are (1) to coordinate the  
9.12 investigation, treatment, and management of  
9.13 abuse cases and (2) to provide direct services  
9.14 to abuse victims.

9.15 **(f) Prosecutor and Law Enforcement Training**

9.16 \$100,000 each year is for a grant to the  
9.17 Minnesota County Attorneys Association for  
9.18 prosecutor and law enforcement training.

9.19 **(g) Crime Victim Support**

9.20 \$50,000 each year is for a grant to a  
9.21 nonprofit organization dedicated to providing  
9.22 immediate and long-term emotional support  
9.23 and practical help for the families and friends  
9.24 of individuals who have died by suicide,  
9.25 overdose, accident, or homicide, including  
9.26 but not limited to domestic violence.

9.27 **(h) Sex Trafficking Investigations**

9.28 \$250,000 each year is for grants to state and  
9.29 local units of government for the following  
9.30 purposes:

9.31 (1) to support new or existing  
9.32 multijurisdictional entities to investigate sex  
9.33 trafficking crimes; and

10.1 (2) to provide technical assistance, including  
 10.2 training and case consultation, to law  
 10.3 enforcement agencies statewide.

10.4 **(i) Alternatives to Juvenile Detention**

10.5 \$50,000 each year is for grants to nonprofit  
 10.6 organizations to conduct training, technical  
 10.7 support, and peer learning opportunities for  
 10.8 counties interested in implementing juvenile  
 10.9 detention reform and addressing disparities  
 10.10 in the juvenile justice system to accomplish  
 10.11 cost-effective interventions that leverage the  
 10.12 strength of families and communities. This  
 10.13 funding is added to the base.

10.14 <b><u>Subd. 7. Emergency Communication Networks</u></b>	<u>77,068,000</u>	<u>77,085,000</u>
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10.15 This appropriation is from the state  
 10.16 government special revenue fund for 911  
 10.17 emergency telecommunications services.

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

10.19 \$13,664,000 each year is to be distributed  
 10.20 as provided in Minnesota Statutes, section  
 10.21 403.113, subdivision 2.

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

10.32 **(b) Medical Resource Communication Centers**

10.33 \$683,000 each year is for grants to the  
 10.34 Minnesota Emergency Medical Services

- 11.1 Regulatory Board for the Metro East  
11.2 and Metro West Medical Resource  
11.3 Communication Centers that were in  
11.4 operation before January 1, 2000.
- 11.5 **(c) ARMER Debt Service**
- 11.6 \$22,261,000 each year is to the commissioner  
11.7 of management and budget to pay debt  
11.8 service on revenue bonds issued under  
11.9 Minnesota Statutes, section 403.275.
- 11.10 Any portion of this appropriation not needed  
11.11 to pay debt service in a fiscal year may be  
11.12 used by the commissioner of public safety to  
11.13 pay cash for any of the capital improvements  
11.14 for which bond proceeds were appropriated  
11.15 by Laws 2005, chapter 136, article 1, section  
11.16 9, subdivision 8; or Laws 2007, chapter 54,  
11.17 article 1, section 10, subdivision 8.
- 11.18 **(d) ARMER State Backbone Operating**  
11.19 **Costs**
- 11.20 \$9,650,000 each year is to the commissioner  
11.21 of transportation for costs of maintaining and  
11.22 operating the first and third phases of the  
11.23 statewide radio system backbone.
- 11.24 **(e) ARMER Improvements**
- 11.25 \$1,000,000 each year is to the Statewide  
11.26 Radio Board for costs of design, construction,  
11.27 and maintenance of, and improvements  
11.28 to, those elements of the statewide public  
11.29 safety radio and communication system  
11.30 that support mutual aid communications  
11.31 and emergency medical services or provide  
11.32 interim enhancement of public safety  
11.33 communication interoperability in those  
11.34 areas of the state where the statewide public

12.1 safety radio and communication system is  
 12.2 not yet implemented.

12.3 **Sec. 12. PEACE OFFICER STANDARDS**  
 12.4 **AND TRAINING (POST) BOARD**                    **\$            3,987,000 \$            4,004,000**

12.5 **(a) Excess Amounts Transferred**

12.6 This appropriation is from the peace officer  
 12.7 training account in the special revenue fund.  
 12.8 Any new receipts credited to that account in  
 12.9 the first year in excess of \$3,887,000 must be  
 12.10 transferred and credited to the general fund.  
 12.11 Any new receipts credited to that account in  
 12.12 the second year in excess of \$3,904,000 must  
 12.13 be transferred and credited to the general  
 12.14 fund.

12.15 **(b) Peace Officer Training**

12.16 **Reimbursements**

12.17 \$2,734,000 each year is for reimbursements  
 12.18 to local governments for peace officer  
 12.19 training costs.

12.20 **(c) De-escalation Training**

12.21 \$100,000 each year is for training state and  
 12.22 local community safety personnel in the use  
 12.23 of crisis de-escalation techniques.

12.24 **Sec. 13. PRIVATE DETECTIVE BOARD**                    **\$            122,000 \$            124,000**

12.25 **Sec. 14. CORRECTIONS**

12.26 **Subdivision 1. Total Appropriation**                    **\$            526,638,000 \$            537,845,000**

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

12.30 **Subd. 2. Correctional Institutions**                    **381,152,000                    390,892,000**

12.31 **(a) Informational Technology**

13.1 This appropriation includes funds for  
 13.2 information technology project services  
 13.3 and support subject to the provisions of  
 13.4 Minnesota Statutes, section 16E.0466. Any  
 13.5 ongoing information technology costs will be  
 13.6 incorporated into the service level agreement  
 13.7 and will be paid to the Office of MN.IT  
 13.8 Services by the Department of Corrections  
 13.9 under the rates and mechanism specified in  
 13.10 that agreement.

13.11 **(b) Fugitive Apprehension Unit**  
 13.12 \$541,000 in fiscal year 2016 and \$670,000 in  
 13.13 fiscal year 2017 are to increase the number  
 13.14 of full-time equivalent positions in the  
 13.15 department's fugitive apprehension unit. The  
 13.16 base for this item is \$642,000 in each of  
 13.17 fiscal years 2018 and 2019.

13.18 <b><u>Subd. 3. Community Services</u></b>	<u>120,674,000</u>	<u>121,688,000</u>
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13.19 **(a) Intensive Supervised Release Agents**  
 13.20 \$1,000,000 each year is to increase the  
 13.21 number of supervision agents for offenders  
 13.22 on intensive supervised release as described  
 13.23 in Minnesota Statutes, section 244.13,  
 13.24 subdivision 2.

13.25 **(b) Challenge Incarceration**  
 13.26 \$250,000 each year is to increase the  
 13.27 number of supervision agents for offenders  
 13.28 participating in the department's challenge  
 13.29 incarceration program as described in  
 13.30 Minnesota Statutes, section 244.172,  
 13.31 subdivisions 2 and 3.

13.32 **(c) Community Corrections Act**  
 13.33 \$1,550,000 each year is added to the  
 13.34 Community Corrections Act subsidy, as

14.1 described in Minnesota Statutes, section  
 14.2 401.14.

14.3 **(d) County Probation Officer**

14.4 **Reimbursements**

14.5 \$200,000 each year is added to the county  
 14.6 probation officers reimbursement, as  
 14.7 described in Minnesota Statutes, section  
 14.8 244.19, subdivision 6.

14.9 **(e) Scott County Correctional Services**

14.10 \$85,000 each year is for a probation caseload  
 14.11 and workload reduction grant to Scott County  
 14.12 to provide correctional services.

14.13	<b><u>Subd. 4. Operations Support</u></b>	<u>24,812,000</u>		<u>25,265,000</u>
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14.14 \$500,000 each year is to support technology  
 14.15 needs.

14.16 This appropriation includes funds for  
 14.17 information technology project services  
 14.18 and support subject to the provisions of  
 14.19 Minnesota Statutes, section 16E.0466. Any  
 14.20 ongoing information technology costs will be  
 14.21 incorporated into the service level agreement  
 14.22 and will be paid to the Office of MN.IT  
 14.23 Services by the Department of Corrections  
 14.24 under the rates and mechanism specified in  
 14.25 that agreement.

14.26	Sec. 15. <b><u>TRANSFERS</u></b>	<b><u>\$</u></b>	<b><u>550,000</u></b>	<b><u>\$</u></b>	<b><u>550,000</u></b>
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14.27 \$550,000 each year is transferred from the  
 14.28 MINNCOR fund to the general fund.

14.29 Sec. 16. Laws 2013, chapter 86, article 1, section 7, is amended to read:

14.30	Sec. 7. <b>TAX COURT</b>	<b><u>\$</u></b>	<b><u>1,023,000</u></b>	<b><u>\$</u></b>	<b><u>1,035,000</u></b>
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14.31 **(a) Additional Resources**

15.1 \$161,000 each year is for ~~two law clerks,~~  
 15.2 ~~continuing legal education costs, and~~  
 15.3 ~~Westlaw costs~~ operating expenses. Any  
 15.4 amount not expended in the first year does  
 15.5 not cancel and is available in the second year.

15.6 **(b) Case Management System**

15.7 \$25,000 each year is for the implementation  
 15.8 and maintenance of a modern case  
 15.9 management system.

15.10 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2013.

15.11 Sec. 17. Laws 2013, chapter 86, article 1, section 9, is amended to read:

15.12 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ 756,000 \$ 456,000

15.13 **(a) Deficiencies**

15.14 \$300,000 the first year is for deficiencies  
 15.15 occurring in fiscal year 2013. This  
 15.16 appropriation is available for expenditure the  
 15.17 day following final enactment.

15.18 **(b) Major Disciplinary Actions**

15.19 \$125,000 each year is for special  
 15.20 investigative and hearing costs for major  
 15.21 disciplinary actions undertaken by the  
 15.22 board. This appropriation does not cancel.  
 15.23 Any ~~encumbered~~ unencumbered and  
 15.24 unspent balances remain available for these  
 15.25 expenditures in subsequent fiscal years.

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

15.27 **ARTICLE 2**

15.28 **COURTS**

15.29 Section 1. Minnesota Statutes 2014, section 253B.08, subdivision 2a, is amended to  
 15.30 read:

16.1 Subd. 2a. **Place of hearing.** The hearing shall be conducted in a manner consistent  
16.2 with orderly procedure. The hearing shall be held at a courtroom meeting standards  
16.3 prescribed by local court rule which may be at a treatment facility. The hearing may be  
16.4 conducted by interactive video conference under General Rules of Practice, rule 131, and  
16.5 Minnesota Rules of Civil Commitment, rule 14.

16.6 Sec. 2. Minnesota Statutes 2014, section 253B.12, subdivision 2a, is amended to read:

16.7 Subd. 2a. **Time and place for hearing.** (a) Unless the proceedings are terminated  
16.8 under subdivision 1, paragraph (e), a review hearing must be held within 14 days after  
16.9 receipt by the committing court of the report required under subdivision 1, paragraph (c)  
16.10 or (d), and before the time the commitment expires. For good cause shown, the court  
16.11 may continue the hearing for up to an additional 14 days and extend any orders until  
16.12 the review hearing is held.

16.13 (b) The patient, the patient's counsel, the petitioner, and other persons as the court  
16.14 directs must be given at least five days' notice of the time and place of the hearing.  
16.15 The hearing may be conducted by interactive video conference under General Rules of  
16.16 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

16.17 Sec. 3. Minnesota Statutes 2014, section 253D.28, subdivision 2, is amended to read:

16.18 Subd. 2. **Procedure.** (a) The Supreme Court shall refer a petition for rehearing and  
16.19 reconsideration to the chief judge of the judicial appeal panel. The chief judge shall notify  
16.20 the committed person, the county attorneys of the county of commitment and county of  
16.21 financial responsibility, the commissioner, the executive director, any interested person,  
16.22 and other persons the chief judge designates, of the time and place of the hearing on  
16.23 the petition. The notice shall be given at least 14 days prior to the date of the hearing.  
16.24 The hearing may be conducted by interactive video conference under General Rules of  
16.25 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

16.26 (b) Any person may oppose the petition. The committed person, the committed  
16.27 person's counsel, the county attorneys of the committing county and county of financial  
16.28 responsibility, and the commissioner shall participate as parties to the proceeding pending  
16.29 before the judicial appeal panel and shall, no later than 20 days before the hearing on the  
16.30 petition, inform the judicial appeal panel and the opposing party in writing whether they  
16.31 support or oppose the petition and provide a summary of facts in support of their position.

16.32 (c) The judicial appeal panel may appoint examiners and may adjourn the hearing  
16.33 from time to time. It shall hear and receive all relevant testimony and evidence and make  
16.34 a record of all proceedings. The committed person, the committed person's counsel, and

17.1 the county attorney of the committing county or the county of financial responsibility have  
17.2 the right to be present and may present and cross-examine all witnesses and offer a factual  
17.3 and legal basis in support of their positions.

17.4 (d) The petitioning party seeking discharge or provisional discharge bears the  
17.5 burden of going forward with the evidence, which means presenting a prima facie case  
17.6 with competent evidence to show that the person is entitled to the requested relief. If  
17.7 the petitioning party has met this burden, the party opposing discharge or provisional  
17.8 discharge bears the burden of proof by clear and convincing evidence that the discharge or  
17.9 provisional discharge should be denied.

17.10 (e) A party seeking transfer under section 253D.29 must establish by a preponderance  
17.11 of the evidence that the transfer is appropriate.

17.12 Sec. 4. Minnesota Statutes 2014, section 271.08, subdivision 1, is amended to read:

17.13 Subdivision 1. **Written order.** The Tax Court, except in Small Claims Division,  
17.14 shall determine every appeal by written order containing findings of fact and the decision  
17.15 of the tax court. A memorandum of the grounds of the decision shall be appended. Notice  
17.16 of the entry of the order and of the substance of the decision shall be mailed to all parties.  
17.17 A motion for rehearing, which includes a motion for amended findings of fact, conclusions  
17.18 of law, or a new trial, must be served by the moving party within ~~45~~ 30 days after mailing  
17.19 of the notice by the court as specified in this subdivision, and the motion must be heard  
17.20 within ~~30~~ 60 days thereafter, unless the time for hearing is extended by the court within  
17.21 the ~~30-day~~ 60-day period for good cause shown.

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

17.23 Sec. 5. Minnesota Statutes 2014, section 271.21, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

18.7 Sec. 6. Minnesota Statutes 2014, section 486.10, subdivision 2, is amended to read:

18.8 Subd. 2. **Disclosure; court reporter requirements; objections.** (a) The existence  
18.9 of a contract or an exclusive agreement with a court reporter or court reporting firm for  
18.10 court reporting services must be disclosed as provided by this paragraph. Written notice of  
18.11 a contract or agreement must be included in the notice of taking deposition or the notice of  
18.12 legal proceeding before commencement of a legal proceeding at which court reporting  
18.13 services are being provided. Oral disclosure of a contract or agreement must be made on  
18.14 the record by the court reporter at the commencement of the legal proceeding.

18.15 (b) A freelance court reporter or court reporting firm:

18.16 (1) shall treat all parties to an action equally, providing comparable services to  
18.17 all parties;

18.18 (2) shall charge the same rate for copies of the same transcript to all parties according  
18.19 to Minnesota Rules of Civil Procedure, rule 30.06;

18.20 ~~(2)~~ (3) may not act as an advocate for any party or act partially to any party to  
18.21 an action; and

18.22 ~~(3)~~ (4) shall comply with all state and federal court rules that govern the activities  
18.23 of court reporters.

18.24 (c) An attorney shall state the reason for the objection to the provision of court  
18.25 reporting services by a freelance court reporter or court reporting firm and shall note  
18.26 the objection and the reason on the record.

18.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to legal  
18.28 proceedings commencing on or after that date.

18.29 Sec. 7. Minnesota Statutes 2014, section 486.10, subdivision 3, is amended to read:

18.30 Subd. 3. **Remedies.** Through objection by a party to the proceedings and upon  
18.31 the court's or presiding officer's learning determination of a violation of subdivision 2,  
18.32 paragraph (a), the court or presiding officer may: (1) declare that the record for which the  
18.33 court reporting services were provided is void and may order that the legal proceeding be

19.1 reconducted; or (2) impose sanctions against the party violating subdivision 2, paragraph  
19.2 (a), including civil contempt of court, costs, and reasonable attorney fees resulting from  
19.3 the violation. If the legal proceedings are reconducted, the parties who violate violated  
19.4 subdivision 2, paragraph (a), are jointly and severally liable for costs associated with  
19.5 reconducting the legal proceeding and preparing the new record. Costs include, but are not  
19.6 limited to, attorney, witness, and freelance court reporter appearance and transcript fees.

19.7 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to legal  
19.8 proceedings commencing on or after that date.

19.9 Sec. 8. Minnesota Statutes 2014, section 549.09, subdivision 1, is amended to read:

19.10 Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery  
19.11 of money, including a judgment for the recovery of taxes, interest from the time of the  
19.12 verdict, award, or report until judgment is finally entered shall be computed by the court  
19.13 administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

19.14 (b) Except as otherwise provided by contract or allowed by law, preverdict,  
19.15 preaward, or prereport interest on pecuniary damages shall be computed as provided in  
19.16 paragraph (c), clause (1), regardless of the amount, from the time of the commencement of  
19.17 the action or a demand for arbitration, or the time of a written notice of claim, whichever  
19.18 occurs first, except as provided herein. The action must be commenced within two years  
19.19 of a written notice of claim for interest to begin to accrue from the time of the notice of  
19.20 claim. If either party serves a written offer of settlement, the other party may serve a  
19.21 written acceptance or a written counteroffer within 30 days. After that time, interest on the  
19.22 judgment or award shall be calculated by the judge or arbitrator in the following manner.  
19.23 The prevailing party shall receive interest on any judgment or award from the time of  
19.24 commencement of the action or a demand for arbitration, or the time of a written notice  
19.25 of claim, or as to special damages from the time when special damages were incurred, if  
19.26 later, until the time of verdict, award, or report only if the amount of its offer is closer to  
19.27 the judgment or award than the amount of the opposing party's offer. If the amount of  
19.28 the losing party's offer was closer to the judgment or award than the prevailing party's  
19.29 offer, the prevailing party shall receive interest only on the amount of the settlement offer  
19.30 or the judgment or award, whichever is less, and only from the time of commencement  
19.31 of the action or a demand for arbitration, or the time of a written notice of claim, or as  
19.32 to special damages from when the special damages were incurred, if later, until the time  
19.33 the settlement offer was made. Subsequent offers and counteroffers supersede the legal  
19.34 effect of earlier offers and counteroffers. For the purposes of clause (2), the amount of  
19.35 settlement offer must be allocated between past and future damages in the same proportion

20.1 as determined by the trier of fact. Except as otherwise provided by contract or allowed by  
20.2 law, preverdict, preaward, or prereport interest shall not be awarded on the following:

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

20.5 (2) judgments or awards for future damages;

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

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

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

20.10 (c)(1) For a judgment or award of \$50,000 or less or a judgment or award for  
20.11 or against the state or a political subdivision of the state, regardless of the amount, the  
20.12 interest shall be computed as simple interest per annum. The rate of interest shall be based  
20.13 on the secondary market yield of one year United States Treasury bills, calculated on a  
20.14 bank discount basis as provided in this section.

20.15 On or before the 20th day of December of each year the state court administrator  
20.16 shall determine the rate from the one-year constant maturity treasury yield for the most  
20.17 recent calendar month, reported on a monthly basis in the latest statistical release of the  
20.18 board of governors of the Federal Reserve System. This yield, rounded to the nearest one  
20.19 percent, or four percent, whichever is greater, shall be the annual interest rate during the  
20.20 succeeding calendar year. The state court administrator shall communicate the interest  
20.21 rates to the court administrators and sheriffs for use in computing the interest on verdicts  
20.22 and shall make the interest rates available to arbitrators.

20.23 This clause applies to any section that references section 549.09 by citation for the  
20.24 purposes of computing an interest rate on any amount owed to or by the state or a political  
20.25 subdivision of the state, regardless of the amount.

20.26 (2) For a judgment or award over \$50,000, other than a judgment or award for or  
20.27 against the state or a political subdivision of the state, the interest rate shall be ten percent  
20.28 per year until paid.

20.29 (3) When a judgment creditor, or the judgment creditor's attorney or agent, has  
20.30 received a payment after entry of judgment, whether the payment is made voluntarily by  
20.31 or on behalf of the judgment debtor, or is collected by legal process other than execution  
20.32 levy where a proper return has been filed with the court administrator, the judgment  
20.33 creditor, or the judgment creditor's attorney, before applying to the court administrator  
20.34 for an execution shall file with the court administrator an affidavit of partial satisfaction.  
20.35 The affidavit must state the dates and amounts of payments made upon the judgment after  
20.36 the most recent affidavit of partial satisfaction filed, if any; the part of each payment that

21.1 is applied to taxable disbursements and to accrued interest and to the unpaid principal  
 21.2 balance of the judgment; and the accrued, but the unpaid interest owing, if any, after  
 21.3 application of each payment.

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

21.7 (e) For purposes of this subdivision:

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

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

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

21.14 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
 21.15 judgments and awards entered on or after that date.

### 21.16 **ARTICLE 3**

### 21.17 **PUBLIC SAFETY**

21.18 Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

#### 21.19 **5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

21.20 ~~If a program participant is involved in a legal proceeding as a party or witness, If a~~  
 21.21 program participant's address is protected under section 5B.05, no person or entity shall  
 21.22 be compelled to disclose the participant's actual address during the discovery phase of or  
 21.23 during a proceeding before a court or other tribunal unless the court or tribunal finds that:

21.24 (1) there is a reasonable belief that the address is needed to obtain information or  
 21.25 evidence without which the investigation, prosecution, or litigation cannot proceed; and

21.26 (2) there is no other practicable way of obtaining the information or evidence.

21.27 The court must provide the program participant with notice that address disclosure  
 21.28 is sought and an opportunity to present evidence regarding the potential harm to the  
 21.29 safety of the program participant if the address is disclosed. In determining whether to  
 21.30 compel disclosure, the court must consider whether the potential harm to the safety of the  
 21.31 participant is outweighed by the interest in disclosure. In a criminal proceeding, the court  
 21.32 must order disclosure of a program participant's address if protecting the address would  
 21.33 violate a defendant's constitutional right to confront a witness.

22.1 Disclosure of a participant's actual address under this section shall be limited under  
22.2 the terms of the order to ensure that the disclosure and dissemination of the actual address  
22.3 will be no wider than necessary for the purposes of the investigation, prosecution, or  
22.4 litigation.

22.5 Nothing in this section prevents the court or other tribunal ~~may issue~~ from issuing a  
22.6 protective order to prevent disclosure of information other than the participant's actual  
22.7 address that could reasonably lead to the discovery of the program participant's location.

22.8 Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

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

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

22.17 If the data are discoverable the presiding officer shall decide whether the benefit to  
22.18 the party seeking access to the data outweighs any harm to the confidentiality interests  
22.19 of the entity maintaining the data, or of any person who has provided the data or who  
22.20 is the subject of the data, or to the privacy interest of an individual identified in the  
22.21 data. In making the decision, the presiding officer shall consider whether notice to the  
22.22 subject of the data is warranted and, if warranted, what type of notice must be given. The  
22.23 presiding officer may fashion and issue any protective orders necessary to assure proper  
22.24 handling of the data by the parties. If the data are a videotape of a child victim or alleged  
22.25 victim alleging, explaining, denying, or describing an act of physical or sexual abuse,  
22.26 the presiding officer shall consider the provisions of section 611A.90, subdivision 2,  
22.27 paragraph (b). If the data are data subject to the protections under chapter 5B or section  
22.28 13.045, the presiding officer shall consider the provisions of section 5B.11.

22.29 Sec. 3. Minnesota Statutes 2014, section 168A.1501, subdivision 1, is amended to read:

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

22.32 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
22.33 county, state, or federal law enforcement agency.

23.1 (c) "Person" means an individual, partnership, limited partnership, limited liability  
23.2 company, corporation, or other entity.

23.3 (d) "Scrap vehicle" means a motor vehicle purchased primarily as scrap, for its reuse  
23.4 or recycling value as raw metal, or for dismantling for parts.

23.5 (e) "Scrap vehicle operator" or "operator" means the following persons who engage  
23.6 in a transaction involving the purchase or acquisition of a scrap vehicle: scrap metal  
23.7 processors licensed under section 168.27, subdivision 1a, paragraph (c); used vehicle parts  
23.8 dealers licensed under section 168.27, subdivision 1a, paragraph (d); scrap metal dealers  
23.9 under section 325E.21; and junk yards under section 471.925.

23.10 (f) ~~"Interchange file specification format" means the most recent version of the~~  
23.11 ~~Minneapolis automated property system interchange file specification format.~~

23.12 (g) "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

23.13 (h) (g) "Proof of identification" means a driver's license, Minnesota identification  
23.14 card number, or other identification document issued for identification purposes by any  
23.15 state, federal, or foreign government if the document includes the person's photograph,  
23.16 full name, birth date, and signature.

23.17 (i) (h) "Seller" means any seller, prospective seller, or agent of the seller.

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

23.19 Sec. 4. Minnesota Statutes 2014, section 168A.1501, subdivision 6, is amended to read:

23.20 Subd. 6. **Additional reporting.** ~~In addition to the requirements under subdivision~~  
23.21 ~~5 if applicable,~~ The following entities must submit information on the purchase or  
23.22 acquisition of a scrap vehicle to the National Motor Vehicle Title Information System,  
23.23 established pursuant to United States Code, title 49, section 30502, by the close of  
23.24 business the following day:

23.25 (1) an operator who is not licensed under section 168.27; and

23.26 (2) an operator who purchases a scrap vehicle under subdivision 9.

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

23.28 Sec. 5. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

23.29 Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the  
23.30 administering agency to the commissioner.

23.31 The grant-in-aid is contingent upon the agency having obtained from the community  
23.32 in which the youth intervention program is established local matching money ~~two times~~  
23.33 equal to the amount of the grant that is sought. The matching requirement is intended to

24.1 leverage the investment of state and community dollars in supporting the efforts of the  
24.2 grantees to provide early intervention services to youth and their families.

24.3 The commissioner shall provide the application form, procedures for making  
24.4 application form, criteria for review of the application, and kinds of contributions in  
24.5 addition to cash that qualify as local matching money. No grant to any agency may  
24.6 exceed ~~\$50,000~~ \$75,000.

24.7 Sec. 6. Minnesota Statutes 2014, section 299C.35, is amended to read:

24.8 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

24.9 It shall be the duty of the bureau to broadcast all police dispatches and reports  
24.10 submitted which, in the opinion of the superintendent, shall have a reasonable relation  
24.11 to or connection with the apprehension of criminals, the prevention of crime, and the  
24.12 maintenance of peace and order throughout the state. Every sheriff, peace officer, or  
24.13 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~  
24.14 ~~to 299C.38~~ shall make ~~report~~ reports to the bureau at such times and containing such  
24.15 information as the superintendent shall direct.

24.16 Sec. 7. Minnesota Statutes 2014, section 299C.38, is amended to read:

24.17 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

24.18 ~~Any telegraph or telephone operator who shall fail to give priority to police~~  
24.19 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who  
24.20 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~  
24.21 ~~established thereunder~~ public safety answering point for the purpose of interfering with  
24.22 the operation thereof, or with the intention of misleading any officer of this state, shall be  
24.23 guilty of a misdemeanor.

24.24 Sec. 8. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

24.25 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46  
24.26 ~~to 299C.49~~ and 299C.48, "criminal justice agency" means an agency of the state or a  
24.27 political subdivision or the federal government charged with detection, enforcement,  
24.28 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this  
24.29 state. This definition also includes all sites identified and licensed as a detention facility  
24.30 by the commissioner of corrections under section 241.021 and those federal agencies that  
24.31 serve part or all of the state from an office located outside the state.

24.32 Sec. 9. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

25.1 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections  
25.2 ~~299C.46 to 299C.49~~ and 299C.48, "noncriminal justice agency" means an agency of the  
25.3 state or a political subdivision of the state charged with the responsibility of performing  
25.4 checks of state databases connected to the criminal justice data communications network.

25.5 Sec. 10. **299C.75] BACKGROUND CHECKS; INDIAN TRIBES.**

25.6 (a) When requested by a law enforcement agency of an Indian tribe with a  
25.7 reservation in the state, the superintendent shall perform a criminal history background  
25.8 check on a person seeking a license, employment, public housing, candidacy for tribal  
25.9 election, or other purpose as required under tribal law and in accordance with federal law.  
25.10 When requested by the law enforcement agency of the Indian tribe, the superintendent  
25.11 shall exchange fingerprints with the Federal Bureau of Investigation for purposes of  
25.12 the criminal history background check. The superintendent shall recover the cost of a  
25.13 background check under this section through a fee charged to the Indian tribe.

25.14 (b) For purposes of this section, "Indian tribe" means a tribe, band, nation, or other  
25.15 federally recognized group or community of Indians.

25.16 (c) If any provision of this section is determined to be in conflict with respect to a  
25.17 tribal state gaming compact of an Indian tribe requesting a background check under this  
25.18 section, the compact provision shall prevail.

25.19 Sec. 11. Minnesota Statutes 2014, section 325E.21, subdivision 1, is amended to read:

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

25.22 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
25.23 county, state, or federal law enforcement agency.

25.24 (c) "Person" means an individual, partnership, limited partnership, limited liability  
25.25 company, corporation, or other entity.

25.26 (d) "Scrap metal" means:

25.27 (1) wire and cable commonly and customarily used by communication and electric  
25.28 utilities; and

25.29 (2) copper, aluminum, or any other metal purchased primarily for its reuse or  
25.30 recycling value as raw metal, including metal that is combined with other materials at the  
25.31 time of purchase, but does not include a scrap vehicle as defined in section 168A.1501,  
25.32 subdivision 1.

25.33 (e) "Scrap metal dealer" or "dealer" means a person engaged in the business of  
25.34 buying or selling scrap metal, or both.

26.1 The terms do not include a person engaged exclusively in the business of buying or selling  
26.2 new or used motor vehicles, paper or wood products, rags or furniture, or secondhand  
26.3 machinery.

26.4 ~~(f) "Interchange file specification format" means the most recent version of the~~  
26.5 ~~Minneapolis automated property system interchange file specification format.~~

26.6 ~~(g)~~ "Seller" means any seller, prospective seller, or agent of the seller.

26.7 ~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification  
26.8 card number, or other identification document issued for identification purposes by any  
26.9 state, federal, or foreign government if the document includes the person's photograph,  
26.10 full name, birth date, and signature.

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

26.12 Sec. 12. Minnesota Statutes 2014, section 325E.21, subdivision 2, is amended to read:

26.13 Subd. 2. **Retention required.** Records required to be maintained by subdivision 1a  
26.14 or 1b shall be retained by the scrap metal dealer for a period of three years.

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

26.16 Sec. 13. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

26.17 Subd. 10. **Member.** "Member" means:

26.18 (1) a State Patrol member currently employed under section 299D.03 by the state,  
26.19 who is a peace officer under section 626.84, and whose salary or compensation is paid  
26.20 out of state funds;

26.21 (2) a conservation officer employed under section 97A.201, currently employed by  
26.22 the state, whose salary or compensation is paid out of state funds;

26.23 (3) a crime bureau officer who was employed by the crime bureau and was a member  
26.24 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person  
26.25 has the power of arrest by warrant after that date, or who is employed as police personnel,  
26.26 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and  
26.27 who is currently employed by the state, and whose salary or compensation is paid out  
26.28 of state funds;

26.29 (4) a person who is employed by the state in the Department of Public Safety in a  
26.30 data processing management position with salary or compensation paid from state funds,  
26.31 who was a crime bureau officer covered by the State Patrol retirement plan on August  
26.32 15, 1987, and who was initially hired in the data processing management position within  
26.33 the department during September 1987, or January 1988, with membership continuing

27.1 for the duration of the person's employment in that position, whether or not the person  
27.2 has the power of arrest by warrant after August 15, 1987;

27.3 (5) a public safety employee who is a peace officer under section 626.84, subdivision  
27.4 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling  
27.5 Enforcement under section 299L.01;

27.6 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed  
27.7 by the Office of Special Investigations of the Department of Corrections and who is a  
27.8 peace officer under section 626.84;

27.9 (7) an employee of the Department of Commerce defined as a peace officer in section  
27.10 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau  
27.11 under section 45.0135 after January 1, 2005, and who has not attained the mandatory  
27.12 retirement age specified in section 43A.34, subdivision 4; and

27.13 (8) an employee of the Department of Public Safety, who is a licensed peace officer  
27.14 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide  
27.15 coordinator of the Violent Crime Coordinating Council.

27.16 Sec. 14. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

27.17 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a)

27.18 A person who commits either of the following acts is guilty of a felony and may be  
27.19 sentenced to imprisonment for not more than five years or to payment of a fine of not  
27.20 more than \$10,000, or both:

27.21 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse  
27.22 complex; or

27.23 (2) possesses a dangerous weapon, ammunition, or explosives in any state building  
27.24 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

27.25 (b) Unless a person is otherwise prohibited or restricted by other law to possess a  
27.26 dangerous weapon, this subdivision does not apply to:

27.27 (1) licensed peace officers or military personnel who are performing official duties;

27.28 (2) persons who carry pistols according to the terms of a permit issued under section  
27.29 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

27.30 (3) persons who possess dangerous weapons for the purpose of display as  
27.31 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance  
27.32 with advance notice and safety guidelines set by the sheriff or the commissioner of public  
27.33 safety; or

28.1 (4) persons who possess dangerous weapons in a courthouse complex with the  
28.2 express consent of the county sheriff or who possess dangerous weapons in a state building  
28.3 with the express consent of the commissioner of public safety.

28.4 (c) For purposes of this subdivision, the issuance of a permit to carry under section  
28.5 624.714 constitutes notification of the commissioner of public safety as required under  
28.6 paragraph (b), clause (2).

28.7 Sec. 15. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

28.8 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,  
28.9 the following terms have the meanings given.

28.10 Sec. 16. Minnesota Statutes 2014, section 611A.33, is amended to read:

28.11 **611A.33 DUTIES OF COMMISSIONER.**

28.12 The commissioner shall:

28.13 (1) review applications for and award grants to a program pursuant to section  
28.14 611A.32, subdivision 1;

28.15 (2) appoint a program director to perform the duties set forth in section 611A.35;

28.16 (3) design and implement a uniform method of collecting data on domestic abuse  
28.17 victims to be used to evaluate the programs funded under section 611A.32;

28.18 (4) provide technical aid to applicants in the development of grant requests and  
28.19 provide technical aid to programs in meeting the data collection requirements established  
28.20 by the commissioner; and

28.21 (5) adopt, under chapter 14, all rules necessary to implement the provisions of  
28.22 sections 611A.31 to ~~611A.36~~ 611A.35.

28.23 Sec. 17. Minnesota Statutes 2014, section 611A.35, is amended to read:

28.24 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

28.25 The commissioner shall appoint a program director. The program director shall  
28.26 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform  
28.27 other duties related to battered women's and domestic abuse programs as the commissioner  
28.28 may assign. The program director shall serve at the pleasure of the commissioner in  
28.29 the unclassified service.

28.30 Sec. 18. Minnesota Statutes 2014, section 624.71, is amended to read:

28.31 **624.71 GUN CONTROL; APPLICATION OF FEDERAL LAW.**

29.1 Subdivision 1. **Application.** Notwithstanding any other law to the contrary, it shall  
29.2 be lawful for any federally licensed importer, manufacturer, dealer, or collector to sell and  
29.3 deliver firearms and ammunition to a resident of ~~a contiguous~~ any state in any instance  
29.4 where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public  
29.5 Law 90-618).

29.6 Subd. 2. **Contiguous Other state purchases.** Notwithstanding any other law  
29.7 to the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and  
29.8 ammunition in ~~a contiguous~~ any state in any instance where such sale and delivery is  
29.9 lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

29.10 Sec. 19. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

29.11 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
29.12 annually establish and publish a list of other states that have laws governing the issuance  
29.13 of permits to carry weapons that are not ~~substantially~~ similar to this section. The list  
29.14 must be available on the Internet. A person holding a carry permit from a state not on  
29.15 the list may use the license or permit in this state subject to the rights, privileges, and  
29.16 requirements of this section.

29.17 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in  
29.18 this state if the holder is or becomes prohibited by law from possessing a firearm.

29.19 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an  
29.20 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in  
29.21 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall  
29.22 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision  
29.23 12. If the court denies the petition, the court must award the permit holder reasonable  
29.24 costs and expenses including attorney fees. The petition may be filed in any county in the  
29.25 state where a person holding a license or permit from another state can be found.

29.26 (d) The commissioner must, when necessary, execute reciprocity agreements  
29.27 regarding carry permits with jurisdictions whose carry permits are recognized under  
29.28 paragraph (a).

29.29 Sec. 20. **[624.7192] AUTHORITY TO SEIZE AND CONFISCATE FIREARMS.**

29.30 (a) This section applies only during the effective period of a state of emergency  
29.31 proclaimed by the governor relating to a public disorder or disaster.

29.32 (b) A peace officer who is acting in the lawful discharge of the officer's official duties  
29.33 without a warrant may disarm a lawfully detained individual only temporarily and only if  
29.34 the officer reasonably believes it is immediately necessary for the protection of the officer

30.1 or another individual. Before releasing the individual, the peace officer must return to the  
30.2 individual any seized firearms and ammunition, and components thereof, any firearms  
30.3 accessories and ammunition reloading equipment and supplies, and any other personal  
30.4 weapons taken from the individual, unless the officer: (1) takes the individual into  
30.5 physical custody for engaging in criminal activity or for observation pursuant to section  
30.6 253B.05, subdivision 2; or (2) seizes the items as evidence pursuant to an investigation for  
30.7 the commission of the crime for which the individual was arrested.

30.8 (c) Notwithstanding any other law to the contrary, no governmental unit, government  
30.9 official, government employee, peace officer, or other person or body acting under  
30.10 governmental authority or color of law may undertake any of the following actions with  
30.11 regard to any firearms and ammunition, and components thereof; any firearms accessories  
30.12 and ammunition reloading equipment and supplies; and any other personal weapons:

30.13 (1) prohibit, regulate, or curtail the otherwise lawful possession, carrying,  
30.14 transportation, transfer, defensive use, or other lawful use of any of these items;

30.15 (2) seize, commandeer, or confiscate any of these items in any manner, except as  
30.16 expressly authorized in paragraph (b);

30.17 (3) suspend or revoke a valid permit issued pursuant to section 624.7131 or 624.714,  
30.18 except as expressly authorized in those sections; or

30.19 (4) close or limit the operating hours of businesses that lawfully sell or service any  
30.20 of these items, unless such closing or limitation of hours applies equally to all forms  
30.21 of commerce.

30.22 (d) No provision of law relating to a public disorder or disaster emergency  
30.23 proclamation by the governor or any other governmental or quasi-governmental official,  
30.24 including but not limited to emergency management powers pursuant to chapters 9  
30.25 and 12, shall be construed as authorizing the governor or any other governmental or  
30.26 quasi-governmental official of this state or any of its political subdivisions acting at  
30.27 the direction of the governor or another official to act in violation of this paragraph  
30.28 or paragraphs (b) and (c).

30.29 (e)(1) An individual aggrieved by a violation of this section may seek relief in an  
30.30 action at law or in equity or in any other proper proceeding for damages, injunctive relief,  
30.31 or other appropriate redress against a person who commits or causes the commission of  
30.32 this violation. Venue must be in the district court having jurisdiction over the county in  
30.33 which the aggrieved individual resides or in which the violation occurred.

30.34 (2) In addition to any other remedy available at law or in equity, an individual  
30.35 aggrieved by the seizure or confiscation of an item listed in paragraph (c) in violation of  
30.36 this section may make application for the immediate return of the items to the office of the

31.1 clerk of court for the county in which the items were seized and, except as provided in  
31.2 paragraph (b), the court must order the immediate return of the items by the seizing or  
31.3 confiscating governmental office and that office's employed officials.

31.4 (3) In an action or proceeding to enforce this section, the court must award the  
31.5 prevailing plaintiff reasonable court costs and expenses, including attorney fees.

31.6 **EFFECTIVE DATE.** This section is effective August 1, 2015.

31.7 **Sec. 21. STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

31.8 (a) As used in this section, the following terms have the meanings provided:

31.9 (1) "bureau" means the state Bureau of Criminal Apprehension;

31.10 (2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section  
31.11 299C.157, subdivision 1, clause (2);

31.12 (3) "rape kit" means a sexual assault examination kit;

31.13 (4) "superintendent" means the superintendent of the bureau;

31.14 (5) "untested rape kit" means a rape kit that has not been submitted to the bureau for  
31.15 DNA analysis but has been cleared for testing through the written consent of the victim; and

31.16 (6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,  
31.17 paragraph (b).

31.18 (b) By August 1, 2015, the director of the bureau's forensic science division, each  
31.19 executive director of a publicly funded forensic laboratory that tests rape kits, and each  
31.20 sheriff and chief of police must prepare and submit a written report to the superintendent  
31.21 that identifies the number of untested rape kits in the possession of the official's agency  
31.22 or department. The report must be in a form prescribed by the superintendent. At a  
31.23 minimum, each untested rape kit must be identified in the report by the date the evidence  
31.24 was collected and reasons why each untested rape kit was not tested. This report applies  
31.25 only to untested rape kits collected prior to July 1, 2015.

31.26 (c) By December 1, 2015, the superintendent must submit a report to the majority  
31.27 leader of the senate, the speaker of the house, and the Office of the Attorney General  
31.28 identifying, by agency and date collected, each untested rape kit disclosed in the reports  
31.29 required by paragraph (b). The report must also provide a detailed plan to resolve any  
31.30 backlog of untested rape kits held by the bureau and other agencies or departments.

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

31.32 **Sec. 22. REPEALER.**

32.1 (a) Minnesota Statutes 2014, sections 168A.1501, subdivisions 5 and 5a; 299C.36;  
32.2 and 325E.21, subdivisions 1c and 1d, are repealed.

32.3 (b) Laws 2014, chapter 190, sections 10; and 11, are repealed.

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

## 32.5 **ARTICLE 4**

### 32.6 **FIREFIGHTERS**

32.7 Section 1. Minnesota Statutes 2014, section 181.06, subdivision 2, is amended to read:

32.8 Subd. 2. **Payroll deductions.** A written contract may be entered into between  
32.9 an employer and an employee wherein the employee authorizes the employer to make  
32.10 payroll deductions for the purpose of paying union dues, premiums of any life insurance,  
32.11 hospitalization and surgical insurance, group accident and health insurance, group term  
32.12 life insurance, group annuities or contributions to credit unions or a community chest  
32.13 fund, a local arts council, a local science council or a local arts and science council, or  
32.14 Minnesota benefit association, a federally or state registered political action committee,  
32.15 membership dues of a relief association governed by sections 424A.091 to 424A.096 or  
32.16 Laws 2013, chapter 111, article 5, sections 31 to 42, or participation in any employee  
32.17 stock purchase plan or savings plan for periods longer than 60 days, including gopher state  
32.18 bonds established under section 16A.645.

32.19 **EFFECTIVE DATE.** This section is effective August 1, 2015.

32.20 Sec. 2. Minnesota Statutes 2014, section 181.101, is amended to read:

#### 32.21 **181.101 WAGES; HOW OFTEN PAID.**

32.22 (a) Except as provided in paragraph (b), every employer must pay all wages earned  
32.23 by an employee at least once every 31 days on a regular payday designated in advance by  
32.24 the employer regardless of whether the employee requests payment at longer intervals.  
32.25 Unless paid earlier, the wages earned during the first half of the first 31-day pay period  
32.26 become due on the first regular payday following the first day of work. If wages earned  
32.27 are not paid, the commissioner of labor and industry or the commissioner's representative  
32.28 may demand payment on behalf of an employee. If payment is not made within ten days  
32.29 of demand, the commissioner may charge and collect the wages earned and a penalty  
32.30 in the amount of the employee's average daily earnings at the rate agreed upon in the  
32.31 contract of employment, not exceeding 15 days in all, for each day beyond the ten-day  
32.32 limit following the demand. Money collected by the commissioner must be paid to the

33.1 employee concerned. This section does not prevent an employee from prosecuting a  
 33.2 claim for wages. This section does not prevent a school district, other public school  
 33.3 entity, or other school, as defined under section 120A.22, from paying any wages earned  
 33.4 by its employees during a school year on regular paydays in the manner provided by an  
 33.5 applicable contract or collective bargaining agreement, or a personnel policy adopted by  
 33.6 the governing board. For purposes of this section, "employee" includes a person who  
 33.7 performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of  
 33.8 this section, wages are earned on the day an employee works.

33.9 (b) An employer of a volunteer firefighter, as defined in section 424A.001,  
 33.10 subdivision 10, a member of an organized first responder squad that is formally recognized  
 33.11 by a political subdivision in the state, or a volunteer ambulance driver or attendant must  
 33.12 pay all wages earned by the volunteer firefighter, first responder, or volunteer ambulance  
 33.13 driver or attendant at least once every 31 days, unless the employer and the employee  
 33.14 mutually agree upon payment at longer intervals.

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

33.16 Sec. 3. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

33.17 Subdivision 1. **Authorized programs within department.** From the revenues  
 33.18 appropriated from the fire safety account, established under section 297I.06, subdivision  
 33.19 3, the commissioner of public safety may expend funds for the activities and programs  
 33.20 identified by the advisory committee established under subdivision 2 and recommended to  
 33.21 the commissioner of public safety. The commissioner shall not expend funds without the  
 33.22 recommendation of the advisory committee established under subdivision 2. These funds  
 33.23 are to be used to provide resources needed for identified activities and programs of the  
 33.24 Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are  
 33.25 fulfilled. Any balance remaining in the account after the first year of the biennium must be  
 33.26 appropriated to the commissioner of public safety for the purposes specified in law.

33.27 Sec. 4. Minnesota Statutes 2014, section 299N.02, subdivision 2, is amended to read:

33.28 Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms  
 33.29 of four years and ~~annually~~ elect a chair from among the members. Terms and filling of  
 33.30 vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without  
 33.31 compensation.

33.32 Sec. 5. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

34.1 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is  
34.2 employed and charged with the prevention and suppression of fires within the boundaries  
34.3 of the state on a full-time, salaried basis and who is directly engaged in the hazards of  
34.4 firefighting or is in charge of a designated fire company or companies that are directly  
34.5 engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer,  
34.6 part-time, or ~~paid, on-call~~ paid-on-call firefighter.

34.7 Sec. 6. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

34.8 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter,  
34.9 to include a fire department employee, member, supervisor, or appointed official, who is  
34.10 licensed by the board and ~~who~~ is charged with the prevention or suppression of fires within  
34.11 the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

34.12 Sec. 7. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

34.13 Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is  
34.14 charged with the prevention or suppression of fires within the boundaries of the state  
34.15 on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does  
34.16 not include a full-time firefighter.

34.17 Sec. 8. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

34.18 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**  
34.19 **certification examination.** A person with a baccalaureate degree, or ~~with~~ an associate  
34.20 degree in applied fire science technology, from an accredited college or university, who  
34.21 has successfully completed the skills-oriented basic training course under subdivision 2,  
34.22 clause (2), is eligible to take the firefighter certification examination notwithstanding the  
34.23 requirements of subdivision 2, clause (1).

34.24 Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

34.25 Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after~~  
34.26 July 1, 2011, full time by a fire department is not eligible for permanent employment  
34.27 without being licensed as a ~~firefighter~~ by the board.

34.28 Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

34.29 Subd. 5. **Issuance of Obtaining a firefighter license.** ~~The board shall license~~  
34.30 ~~any individual who meets the requirements of subdivision 3 or 4.~~ To obtain a license, a  
34.31 firefighter must complete the board application process and meet the requirements of section

35.1 299N.04. A license is valid for three years from the date of issuance a three-year period  
35.2 determined by the board, and the fee for the license is \$75. Fees under this subdivision  
35.3 may be prorated by the board for licenses issued within a three-year licensure period.

35.4 Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

35.5 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be  
35.6 renewed so long as the firefighter and the chief firefighting officer provide evidence to the  
35.7 board that the licensed firefighter has had at least 72 hours of approved firefighting training  
35.8 in the ~~previous three-year period~~ preceding three years and the firefighter completes the  
35.9 renewal application. The fee for renewing a firefighter license is \$75, and the license is  
35.10 valid for an additional three years.

35.11 (b) If a license expires, a firefighter may apply to have it reinstated. In order to  
35.12 receive reinstatement, the firefighter must:

35.13 (1) complete a reinstatement application;

35.14 (2) satisfy all prior firefighter training requirements;

35.15 (3) pay any outstanding renewal fees; and

35.16 (4) pay the delayed renewal fee set by the board.

35.17 (c) In lieu of a reinstatement application under paragraph (b), a firefighter may  
35.18 complete a new application for licensure under section 299N.04.

35.19 Sec. 12. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

35.20 Subd. 7. **Duties of chief firefighting officer.** (a) ~~It shall be the duty of Every chief~~  
35.21 ~~firefighting officer has a duty to ensure that all every full-time firefighters have firefighter~~  
35.22 ~~has a license from issued by the board beginning July 1, 2011. Each full-time firefighter,~~  
35.23 ~~volunteer firefighter, and chief firefighting officer may apply for licensure after January 1,~~  
35.24 ~~2011.~~

35.25 (b) Every chief firefighting officer, provider, and individual licensee has a duty to  
35.26 ensure proper training records and reports are retained. Records must include, for the  
35.27 three-year period subsequent to the license renewal date:

35.28 (1) the dates, subjects, and duration of programs;

35.29 (2) sponsoring organizations;

35.30 (3) fire training hours earned;

35.31 (4) registration receipts to prove attendance at training sessions; and

35.32 (5) other pertinent information.

36.1 (c) The board may require a licensee, provider, or fire department to provide the  
36.2 information under paragraph (b) to demonstrate compliance with the 72-hour firefighting  
36.3 training requirement under subdivision 6, paragraph (a).

36.4 Sec. 13. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

36.5 Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend,  
36.6 or deny a license issued or applied for under this section to a firefighter or applicant if  
36.7 the firefighter or applicant has been convicted of any arson-related charge or a felony  
36.8 recognized by the board as a crime that would disqualify the licensee from participating  
36.9 in the profession of firefighting.

36.10 (b) Each applicant, licensee, or fire department must notify the board, in writing,  
36.11 within ten days if the applicant or licensee has been convicted of or pled guilty or nolo  
36.12 contendere to a felony, any arson-related charge, or another offense arising from the  
36.13 same set of circumstances.

36.14 Sec. 14. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION**  
36.15 **BASED ON RELEVANT MILITARY EXPERIENCE.**

36.16 (a) For purposes of this section:

36.17 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

36.18 (2) "relevant military experience" means:

36.19 (i) four years' cumulative service experience in a military firefighting occupational  
36.20 specialty;

36.21 (ii) two years' cumulative service experience in a military firefighting occupational  
36.22 specialty, and completion of at least a two-year degree from a regionally accredited  
36.23 postsecondary education institution; or

36.24 (iii) four years' cumulative experience as a full-time firefighter in another state  
36.25 combined with cumulative service experience in a military firefighting occupational  
36.26 specialty.

36.27 (b) A person is eligible to take the reciprocity examination and does not have to  
36.28 otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

36.29 (1) relevant military experience; and

36.30 (2) been honorably discharged from military active service as evidenced by the most  
36.31 recent form DD-214 or is currently in active service, as evidenced by:

36.32 (i) active duty orders providing service time in a military firefighting specialty;

36.33 (ii) a United States Department of Defense Manpower Data Center status report  
36.34 pursuant to the Service Members Civil Relief Act, active duty status report; or

37.1 (iii) Military Personnel Center assignment information.

37.2 (c) A person who passed the examination under paragraph (b), clause (2), shall not  
 37.3 be eligible to be licensed as a firefighter until honorably discharged as evidenced by the  
 37.4 most recent form DD-214.

37.5 (d) To receive a firefighter license, a person who passed the reciprocity certification  
 37.6 examination must meet the requirements of section 299N.05, subdivision 4.

37.7 Sec. 15. **REPEALER.**

37.8 Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.

## 37.9 ARTICLE 5

### 37.10 CORRECTIONS

37.11 Section 1. Minnesota Statutes 2014, section 43A.241, is amended to read:

37.12 **43A.241 INSURANCE CONTRIBUTIONS; FORMER CORRECTIONS**  
 37.13 **EMPLOYEES.**

37.14 (a) This section applies to a person who:

37.15 (1) ~~was employed by the commissioner of the Department of Corrections at a state~~  
 37.16 ~~institution under control of the commissioner, and in that employment was a member~~  
 37.17 ~~of the general plan of the Minnesota State Retirement System; or by the Department~~  
 37.18 ~~of Human Services;~~

37.19 (2) was covered by the correctional employee retirement plan under section 352.91  
 37.20 or the general state employees retirement plan of the Minnesota State Retirement System  
 37.21 as defined in section 352.021;

37.22 (3) while employed under clause (1), was assaulted by an inmate at a state institution  
 37.23 under control of the commissioner of the Department of Corrections; and:

37.24 (i) a person under correctional supervision for a criminal offense; or

37.25 (ii) a client or patient at the Minnesota sex offender program, or at a state-operated  
 37.26 forensic services program as defined in section 352.91, subdivision 3j, under the control of  
 37.27 the commissioner of the Department of Human Services; and

37.28 ~~(3)~~ (4) as a direct result of the assault under clause (3), was determined to be  
 37.29 totally and permanently physically disabled under laws governing the Minnesota State  
 37.30 Retirement System.

37.31 (b) For a person to whom this section applies, the commissioner of the Department  
 37.32 of Corrections or the commissioner of the Department of Human Services, using existing  
 37.33 budget resources, must continue to make the employer contribution for hospital, medical,

38.1 and dental benefits under the State Employee Group Insurance Program after the person  
38.2 terminates state service. If the person had dependent coverage at the time of terminating  
38.3 state service, employer contributions for dependent coverage also must continue under this  
38.4 section. The employer contributions must be in the amount of the employer contribution  
38.5 for active state employees at the time each payment is made. The employer contributions  
38.6 must continue until the person reaches age 65, provided the person makes the required  
38.7 employee contributions, in the amount required of an active state employee, at the time  
38.8 and in the manner specified by the commissioner.

38.9 **EFFECTIVE DATE.** This section is effective the day following final enactment  
38.10 and applies to a person assaulted by an inmate, client, or patient on or after that date.

38.11 Sec. 2. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

38.12 Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not  
38.13 restrain a woman known to be pregnant unless the representative makes an individualized  
38.14 determination that restraints are reasonably necessary for the legitimate safety and security  
38.15 needs of the woman, correctional staff, other inmates, or the public. If restraints are  
38.16 determined to be necessary, the restraints must be the least restrictive available and the  
38.17 most reasonable under the circumstances.

38.18 (b) A representative of a correctional facility may not restrain a woman known to be  
38.19 pregnant while the woman is being transported if the restraint is through the use of waist  
38.20 chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs  
38.21 or other devices that cross or otherwise touch the woman's wrists when affixed behind the  
38.22 woman's back. If used, wrist restraints should be applied in such a way that the pregnant  
38.23 woman may be able to protect herself and her fetus in the event of a forward fall.

38.24 (c) A representative of a correctional facility may restrain a woman who is in labor  
38.25 or who has given birth within the preceding three days only if:

38.26 (1) there is a substantial flight risk or some other extraordinary medical or security  
38.27 circumstance that dictates restraints be used to ensure the safety and security of the  
38.28 woman, the staff of the correctional or medical facility, other inmates, or the public;

38.29 (2) the representative has made an individualized determination that restraints are  
38.30 necessary to prevent escape or injury;

38.31 (3) there is no objection from the treating medical care provider; and

38.32 (4) the restraints used are the least restrictive type and are used in the least restrictive  
38.33 manner.

38.34 (d) Section 645.241 does not apply to this section.

39.1 **EFFECTIVE DATE.** This section is effective July 1, 2015.

39.2 Sec. 3. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision  
39.3 to read:

39.4 **Subd. 3. Required annual report.** By February 15 of each year, the commissioner  
39.5 shall report to the chairs and ranking minority members of the senate and house of  
39.6 representatives committees and divisions having jurisdiction over criminal justice policy  
39.7 and funding on the use of restraints on pregnant women, women in labor, and women  
39.8 who have given birth in the preceding three days, who are incarcerated in state and local  
39.9 correctional facilities during the preceding calendar year. For reporting purposes, the use of  
39.10 restraints does not include use of handcuffs on the front of the body of a pregnant woman.

39.11 **EFFECTIVE DATE.** This section is effective July 1, 2015.

39.12 Sec. 4. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

39.13 Subdivision 1. **Applicability.** This section applies only to a woman:

39.14 (1) incarcerated following conviction; ~~and~~ or

39.15 (2) incarcerated before conviction beyond the period specified for the woman's initial  
39.16 appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

39.17 **EFFECTIVE DATE.** This section is effective July 1, 2015.

39.18 Sec. 5. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

39.19 Subd. 2. **Requirements.** The head of each correctional facility shall ensure that  
39.20 every woman incarcerated at the facility:

39.21 (1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years  
39.22 of age unless the inmate refuses the test;

39.23 (2) if pregnant ~~and agrees to testing~~, ~~is tested for sexually transmitted diseases,~~  
39.24 ~~including HIV~~, is provided the prevailing standard of care or current practice by the  
39.25 medical care provider's peer group;

39.26 (3) if pregnant or has given birth in the past six weeks, is provided appropriate  
39.27 educational materials and resources related to pregnancy, childbirth, breastfeeding, and  
39.28 parenting;

39.29 (4) if pregnant or has given birth in the past six weeks, has access to doula services if  
39.30 these services are provided by a certified doula without charge to the correctional facility  
39.31 or the incarcerated woman pays for the certified doula services;

40.1 (5) if pregnant or has given birth in the past six months, has access to a mental health  
40.2 assessment and, if necessary, treatment;

40.3 (6) if pregnant or has given birth in the past six months and determined to be  
40.4 suffering from a mental illness, has access to evidence-based mental health treatment  
40.5 including psychotropic medication;

40.6 (7) if pregnant or has given birth in the past six months and determined to be  
40.7 suffering from postpartum depression, has access to evidence-based therapeutic care for  
40.8 the depression; and

40.9 (8) if pregnant or has given birth in the past six months, is advised, orally or in  
40.10 writing, of applicable laws and policies governing incarcerated pregnant women.

40.11 **EFFECTIVE DATE.** This section is effective July 1, 2015.

40.12 Sec. 6. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision  
40.13 to read:

40.14 **Subd. 1d. Electronic surveillance.** (a) If the commissioner orders electronic  
40.15 surveillance of an inmate placed on supervised release, the commissioner may require that  
40.16 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,  
40.17 directly supervise the offender until electronic surveillance is activated.

40.18 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure  
40.19 that the inmate's residence is properly equipped and the inmate's telecommunications  
40.20 system is properly configured to support electronic surveillance prior to being released  
40.21 from custody or the direct supervision of a probation agent. An inmate who fails to  
40.22 comply with this paragraph may be found in violation of the inmate's conditions of release  
40.23 after a revocation hearing.

40.24 Sec. 7. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

40.25 **Subd. 6. Electronic surveillance.** (a) During any phase, the offender may be placed  
40.26 on electronic surveillance if the intensive supervision agent so directs. If electronic  
40.27 surveillance is directed during phase I, the commissioner must require that the inmate be  
40.28 kept in custody, or that the inmate's intensive supervised release agent, or the agent's  
40.29 designee, directly supervise the offender until electronic surveillance is activated.

40.30 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure  
40.31 that the inmate's residence is properly equipped and the inmate's telecommunications  
40.32 system is properly configured to support electronic surveillance prior to being released  
40.33 from custody or the direct supervision of an intensive supervised release agent. An

41.1 inmate who fails to comply with this paragraph may be found in violation of the inmate's  
41.2 conditions of release after a revocation hearing.

41.3 Sec. 8. Minnesota Statutes 2014, section 260B.198, is amended by adding a  
41.4 subdivision to read:

41.5 Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated  
41.6 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,  
41.7 the court may require that the juvenile be kept in custody, or that the juvenile's probation  
41.8 agent directly supervise the juvenile until electronic surveillance is activated.

41.9 (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic  
41.10 surveillance to ensure that the juvenile's residence is properly equipped and the residence's  
41.11 telecommunications system is properly configured to support electronic surveillance prior  
41.12 to the juvenile being released from custody or the direct supervision of a probation agent.

41.13 Sec. 9. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

41.14 Subdivision 1. **Aid calculations.** To determine the community corrections aid  
41.15 amount to be paid to each participating county, the commissioner of corrections must  
41.16 apply the following formula:

41.17 (1) For each of the 87 counties in the state, a percent score must be calculated for  
41.18 each of the following five factors:

41.19 (i) percent of the total state population aged ten to 24 residing within the county  
41.20 according to the most recent federal census, and, in the intervening years between the  
41.21 taking of the federal census, according to the most recent estimate of the state demographer;

41.22 (ii) percent of the statewide total number of felony case filings occurring within the  
41.23 county, as determined by the state court administrator;

41.24 (iii) percent of the statewide total number of juvenile case filings occurring within  
41.25 the county, as determined by the state court administrator;

41.26 (iv) percent of the statewide total number of gross misdemeanor case filings  
41.27 occurring within the county, as determined by the state court administrator; and

41.28 (v) percent of the total statewide number of convicted felony offenders who did  
41.29 not receive an executed prison sentence, as monitored and reported by the Sentencing  
41.30 Guidelines Commission.

41.31 The percents in items (ii) to (v) must be calculated by combining the most recent  
41.32 three-year period of available data. The percents in items (i) to (v) each must sum to 100  
41.33 percent across the 87 counties.

42.1 (2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v),  
42.2 must be weighted, summed, and divided by the sum of the weights to yield an average  
42.3 percent for each county, referred to as the county's "composite need percent." When  
42.4 performing this calculation, the weight for each of the percents in clause (1), items (i) to  
42.5 (v), is 1.0. The composite need percent must sum to 100 percent across the 87 counties.

42.6 (3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is  
42.7 the county's adjusted net tax capacity amount, defined in the same manner as it is defined  
42.8 for cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net  
42.9 tax capacity amount. The adjusted net tax capacity percent must sum to 100 percent  
42.10 across the 87 counties.

42.11 (4) For each of the 87 counties, the county's composite need percent must be divided  
42.12 by the county's adjusted net tax capacity percent to produce a ratio that, when multiplied  
42.13 by the county's composite need percent, results in the county's "tax base adjusted need  
42.14 percent."

42.15 (5) For each of the 87 counties, the county's tax base adjusted need percent must  
42.16 be added to twice the composite need percent, and the sum must be divided by 3, to  
42.17 yield the county's "weighted need percent."

42.18 (6) Each participating county's weighted need percent must be added to the weighted  
42.19 need percent of each other participating county to yield the "total weighted need percent  
42.20 for participating counties."

42.21 (7) Each participating county's weighted need percent must be divided by the total  
42.22 weighted need percent for participating counties to yield the county's "share percent." The  
42.23 share percents for participating counties must sum to 100 percent.

42.24 (8) Each participating county's "base funding amount" is the aid amount that the  
42.25 county received under this section for fiscal year 1995 plus the amount received in  
42.26 caseload or workload reduction, felony caseload reduction, and sex offender supervision  
42.27 grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year  
42.28 1997 and thereafter, no county's aid amount under this section may be less than its base  
42.29 funding amount, provided that the total amount appropriated for this purpose is at least as  
42.30 much as the aggregate base funding amount defined in clause (9).

42.31 (9) The "aggregate base funding amount" is equal to the sum of the base funding  
42.32 amounts for all participating counties. If a county that participated under this section  
42.33 ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate  
42.34 base funding amount must be reduced by that county's base funding amount. If a county  
42.35 that did not participate under this section in fiscal year 1995 chooses to participate ~~in any~~  
42.36 given year on or after July 1, 2015, then the aggregate base funding amount must be

43.1 increased by the amount of aid that the county would have received had it participated in  
43.2 fiscal year 1995 plus the estimated amount it would have received in caseload or workload  
43.3 reduction, felony caseload reduction, and sex offender supervision grants in fiscal year  
43.4 2015, as reported by the commissioner of corrections, and the amount of increase shall be  
43.5 that county's base funding amount.

43.6 (10) In any given year, the total amount appropriated for this purpose first must be  
43.7 allocated to participating counties in accordance with each county's base funding amount.  
43.8 Then, any remaining amount in excess of the aggregate base funding amount must be  
43.9 allocated to participating counties in proportion to each county's share percent, and is  
43.10 referred to as the county's "formula amount."

43.11 Each participating county's "community corrections aid amount" equals the sum of  
43.12 (i) the county's base funding amount, and (ii) the county's formula amount.

43.13 (11) However, if in any year the total amount appropriated for the purpose of this  
43.14 section is less than the aggregate base funding amount, then each participating county's  
43.15 community corrections aid amount is the product of (i) the county's base funding amount  
43.16 multiplied by (ii) the ratio of the total amount appropriated to the aggregate base funding  
43.17 amount.

43.18 For each participating county, the county's community corrections aid amount  
43.19 calculated in this subdivision is the total amount of subsidy to which the county is entitled  
43.20 under sections 401.01 to 401.16.

43.21 Sec. 10. Minnesota Statutes 2014, section 631.461, is amended to read:

43.22 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

43.23 (a) When a sentence for an offense includes imprisonment in a county jail, the  
43.24 court may sentence the offender to imprisonment in a workhouse or correctional or work  
43.25 farm if there is one in the county where the offender is tried or where the offense was  
43.26 committed. If not, the court may sentence the offender to imprisonment in a workhouse or  
43.27 correctional or work farm in any county in this state. However, the county board of the  
43.28 county where the offender is tried shall have some agreement for the receipt, maintenance,  
43.29 and confinement of inmates with the county where the offender has been sentenced to  
43.30 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may  
43.31 be removed from one place of confinement to another as provided by statute.

43.32 (b) If a court orders or a sheriff permits an offender to serve any portion of the  
43.33 offender's sentence on electronic surveillance, the court or sheriff may require that the  
43.34 offender be kept in custody, or that the offender's probation agent directly supervise the  
43.35 offender until electronic surveillance is activated.

44.1 (c) It is the responsibility of the offender placed on electronic surveillance to ensure  
44.2 that the offender's residence is properly equipped and the offender's telecommunications  
44.3 system is properly configured to support electronic surveillance prior to being released  
44.4 from custody or the direct supervision of a probation agent. An offender who fails to  
44.5 comply with this paragraph may be found in violation of the offender's conditions of  
44.6 release after a revocation hearing.

44.7 Sec. 11. **SHERBURNE COUNTY COMMUNITY SUPERVISION GRANT.**

44.8 Notwithstanding Minnesota Statutes, section 401.10, subdivision 2, any state funds  
44.9 appropriated in fiscal year 2015 for community supervision in Sherburne County that are  
44.10 unallocated after funds are transferred under the Community Corrections Act formula to  
44.11 fund Sherburne County's participation in the act shall be transferred by the commissioner  
44.12 to Sherburne County in the form of a caseload and workload reduction grant.

44.13 Sec. 12. **COLTON'S LAW.**

44.14 Sections 6, 7, 8, 10, and 13 shall be known as "Colton's Law."

44.15 Sec. 13. **ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.**

44.16 The purpose of electronic surveillance of adult and juvenile offenders is to provide a  
44.17 cost-effective alternative to incarceration or detention for deserving low-risk offenders.  
44.18 It is a privilege for an adult or juvenile offender to be placed on electronic surveillance  
44.19 in lieu of remaining in custody to complete a period of incarceration or detention. The  
44.20 parties who authorize and implement electronic surveillance shall take all reasonable  
44.21 precautions to protect public safety.

44.22 **ARTICLE 6**

44.23 **GENERAL CRIMINAL PROVISION**

44.24 Section 1. Minnesota Statutes 2014, section 13.82, subdivision 17, is amended to read:

44.25 Subd. 17. **Protection of identities.** A law enforcement agency or a law enforcement  
44.26 dispatching agency working under direction of a law enforcement agency shall withhold  
44.27 public access to data on individuals to protect the identity of individuals in the following  
44.28 circumstances:

44.29 (a) when access to the data would reveal the identity of an undercover law  
44.30 enforcement officer, as provided in section 13.43, subdivision 5;

45.1 (b) when access to the data would reveal the identity of a victim or alleged victim of  
45.2 criminal sexual conduct or ~~of a violation of~~ sex trafficking under section 609.322, 609.341  
45.3 to 609.3451, or 617.246, subdivision 2;

45.4 (c) when access to the data would reveal the identity of a paid or unpaid informant  
45.5 being used by the agency if the agency reasonably determines that revealing the identity of  
45.6 the informant would threaten the personal safety of the informant;

45.7 (d) when access to the data would reveal the identity of a victim of or witness to a  
45.8 crime if the victim or witness specifically requests not to be identified publicly, unless the  
45.9 agency reasonably determines that revealing the identity of the victim or witness would  
45.10 not threaten the personal safety or property of the individual;

45.11 (e) when access to the data would reveal the identity of a deceased person whose  
45.12 body was unlawfully removed from a cemetery in which it was interred;

45.13 (f) when access to the data would reveal the identity of a person who placed a call to a  
45.14 911 system or the identity or telephone number of a service subscriber whose phone is used  
45.15 to place a call to the 911 system and: (1) the agency determines that revealing the identity  
45.16 may threaten the personal safety or property of any person; or (2) the object of the call is  
45.17 to receive help in a mental health emergency. For the purposes of this paragraph, a voice  
45.18 recording of a call placed to the 911 system is deemed to reveal the identity of the caller;

45.19 (g) when access to the data would reveal the identity of a juvenile witness and  
45.20 the agency reasonably determines that the subject matter of the investigation justifies  
45.21 protecting the identity of the witness; or

45.22 (h) when access to the data would reveal the identity of a mandated reporter under  
45.23 section 609.456, 626.556, or 626.557.

45.24 Data concerning individuals whose identities are protected by this subdivision are  
45.25 private data about those individuals. Law enforcement agencies shall establish procedures  
45.26 to acquire the data and make the decisions necessary to protect the identity of individuals  
45.27 described in clauses (c), (d), (f), and (g).

45.28 Sec. 2. Minnesota Statutes 2014, section 169.13, subdivision 1, is amended to read:

45.29 Subdivision 1. **Reckless driving.** ~~(a) Any person who drives any vehicle in such a~~  
45.30 ~~manner as to indicate either a willful or a wanton disregard for the safety of persons or~~  
45.31 ~~property is guilty of reckless driving and such reckless driving is a misdemeanor~~ A person  
45.32 who drives a motor vehicle while aware of and consciously disregarding a substantial and  
45.33 unjustifiable risk that the driving may result in harm to another or another's property is  
45.34 guilty of reckless driving. The risk must be of such a nature and degree that disregard of it

46.1 constitutes a significant deviation from the standard of conduct that a reasonable person  
46.2 would observe in the situation.

46.3 (b) A person shall not race any vehicle upon any street or highway of this state.  
46.4 Any person who willfully compares or contests relative speeds by operating one or more  
46.5 vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed  
46.6 contested or compared is in excess of the maximum speed prescribed by law.

46.7 (c) A person who violates paragraph (a) or (b) is guilty of a misdemeanor. A person  
46.8 who violates paragraph (a) or (b) and causes great bodily harm or death to another is  
46.9 guilty of a gross misdemeanor.

46.10 (d) For purposes of this section, "great bodily harm" has the meaning given in  
46.11 section 609.02, subdivision 8.

46.12 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
46.13 committed on or after that date.

46.14 Sec. 3. Minnesota Statutes 2014, section 169.13, subdivision 3, is amended to read:

46.15 Subd. 3. **Application.** (a) The provisions of this section apply, but are not limited in  
46.16 application, to any person who drives any vehicle in the manner prohibited by this section:

46.17 (1) upon the ice of any lake, stream, or river, including but not limited to the ice of  
46.18 any boundary water; or

46.19 (2) in a parking lot ordinarily used by or available to the public though not as a  
46.20 matter of right, and a driveway connecting the parking lot with a street or highway.

46.21 (b) This section does not apply to:

46.22 (1) an authorized emergency vehicle, when responding to an emergency call or when  
46.23 in pursuit of an actual or suspected violator;

46.24 (2) the emergency operation of any vehicle when avoiding imminent danger; or

46.25 (3) any raceway, racing facility, or other public event sanctioned by the appropriate  
46.26 governmental authority.

46.27 (c) Nothing in this section or section 609.035 or 609.04 shall limit the power of the  
46.28 state to prosecute or punish a person for conduct that constitutes any other crime under  
46.29 any other law of this state.

46.30 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
46.31 committed on or after that date.

46.32 Sec. 4. Minnesota Statutes 2014, section 169A.03, subdivision 3, is amended to read:

46.33 Subd. 3. **Aggravating factor.** "Aggravating factor" includes:

47.1 (1) a qualified prior impaired driving incident within the ten years immediately  
47.2 preceding the current offense;

47.3 (2) having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or  
47.4 within two hours of the time, of the offense; or

47.5 (3) having a child under the age of 16 in the motor vehicle at the time of the offense  
47.6 if the child is more than 36 months younger than the offender.

47.7 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
47.8 committed on or after that date.

47.9 Sec. 5. Minnesota Statutes 2014, section 169A.07, is amended to read:

47.10 **169A.07 FIRST-TIME DWI VIOLATOR; OFF-ROAD VEHICLE OR BOAT.**

47.11 A person who violates section 169A.20 (driving while impaired) while using an  
47.12 off-road recreational vehicle or motorboat and who does not have a qualified prior  
47.13 impaired driving incident is subject only to the criminal penalty provided in section  
47.14 169A.25 (second-degree driving while impaired), 169A.26 (third-degree driving while  
47.15 impaired), or 169A.27 (fourth-degree driving while impaired); and loss of operating  
47.16 privileges as provided in section 84.91, subdivision 1 (operation of snowmobiles or  
47.17 all-terrain vehicles by persons under the influence of alcohol or controlled substances), or  
47.18 86B.331, subdivision 1 (operation of motorboats while using alcohol or with a physical or  
47.19 mental disability), whichever is applicable. The person is not subject to the provisions  
47.20 of section 169A.275, subdivision 5, (submission to the level of care recommended in  
47.21 chemical use assessment for repeat offenders and offenders with alcohol concentration of  
47.22 ~~0.20~~ 0.16 or more); 169A.277 (long-term monitoring); 169A.285 (penalty assessment);  
47.23 169A.44 (conditional release); 169A.54 (impaired driving convictions and adjudications;  
47.24 administrative penalties); or 169A.54, subdivision 11 (chemical use assessment); the  
47.25 license revocation sanctions of sections 169A.50 to 169A.53 (implied consent law); or the  
47.26 plate impoundment provisions of section 169A.60 (administrative impoundment of plates).

47.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
47.28 committed on or after that date.

47.29 Sec. 6. Minnesota Statutes 2014, section 169A.275, subdivision 5, is amended to read:

47.30 Subd. 5. **Level of care recommended in chemical use assessment.** Unless the  
47.31 court commits the person to the custody of the commissioner of corrections as provided in  
47.32 section 169A.276 (mandatory penalties; felony violations), in addition to other penalties  
47.33 required under this section, the court shall order a person to submit to the level of care

48.1 recommended in the chemical use assessment conducted under section 169A.70 (alcohol  
48.2 safety program; chemical use assessments) if the person is convicted of violating section  
48.3 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~ 0.16 or  
48.4 more as measured at the time, or within two hours of the time, of the offense or if the  
48.5 violation occurs within ten years of one or more qualified prior impaired driving incidents.

48.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
48.7 committed on or after that date.

48.8 Sec. 7. Minnesota Statutes 2014, section 169A.285, subdivision 1, is amended to read:

48.9 Subdivision 1. **Authority; amount.** When a court sentences a person who violates  
48.10 section 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~  
48.11 0.16 or more as measured at the time, or within two hours of the time, of the violation,  
48.12 the court may impose a penalty assessment of up to \$1,000. The court may impose this  
48.13 assessment in addition to any other penalties or charges authorized under law.

48.14 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
48.15 committed on or after that date.

48.16 Sec. 8. Minnesota Statutes 2014, section 169A.46, subdivision 1, is amended to read:

48.17 Subdivision 1. **Impairment occurred after driving ceased.** If proven by a  
48.18 preponderance of the evidence, it is an affirmative defense to a violation of section  
48.19 169A.20, subdivision 1, clause (5); 1a, clause (5); 1b, clause (5); or 1c, clause (5) (driving  
48.20 while impaired, alcohol concentration within two hours of driving), or 169A.20 by a person  
48.21 having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within  
48.22 two hours of the time, of the offense, that the defendant consumed a sufficient quantity of  
48.23 alcohol after the time of the violation and before the administration of the evidentiary test  
48.24 to cause the defendant's alcohol concentration to exceed the level specified in the applicable  
48.25 clause. Evidence that the defendant consumed alcohol after the time of the violation may  
48.26 not be admitted in defense to any alleged violation of section 169A.20, unless notice is  
48.27 given to the prosecution prior to the omnibus or pretrial hearing in the matter.

48.28 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
48.29 committed on or after that date.

48.30 Sec. 9. Minnesota Statutes 2014, section 169A.53, subdivision 3, is amended to read:

48.31 Subd. 3. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing  
48.32 under this section must be before a district judge in any county in the judicial district

49.1 where the alleged offense occurred. The hearing is to the court and may be conducted at  
49.2 the same time and in the same manner as hearings upon pretrial motions in the criminal  
49.3 prosecution under section 169A.20 (driving while impaired), if any. The hearing must be  
49.4 recorded. The commissioner shall appear and be represented by the attorney general or  
49.5 through the prosecuting authority for the jurisdiction involved. The hearing must be held  
49.6 at the earliest practicable date, and in any event no later than 60 days following the filing  
49.7 of the petition for review. The judicial district administrator shall establish procedures to  
49.8 ensure efficient compliance with this subdivision. To accomplish this, the administrator  
49.9 may, whenever possible, consolidate and transfer review hearings among the locations  
49.10 within the judicial district where terms of district court are held.

49.11 (b) The scope of the hearing is limited to the issues in clauses (1) to ~~(10)~~ (11):

49.12 (1) Did the peace officer have probable cause to believe the person was driving,  
49.13 operating, or in physical control of a motor vehicle or commercial motor vehicle in  
49.14 violation of section 169A.20 (driving while impaired)?

49.15 (2) Was the person lawfully placed under arrest for violation of section 169A.20?

49.16 (3) Was the person involved in a motor vehicle accident or collision resulting in  
49.17 property damage, personal injury, or death?

49.18 (4) Did the person refuse to take a screening test provided for by section 169A.41  
49.19 (preliminary screening test)?

49.20 (5) If the screening test was administered, did the test indicate an alcohol  
49.21 concentration of 0.08 or more?

49.22 (6) At the time of the request for the test, did the peace officer inform the person  
49.23 of the person's rights and the consequences of taking or refusing the test as required by  
49.24 section 169A.51, subdivision 2?

49.25 (7) Did the person refuse to permit the test?

49.26 (8) If a test was taken by a person driving, operating, or in physical control of a  
49.27 motor vehicle, did the test results indicate at the time of testing:

49.28 (i) an alcohol concentration of 0.08 or more; or

49.29 (ii) the presence of a controlled substance listed in Schedule I or II or its metabolite,  
49.30 other than marijuana or tetrahydrocannabinols?

49.31 (9) If a test was taken by a person driving, operating, or in physical control of a  
49.32 commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or  
49.33 more at the time of testing?

49.34 (10) Was the testing method used valid and reliable and were the test results  
49.35 accurately evaluated?

49.36 (11) Did the person prove the defense of necessity?

50.1 (c) It is an affirmative defense for the petitioner to prove that, at the time of the  
50.2 refusal, the petitioner's refusal to permit the test was based upon reasonable grounds.

50.3 (d) Certified or otherwise authenticated copies of laboratory or medical personnel  
50.4 reports, records, documents, licenses, and certificates are admissible as substantive  
50.5 evidence.

50.6 (e) The court shall order that the revocation or disqualification be either rescinded or  
50.7 sustained and forward the order to the commissioner. The court shall file its order within 14  
50.8 days following the hearing. If the revocation or disqualification is sustained, the court shall  
50.9 also forward the person's driver's license or permit to the commissioner for further action by  
50.10 the commissioner if the license or permit is not already in the commissioner's possession.

50.11 (f) Any party aggrieved by the decision of the reviewing court may appeal the  
50.12 decision as provided in the Rules of Appellate Procedure.

50.13 (g) The civil hearing under this section shall not give rise to an estoppel on any  
50.14 issues arising from the same set of circumstances in any criminal prosecution.

50.15 (h) It is an affirmative defense for the petitioner to prove a necessity.

50.16 Sec. 10. Minnesota Statutes 2014, section 243.166, subdivision 1b, is amended to read:

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

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

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

50.23 (ii) kidnapping under section 609.25;

50.24 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345;  
50.25 609.3451, subdivision 3; or 609.3453; ~~or~~

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

50.27 (v) interference with privacy under section 609.746, subdivision 1a;

50.28 (2) the person was charged with or petitioned for a violation of, or attempt to  
50.29 violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section  
50.30 609.2325, subdivision 1, paragraph (b); false imprisonment in violation of section  
50.31 609.255, subdivision 2; solicitation, inducement, or promotion of the prostitution of a  
50.32 ~~minor or engaging in the~~ or sex trafficking of a minor in violation of section 609.322; a  
50.33 prostitution offense involving a minor ~~under the age of 13 years~~ in violation of section  
50.34 609.324, subdivision 1, ~~paragraph (a);~~ soliciting a minor to engage in sexual conduct in  
50.35 violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual

51.1 performance in violation of section 617.246; or possessing pornographic work involving a  
51.2 minor in violation of section 617.247, and convicted of or adjudicated delinquent for that  
51.3 offense or another offense arising out of the same set of circumstances;

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

51.6 (4) the person was charged with or petitioned for, including pursuant to a court  
51.7 martial, violating a law of the United States, including the Uniform Code of Military Justice,  
51.8 similar to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated  
51.9 delinquent for that offense or another offense arising out of the same set of circumstances.

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

51.11 (1) the person was charged with or petitioned for an offense in another state that  
51.12 would be a violation of a law described in paragraph (a) if committed in this state and  
51.13 convicted of or adjudicated delinquent for that offense or another offense arising out  
51.14 of the same set of circumstances;

51.15 (2) the person enters this state to reside, work, or attend school, or enters this state  
51.16 and remains for 14 days or longer; and

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

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

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

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

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

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

52.4 (3) the person was committed pursuant to a court commitment order under section  
52.5 253B.18 or a similar law of another state or the United States.

52.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
52.7 committed on or after that date.

52.8 Sec. 11. Minnesota Statutes 2014, section 609.1095, subdivision 1, is amended to read:

52.9 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have  
52.10 the meanings given.

52.11 (b) "Conviction" means any of the following accepted and recorded by the court: a  
52.12 plea of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term  
52.13 includes a conviction by any court in Minnesota or another jurisdiction.

52.14 (c) "Prior conviction" means a conviction that occurred before the offender  
52.15 committed the next felony resulting in a conviction and before the offense for which the  
52.16 offender is being sentenced under this section.

52.17 (d) "Violent crime" means a violation of or an attempt or conspiracy to violate  
52.18 any of the following laws of this state or any similar laws of the United States or any  
52.19 other state: sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205;  
52.20 609.2112; 609.2113; 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24;  
52.21 609.245; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267;  
52.22 609.2671; 609.268; 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1;  
52.23 609.561; 609.562; 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855,  
52.24 subdivision 5; any provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713  
52.25 that is punishable by a felony penalty; or any provision of chapter 152 that is punishable  
52.26 by a maximum sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

52.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
52.28 committed on or after that date.

52.29 Sec. 12. Minnesota Statutes 2014, section 609.2111, is amended to read:

52.30 **609.2111 DEFINITIONS.**

52.31 (a) For purposes of sections 609.2111 to 609.2114, the terms defined in this  
52.32 subdivision have the meanings given them.

53.1 (b) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and  
53.2 includes attached trailers.

53.3 (c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

53.4 (d) "Hazardous substance" means any chemical or chemical compound that is listed  
53.5 as a hazardous substance in rules adopted under chapter 182.

53.6 (e) "Qualified prior driving offense" includes a prior conviction:

53.7 (1) for a violation of section 169A.20 under the circumstances described in section  
53.8 169A.24, 169A.25, or 169A.26;

53.9 (2) for a violation of section 169A.20 under the circumstances described in section  
53.10 169A.27 and involving damage to property;

53.11 (3) for a violation of section 169.13 involving damage to property or resulting in  
53.12 bodily harm to or the death of another;

53.13 (4) under section 609.2112, subdivision 1, paragraph (a), clauses (2) to (6);  
53.14 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to (6); or  
53.15 609.2114, subdivision 1, paragraph (a), clauses (2) to (6);

53.16 (5) under Minnesota Statutes 2012, section 609.21, subdivision 1, clauses (2) to (6); or

53.17 (6) under Minnesota Statutes 2006, section 609.21, subdivision 1, clauses (2) to (6);  
53.18 2, clauses (2) to (6); 2a, clauses (2) to (6); 2b, clauses (2) to (6); 3, clauses (2) to (6); or 4,  
53.19 clauses (2) to (6).

53.20 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
53.21 committed on or after that date.

53.22 Sec. 13. Minnesota Statutes 2014, section 609.2112, subdivision 1, is amended to read:

53.23 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in  
53.24 paragraph (b), a person is guilty of criminal vehicular homicide and may be sentenced  
53.25 to imprisonment for not more than ten years or to payment of a fine of not more than  
53.26 \$20,000, or both, if the person causes the death of a human being not constituting murder  
53.27 or manslaughter as a result of operating a motor vehicle:

53.28 (1) in a grossly negligent manner;

53.29 (2) in a negligent manner while under the influence of:

53.30 (i) alcohol;

53.31 (ii) a controlled substance; or

53.32 (iii) any combination of those elements;

53.33 (3) while having an alcohol concentration of 0.08 or more;

53.34 (4) while having an alcohol concentration of 0.08 or more, as measured within  
53.35 two hours of the time of driving;

54.1 (5) in a negligent manner while knowingly under the influence of a hazardous  
54.2 substance;

54.3 (6) in a negligent manner while any amount of a controlled substance listed in  
54.4 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is  
54.5 present in the person's body;

54.6 (7) where the driver who causes the collision leaves the scene of the collision in  
54.7 violation of section 169.09, subdivision 1 or 6; or

54.8 (8) where the driver had actual knowledge that a peace officer had previously issued a  
54.9 citation or warning that the motor vehicle was defectively maintained, the driver had actual  
54.10 knowledge that remedial action was not taken, the driver had reason to know that the defect  
54.11 created a present danger to others, and the death was caused by the defective maintenance.

54.12 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),  
54.13 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the  
54.14 statutory maximum sentence of imprisonment is 15 years.

54.15 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
54.16 committed on or after that date.

54.17 Sec. 14. Minnesota Statutes 2014, section 609.2114, subdivision 1, is amended to read:

54.18 Subdivision 1. **Death to an unborn child.** (a) Except as provided in paragraph (b),  
54.19 a person is guilty of criminal vehicular operation resulting in death to an unborn child  
54.20 and may be sentenced to imprisonment for not more than ten years or to payment of a  
54.21 fine of not more than \$20,000, or both, if the person causes the death of an unborn child  
54.22 as a result of operating a motor vehicle:

54.23 (1) in a grossly negligent manner;

54.24 (2) in a negligent manner while under the influence of:

54.25 (i) alcohol;

54.26 (ii) a controlled substance; or

54.27 (iii) any combination of those elements;

54.28 (3) while having an alcohol concentration of 0.08 or more;

54.29 (4) while having an alcohol concentration of 0.08 or more, as measured within  
54.30 two hours of the time of driving;

54.31 (5) in a negligent manner while knowingly under the influence of a hazardous  
54.32 substance;

54.33 (6) in a negligent manner while any amount of a controlled substance listed in  
54.34 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is  
54.35 present in the person's body;

55.1 (7) where the driver who causes the accident leaves the scene of the accident in  
 55.2 violation of section 169.09, subdivision 1 or 6; or

55.3 (8) where the driver had actual knowledge that a peace officer had previously issued a  
 55.4 citation or warning that the motor vehicle was defectively maintained, the driver had actual  
 55.5 knowledge that remedial action was not taken, the driver had reason to know that the defect  
 55.6 created a present danger to others, and the injury was caused by the defective maintenance.

55.7 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),  
 55.8 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the  
 55.9 statutory maximum sentence of imprisonment is 15 years.

55.10 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 55.11 committed on or after that date.

55.12 Sec. 15. Minnesota Statutes 2014, section 609.2231, subdivision 3a, is amended to read:

55.13 Subd. 3a. **Secure treatment facility personnel.** (a) As used in this subdivision,  
 55.14 "secure treatment facility" ~~has the meaning given~~ includes facilities listed in section  
 55.15 sections 253B.02, subdivision 18a, and 253D.02, subdivision 13.

55.16 (b) Whoever, while committed under chapter 253D, Minnesota Statutes 2012,  
 55.17 section 253B.185, or Minnesota Statutes 1992, section 526.10, commits either of the  
 55.18 following acts against an employee or other individual who provides care or treatment at a  
 55.19 secure treatment facility while the person is engaged in the performance of a duty imposed  
 55.20 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not  
 55.21 more than two years or to payment of a fine of not more than \$4,000, or both:

55.22 (1) assaults the person and inflicts demonstrable bodily harm; or

55.23 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the  
 55.24 person.

55.25 (c) Whoever, while committed under section 253B.18, or admitted under the  
 55.26 provision of section 253B.10, subdivision 1, commits either of the following acts against  
 55.27 an employee or other individual who supervises and works directly with patients at a  
 55.28 secure treatment facility while the person is engaged in the performance of a duty imposed  
 55.29 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not  
 55.30 more than two years or to payment of a fine of not more than \$4,000, or both:

55.31 (1) assaults the person and inflicts demonstrable bodily harm; or

55.32 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the  
 55.33 person.

55.34 ~~(e)~~ (d) The court shall commit a person convicted of violating ~~paragraph (b)~~ this  
 55.35 subdivision to the custody of the commissioner of corrections for not less than one year

56.1 and one day. The court may not, on its own motion or the prosecutor's motion, sentence a  
 56.2 person without regard to this paragraph. A person convicted and sentenced as required by  
 56.3 this paragraph is not eligible for probation, parole, discharge, work release, or supervised  
 56.4 release, until that person has served the full term of imprisonment as provided by law,  
 56.5 notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and  
 56.6 609.135.

56.7 ~~(d)~~ (e) Notwithstanding the statutory maximum sentence provided in ~~paragraph (b)~~  
 56.8 this subdivision, when a court sentences a person to the custody of the commissioner of  
 56.9 corrections for a violation of ~~paragraph (b)~~ this subdivision, the court shall provide that  
 56.10 after the person has been released from prison, the commissioner shall place the person on  
 56.11 conditional release for five years. The terms of conditional release are governed by sections  
 56.12 244.05 and 609.3455, subdivision 6, 7, or 8; and Minnesota Statutes 2004, section 609.109.

56.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 56.14 committed on or after that date.

56.15 Sec. 16. Minnesota Statutes 2014, section 609.324, subdivision 1, is amended to read:

56.16 Subdivision 1. **Engaging in, hiring, or agreeing to hire minor to engage in**  
 56.17 **prostitution; penalties.** (a) Whoever intentionally does any of the following may be  
 56.18 sentenced to imprisonment for not more than 20 years or to payment of a fine of not  
 56.19 more than \$40,000, or both:

56.20 (1) engages in prostitution with an individual under the age of 13 years; or

56.21 (2) hires or offers or agrees to hire an individual under the age of 13 years to engage  
 56.22 in sexual penetration or sexual contact.

56.23 (b) Whoever intentionally does any of the following may be sentenced to  
 56.24 imprisonment for not more than ten years or to payment of a fine of not more than  
 56.25 \$20,000, or both:

56.26 (1) engages in prostitution with an individual under the age of 16 years but at least  
 56.27 13 years; or

56.28 (2) hires or offers or agrees to hire an individual under the age of 16 years but at  
 56.29 least 13 years to engage in sexual penetration or sexual contact.

56.30 (c) Whoever intentionally does any of the following may be sentenced to  
 56.31 imprisonment for not more than five years or to payment of a fine of not more than  
 56.32 \$10,000, or both:

56.33 (1) engages in prostitution with an individual under the age of 18 years but at least  
 56.34 16 years; or

57.1 (2) hires or offers or agrees to hire an individual under the age of 18 years but at  
57.2 least 16 years to engage in sexual penetration or sexual contact; or

57.3 (3) hires or offers or agrees to hire an individual who the actor reasonably believes  
57.4 to be under the age of 18 years to engage in sexual penetration or sexual contact.

57.5 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
57.6 committed on or after that date.

57.7 Sec. 17. Minnesota Statutes 2014, section 609.325, is amended by adding a subdivision  
57.8 to read:

57.9 Subd. 3a. **No defense; undercover operative.** The fact that an undercover operative  
57.10 or law enforcement officer was involved in the detection or investigation of an offense  
57.11 shall not be a defense to a prosecution under section 609.324.

57.12 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
57.13 committed on or after that date.

57.14 Sec. 18. Minnesota Statutes 2014, section 609.325, subdivision 4, is amended to read:

57.15 Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section  
57.16 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence  
57.17 that the defendant is a labor trafficking victim, as defined in section 609.281, or a sex  
57.18 trafficking victim, as defined in section 609.321, and that the defendant committed the act  
57.19 ~~only under compulsion by another who by explicit or implicit threats created a reasonable~~  
57.20 ~~apprehension in the mind of the defendant that if the defendant did not commit the act,~~  
57.21 ~~the person would inflict bodily harm upon the defendant~~ acts underlying the charge as a  
57.22 result of being a labor trafficking or sex trafficking victim.

57.23 Sec. 19. Minnesota Statutes 2014, section 609.3451, subdivision 1, is amended to read:

57.24 Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct  
57.25 in the fifth degree:

57.26 (1) if the person engages in nonconsensual sexual contact; or

57.27 (2) the person engages in masturbation or lewd exhibition of the genitals in the  
57.28 presence of a minor under the age of 16, knowing or having reason to know the minor  
57.29 is present.

57.30 For purposes of this section, "sexual contact" has the meaning given in section  
57.31 609.341, subdivision 11, paragraph (a), clauses (i) ~~and~~<sub>2</sub> (iv), and (v), but does not include  
57.32 the intentional touching of the clothing covering the immediate area of the buttocks.

58.1 Sexual contact also includes the intentional removal or attempted removal of clothing  
58.2 covering the complainant's intimate parts or undergarments, and the nonconsensual  
58.3 touching by the complainant of the actor's intimate parts, effected by the actor, if the action  
58.4 is performed with sexual or aggressive intent.

58.5 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
58.6 committed on or after that date.

58.7 Sec. 20. Minnesota Statutes 2014, section 609.3471, is amended to read:

58.8 **609.3471 RECORDS PERTAINING TO VICTIM IDENTITY**  
58.9 **CONFIDENTIAL.**

58.10 Notwithstanding any provision of law to the contrary, no data contained in records or  
58.11 reports relating to petitions, complaints, or indictments issued pursuant to section 609.322,  
58.12 609.342, 609.343, 609.344, 609.345, or 609.3453, which specifically identifies a victim  
58.13 who is a minor shall be accessible to the public, except by order of the court. Nothing  
58.14 in this section authorizes denial of access to any other data contained in the records or  
58.15 reports, including the identity of the defendant.

58.16 Sec. 21. Minnesota Statutes 2014, section 609.531, subdivision 1, is amended to read:

58.17 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the  
58.18 following terms have the meanings given them.

58.19 (a) "Conveyance device" means a device used for transportation and includes, but  
58.20 is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any  
58.21 equipment attached to it. The term "conveyance device" does not include property which  
58.22 is, in fact, itself stolen or taken in violation of the law.

58.23 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,  
58.24 subdivision 6, that the actor used or had in possession in furtherance of a crime.

58.25 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

58.26 (d) "Contraband" means property which is illegal to possess under Minnesota law.

58.27 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, the  
58.28 Department of Commerce Fraud Bureau, the Minnesota Division of Driver and Vehicle  
58.29 Services, the Minnesota State Patrol, a county sheriff's department, the Three Rivers Park  
58.30 District park rangers, the Department of Natural Resources Division of Enforcement, the  
58.31 University of Minnesota Police Department, the Department of Corrections Fugitive  
58.32 Apprehension Unit, a city, metropolitan transit, or airport police department; or a  
58.33 multijurisdictional entity established under section 299A.642 or 299A.681.

59.1 (f) "Designated offense" includes:

59.2 (1) for weapons used: any violation of this chapter, chapter 152 or 624;

59.3 (2) for driver's license or identification card transactions: any violation of section  
59.4 171.22; and

59.5 (3) for all other purposes: a felony violation of, or a felony-level attempt or  
59.6 conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21;  
59.7 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.25; 609.255;  
59.8 609.282; 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision  
59.9 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345,  
59.10 subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466;  
59.11 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;  
59.12 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;  
59.13 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88;  
59.14 609.89; 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation  
59.15 of section 609.891 or 624.7181; or any violation of section 609.324.

59.16 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

59.17 (h) "Prosecuting authority" means the attorney who is responsible for prosecuting an  
59.18 offense that is the basis for a forfeiture under sections 609.531 to 609.5318.

59.19 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
59.20 committed on or after that date.

59.21 Sec. 22. **[609.5634] REAL OR PERSONAL PROPERTY ARSON RESULTING**  
59.22 **IN BODILY HARM.**

59.23 Subdivision 1. **Penalty; felony.** Whoever, by means of fire or explosives,  
59.24 intentionally sets fire to or burns any real or personal property and the fire or explosion  
59.25 proximately causes bodily harm to any person, including a public safety officer performing  
59.26 official duties, shall be sentenced as follows:

59.27 (1) if the injury results in great bodily harm, the person shall be sentenced to  
59.28 imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000,  
59.29 or both;

59.30 (2) if the injury results in substantial bodily harm, the person shall be sentenced  
59.31 to imprisonment for not more than ten years or to payment of a fine of not more than  
59.32 \$15,000, or both; and

59.33 (3) if the injury results in demonstrable bodily harm, the person shall be sentenced  
59.34 to imprisonment for not more than five years or to payment of a fine of not more than  
59.35 \$10,000, or both.

60.1 Subd. 2. **Definitions.** (a) As used in this section, "personal property" does not  
60.2 include items where fire is involved in its normally intended use or repair, such as the wick  
60.3 of a candle, solder or flux in the act of welding, or logs in a campfire.

60.4 (b) As used in this section, "public safety officer" has the meaning given in section  
60.5 299A.41, subdivision 4.

60.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
60.7 committed on or after that date.

60.8 Sec. 23. Minnesota Statutes 2014, section 609.564, is amended to read:

60.9 **609.564 EXCLUDED FIRES.**

60.10 A person does not violate section 609.561, 609.562, 609.563, 609.5634, or 609.5641  
60.11 if the person sets a fire pursuant to a validly issued license or permit or with written  
60.12 permission from the fire department of the jurisdiction where the fire occurs.

60.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
60.14 committed on or after that date.

60.15 Sec. 24. Minnesota Statutes 2014, section 609.5641, subdivision 1a, is amended to read:

60.16 Subd. 1a. **Penalty; felonies.** (a) Except as provided in paragraphs (b), (c), and (d), a  
60.17 person who violates subdivision 1 may be sentenced to imprisonment for not more than  
60.18 five years or to payment of a fine of not more than \$10,000, or both.

60.19 (b) A person who violates subdivision 1 where the fire threatens to damage or  
60.20 damages in excess of five buildings or dwellings, burns 500 acres or more, or damages  
60.21 crops in excess of \$100,000, may be sentenced to imprisonment for not more than ten  
60.22 years or to payment of a fine of not more than \$15,000, or both.

60.23 (c) A person who violates subdivision 1 where the fire threatens to damage or  
60.24 damages in excess of 100 buildings or dwellings, burns 1,500 acres or more, or damages  
60.25 crops in excess of \$250,000, may be sentenced to imprisonment for not more than 20 years  
60.26 or to payment of a fine of not more than \$25,000, or both.

60.27 (d) A person who violates subdivision 1 where the fire causes another person to  
60.28 suffer ~~demonstrable~~ bodily harm may be sentenced to ~~imprisonment for not more than~~  
60.29 ~~ten years or to payment of a fine of \$15,000, or both~~ as provided in section 609.5634,  
60.30 subdivision 1, clauses (1) to (3).

60.31 (e) For purposes of this section, a building or dwelling is threatened when there is a  
60.32 probability of damage to the building or dwelling requiring evacuation for safety of life.

61.1 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
61.2 committed on or after that date.

61.3 Sec. 25. **[609.688] ADULTERATION BY BODILY FLUID.**

61.4 Subdivision 1. **Definition.** (a) As used in this section, the following terms have  
61.5 the meanings given.

61.6 (b) "Adulterates" is the intentional adding of a bodily fluid to a substance.

61.7 (c) "Bodily fluid" means the blood, seminal fluid, vaginal fluid, urine, or feces of  
61.8 a human.

61.9 Subd. 2. **Crime.** (a) Whoever adds saliva to any substance that the person knows or  
61.10 should know is intended for human consumption and another person ingests the substance  
61.11 without knowledge of the saliva being added is guilty of a misdemeanor.

61.12 (b) Whoever adulterates any substance that the person knows or should know is  
61.13 intended for human consumption is guilty of a misdemeanor.

61.14 (c) Whoever violates paragraph (b) and another person ingests the adulterated  
61.15 substance without knowledge of the adulteration is guilty of a gross misdemeanor.

61.16 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
61.17 committed on or after that date.

61.18 Sec. 26. Minnesota Statutes 2014, section 609.746, is amended by adding a subdivision  
61.19 to read:

61.20 Subd. 1a. **Nonconsensual photographs and videos.** (a) A person who knowingly  
61.21 takes a photograph, records a digital image, makes a video record, or transmits live video  
61.22 of another person, without that person's consent, in a restroom, locker room, or changing  
61.23 room is guilty of a crime and may be sentenced as provided in paragraphs (c), (d), and (e).

61.24 (b) A person who knowingly disseminates, or permits to be disseminated, a  
61.25 photograph, digital image, video record, or live video that the person knows to have been  
61.26 made or transmitted in violation of paragraph (a) or subdivision 1 is guilty of a crime and  
61.27 may be sentenced as provided in paragraphs (f), (g), and (h).

61.28 (c) Except as provided in paragraphs (d) and (e), a person who violates paragraph (a)  
61.29 is guilty of a gross misdemeanor.

61.30 (d) A person who violates paragraph (a) and the victim is a minor under the age of  
61.31 18 is guilty of a felony and may be sentenced to imprisonment for not more than 36  
61.32 months or to payment of a fine of not more than \$10,000, or both.

61.33 (e) A person who violates paragraph (a) and who is required to register as a predatory  
61.34 offender under the laws of this state or another jurisdiction is guilty of a felony and may

62.1 be sentenced to imprisonment for not more than 36 months or to payment of a fine of  
62.2 not more than \$10,000, or both.

62.3 (f) Except as provided in paragraphs (g) and (h), a person who violates paragraph (b)  
62.4 is guilty of a felony and may be sentenced to imprisonment for not more than 36 months  
62.5 or to payment of a fine of not more than \$10,000, or both.

62.6 (g) A person who violates paragraph (b) and the victim is a minor under the age of  
62.7 18 is guilty of a felony and may be sentenced to imprisonment for not more than 60  
62.8 months or to payment of a fine of not more than \$20,000, or both.

62.9 (h) A person who violates paragraph (b) and who is required to register as a  
62.10 predatory offender under the laws of this state or another jurisdiction is guilty of a felony  
62.11 and may be sentenced to imprisonment for not more than 60 months or to payment of  
62.12 a fine of not more than \$20,000, or both.

62.13 (i) This subdivision does not apply to:

62.14 (1) law enforcement officers or corrections investigators, or to those acting under  
62.15 their direction, while engaged in the performance of their lawful duties; or

62.16 (2) the owner of a commercial establishment and the owner's employees if the owner  
62.17 has posted conspicuous signs warning that the premises are under surveillance by the  
62.18 owner or the owner's employees and the recording and dissemination of a photograph,  
62.19 digital image, video record, or live video are necessary to protect the safety of employees  
62.20 or customers or to secure the establishment's property, including merchandise.

62.21 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
62.22 committed on or after that date.

62.23 Sec. 27. Minnesota Statutes 2014, section 609.765, is amended to read:

62.24 **609.765 CRIMINAL DEFAMATION.**

62.25 Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person  
62.26 or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in  
62.27 society, or injury to business or occupation.

62.28 Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory  
62.29 character orally, in writing or by any other means, communicates any false and defamatory  
62.30 matter to a third person without the consent of the person defamed is guilty of criminal  
62.31 defamation and may be sentenced to imprisonment for not more than one year or to  
62.32 payment of a fine of not more than \$3,000, or both.

62.33 Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

63.1 ~~(1) the defamatory matter is true and is communicated with good motives and for~~  
 63.2 ~~justifiable ends; or~~

63.3 ~~(2)~~ (1) the communication is absolutely privileged; or

63.4 ~~(3)~~ (2) the communication consists of fair comment made in good faith with respect  
 63.5 to persons participating in matters of public concern; or

63.6 ~~(4)~~ (3) the communication consists of a fair and true report or a fair summary of any  
 63.7 judicial, legislative or other public or official proceedings; or

63.8 ~~(5)~~ (4) the communication is between persons each having an interest or duty with  
 63.9 respect to the subject matter of the communication and is made with intent to further  
 63.10 such interest or duty.

63.11 Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral  
 63.12 communication of defamatory matter except upon the testimony of at least two other  
 63.13 persons that they heard and understood the oral statement as defamatory or upon a plea  
 63.14 of guilty.

63.15 Sec. 28. Minnesota Statutes 2014, section 611A.26, subdivision 1, is amended to read:

63.16 Subdivision 1. **Polygraph prohibition.** No law enforcement agency or prosecutor  
 63.17 shall require that a complainant of a criminal sexual conduct or sex trafficking offense  
 63.18 submit to a polygraph examination as part of or a condition to proceeding with the  
 63.19 investigation, charging, or prosecution of such offense.

63.20 Sec. 29. Minnesota Statutes 2014, section 611A.26, subdivision 6, is amended to read:

63.21 Subd. 6. **Definitions.** For the purposes of this section, the following terms have  
 63.22 the meanings given.

63.23 (a) "Criminal sexual conduct" means a violation of section 609.342, 609.343,  
 63.24 609.344, 609.345, or 609.3451.

63.25 (b) "Sex trafficking" means a violation of section 609.322.

63.26 (c) "Complainant" means a person reporting to have been subjected to criminal  
 63.27 sexual conduct or sex trafficking.

63.28 ~~(e)~~ (d) "Polygraph examination" means any mechanical or electrical instrument or  
 63.29 device of any type used or allegedly used to examine, test, or question individuals for  
 63.30 the purpose of determining truthfulness.

63.31 Sec. 30. Minnesota Statutes 2014, section 617.242, subdivision 6, is amended to read:

63.32 Subd. 6. **Restrictions on ownership or management by persons convicted of**  
 63.33 **certain crimes.** A person who has been convicted of one of the following offenses may

64.1 not operate or manage an adult business establishment for three years after discharge of  
64.2 the sentence for the offense, or a similar offense in another state or jurisdiction:

64.3 (1) prostitution or sex trafficking under section 609.321; 609.322; 609.324; or  
64.4 609.3242;

64.5 (2) criminal sexual conduct under sections 609.342 to 609.3451;

64.6 (3) solicitation of children under section 609.352;

64.7 (4) indecent exposure under section 617.23;

64.8 (5) distribution or exhibition of obscene materials and performances under section  
64.9 617.241;

64.10 (6) use of a minor in a sexual performance under section 617.246; or

64.11 (7) possession of pornographic work involving minors under section 617.247.

64.12 Sec. 31. Minnesota Statutes 2014, section 628.26, is amended to read:

64.13 **628.26 LIMITATIONS.**

64.14 (a) Indictments or complaints for any crime resulting in the death of the victim may  
64.15 be found or made at any time after the death of the person killed.

64.16 (b) Indictments or complaints for a violation of section 609.25 may be found or  
64.17 made at any time after the commission of the offense.

64.18 (c) Indictments or complaints for violation of section 609.282 may be found or made  
64.19 at any time after the commission of the offense if the victim was under the age of 18 at  
64.20 the time of the offense.

64.21 (d) Indictments or complaints for violation of section 609.282 where the victim  
64.22 was 18 years of age or older at the time of the offense, or 609.42, subdivision 1, clause  
64.23 (1) or (2), shall be found or made and filed in the proper court within six years after  
64.24 the commission of the offense.

64.25 (e) Indictments or complaints for violation of sections 609.322 and 609.342 to  
64.26 609.345<sub>2</sub> if the victim was under the age of 18 years at the time the offense was committed,  
64.27 shall be found or made and filed in the proper court within the later of nine years after  
64.28 the commission of the offense or three years after the offense was reported to law  
64.29 enforcement authorities.

64.30 (f) Notwithstanding the limitations in paragraph (e), indictments or complaints for  
64.31 violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed  
64.32 in the proper court at any time after commission of the offense, if physical evidence is  
64.33 collected and preserved that is capable of being tested for its DNA characteristics. If  
64.34 this evidence is not collected and preserved and the victim was 18 years old or older

65.1 at the time of the offense, the prosecution must be commenced within nine years after  
65.2 the commission of the offense.

65.3 (g) Indictments or complaints for violation of sections 609.466 and 609.52,  
65.4 subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court  
65.5 within six years after the commission of the offense.

65.6 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision  
65.7 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of  
65.8 the property or services stolen is more than \$35,000, shall be found or made and filed in  
65.9 the proper court within five years after the commission of the offense.

65.10 (i) Except for violations relating to false material statements, representations or  
65.11 omissions, indictments or complaints for violations of section 609.671 shall be found or  
65.12 made and filed in the proper court within five years after the commission of the offense.

65.13 (j) Indictments or complaints for violation of sections 609.561 to 609.563, shall  
65.14 be found or made and filed in the proper court within five years after the commission  
65.15 of the offense.

65.16 (k) In all other cases, indictments or complaints shall be found or made and filed in  
65.17 the proper court within three years after the commission of the offense.

65.18 (l) The limitations periods contained in this section shall exclude any period of time  
65.19 during which the defendant was not an inhabitant of or usually resident within this state.

65.20 (m) The limitations periods contained in this section for an offense shall not include  
65.21 any period during which the alleged offender participated under a written agreement in a  
65.22 pretrial diversion program relating to that offense.

65.23 (n) The limitations periods contained in this section shall not include any period  
65.24 of time during which physical evidence relating to the offense was undergoing DNA  
65.25 analysis, as defined in section 299C.155, unless the defendant demonstrates that the  
65.26 prosecuting or law enforcement agency purposefully delayed the DNA analysis process in  
65.27 order to gain an unfair advantage.

65.28 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
65.29 committed on or after that date and to crimes committed before that date if the limitations  
65.30 period for the crime did not expire before August 1, 2015.

65.31 Sec. 32. **JACQUELYN DEVNEY AND THOMAS CONSIDINE ROADWAY**  
65.32 **SAFETY ACT.**

65.33 Sections 2 and 3 may be cited as the Jacquelyn Devney and Thomas Considine  
65.34 Roadway Safety Act.



67.1 (1) provide 100 percent of the nonfederal share for state agencies and local  
 67.2 governments that will receive federal financial assistance from FEMA during the next  
 67.3 biennium; and

67.4 (2) fully pay all eligible claims under chapter 12B.

67.5 (f) Notwithstanding section 16A.28:

67.6 (1) funds appropriated or transferred to the disaster assistance contingency account  
 67.7 do not lapse but remain in the account until appropriated; and

67.8 (2) funds appropriated from the disaster assistance contingency account do not lapse  
 67.9 and are available until expended.

67.10 Sec. 2. Minnesota Statutes 2014, section 12A.15, subdivision 1, is amended to read:

67.11 Subdivision 1. **State cost-share for federal assistance.** State appropriations may be  
 67.12 used to pay 100 percent of the nonfederal share for state agencies ~~and~~<sub>2</sub> local governments<sub>2</sub>  
 67.13 and utility cooperatives under section 12.221. An appropriation from the bond proceeds  
 67.14 fund may be used as cost-share for federal disaster assistance for publicly owned capital  
 67.15 improvement projects.

67.16 Sec. 3. Minnesota Statutes 2014, section 12B.15, subdivision 2, is amended to read:

67.17 Subd. 2. **Applicant.** "Applicant" means a local government or state government  
 67.18 agency that applies for state disaster assistance under this chapter.

67.19 Sec. 4. Minnesota Statutes 2014, section 12B.15, is amended by adding a subdivision  
 67.20 to read:

67.21 Subd. 3a. **County.** "County" or "county government" means each county in which  
 67.22 a governmental unit is located in whole or in part, or a county board of commissioners  
 67.23 as defined in chapter 375.

67.24 Sec. 5. Minnesota Statutes 2014, section 12B.25, subdivision 1, is amended to read:

67.25 Subdivision 1. **Payment required; eligibility criteria.** The director, serving as  
 67.26 the governor's authorized representative, may enter into grant agreements with eligible  
 67.27 applicants to provide state financial assistance made available as a result of a disaster  
 67.28 that satisfies all of the following criteria:

67.29 (1) the state or applicable ~~local~~ county government declares a disaster or emergency  
 67.30 during the incident period;

67.31 (2) damages suffered and eligible costs incurred are the direct result of the disaster;

68.1 (3) federal disaster assistance is not available to the applicant because the governor  
 68.2 did not request a presidential declaration of major disaster, the president denied the  
 68.3 governor's request, or the applicant is not eligible for federal disaster assistance because  
 68.4 the state or county did not meet the per capita impact indicator under FEMA's Public  
 68.5 Assistance Program;

68.6 (4) the applicant incurred eligible damages that, on a per capita basis, equal or  
 68.7 exceed 50 percent of the countywide per capita impact indicator under FEMA's Public  
 68.8 Assistance Program;

68.9 (5) the applicant assumes responsibility for 25 percent of the applicant's total  
 68.10 eligible costs; and

68.11 (6) the applicant satisfies all requirements in this chapter.

68.12 Sec. 6. Minnesota Statutes 2014, section 12B.40, is amended to read:

68.13 **12B.40 APPLICATION PROCESS.**

68.14 (a) The director must develop application materials and may update the materials as  
 68.15 needed. Application materials must include instructions and requirements for assistance  
 68.16 under this chapter.

68.17 (b) ~~An applicant~~ A county government has 30 days from the end of the incident  
 68.18 period or the president's official denial of the governor's request for a declaration of a  
 68.19 major disaster to ~~provide the director with written notice of intent to apply~~ request that  
 68.20 the governor declare a state disaster. The director may deny ~~an application due to a late~~  
 68.21 ~~notice of intent to apply~~ a late request. The county government's request for a state  
 68.22 disaster declaration must include:

68.23 (1) the cause, location of damage, and incident period;

68.24 (2) documentation of a local, tribal, county, or state disaster or emergency  
 68.25 declaration in response to the disaster;

68.26 (3) a description of damages, an initial damage assessment, and the amount of  
 68.27 eligible costs incurred by the applicant;

68.28 (4) a statement or evidence that the applicant has the ability to pay for at least 25  
 68.29 percent of total eligible costs incurred from the disaster; and

68.30 (5) a statement or evidence that the local government has incurred damages equal to  
 68.31 or exceeding 50 percent of the federal countywide threshold in effect during the incident  
 68.32 period.

68.33 (c) ~~Within~~ An applicant has 60 days ~~after the end of the incident period or the~~  
 68.34 ~~president's official denial of~~ from the governor's request for a declaration of a major state

69.1 disaster, ~~the applicant must to~~ submit a complete application for state public disaster  
69.2 assistance to the director. A complete application includes the following:

69.3 (1) ~~the cause, location of damage, and incident period;~~

69.4 (2) ~~documentation of a local, tribal, county, or state disaster or emergency~~  
69.5 ~~declaration in response to the disaster;~~

69.6 (3) ~~a description of damages, an initial damage assessment, and the amount of~~  
69.7 ~~eligible costs incurred by the applicant;~~

69.8 (4) ~~a statement or evidence that the applicant has the ability to pay for at least 25~~  
69.9 ~~percent of total eligible costs incurred from the disaster; and~~

69.10 (5) ~~a statement or evidence that the local government has incurred damages equal to~~  
69.11 ~~or exceeding 50 percent of the federal countywide threshold in effect during the incident~~  
69.12 ~~period.~~

69.13 (d) The director must review the application and supporting documentation for  
69.14 completeness and may return the application with a request for more detailed information.  
69.15 The director may consult with local public officials to ensure the application reflects the  
69.16 extent and magnitude of the damage and to reconcile any differences. The application is  
69.17 not complete until the director receives all requested information.

69.18 (e) If the director returns an application with a request for more detailed information  
69.19 or for correction of deficiencies, the applicant must submit all required information within  
69.20 30 days of the applicant's receipt of the director's request. The applicant's failure to  
69.21 provide the requested information in a timely manner without a reasonable explanation  
69.22 may be cause for denial of the application.

69.23 (f) The director has no more than 60 days from the receipt of a complete application  
69.24 to approve or deny the application, or the application is deemed approved. If the director  
69.25 denies an application, the director must send a denial letter. If the director approves an  
69.26 application or the application is automatically deemed approved after 60 days, the director  
69.27 must notify the applicant of the steps necessary to obtain reimbursement of eligible  
69.28 costs, including submission of invoices or other documentation substantiating the costs  
69.29 submitted for reimbursement.

## 69.30 ARTICLE 8

### 69.31 CONTROLLED SUBSTANCES

69.32 Section 1. Minnesota Statutes 2014, section 152.02, subdivision 2, is amended to read:

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

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

70.5 (1) acetylmethadol;

70.6 (2) allylprodine;

70.7 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as  
70.8 levomethadyl acetate);

70.9 (4) alphameprodine;

70.10 (5) alphamethadol;

70.11 (6) alpha-methylfentanyl benzethidine;

70.12 (7) betacetylmethadol;

70.13 (8) betameprodine;

70.14 (9) betamethadol;

70.15 (10) betaprodine;

70.16 (11) clonitazene;

70.17 (12) dextromoramide;

70.18 (13) diampromide;

70.19 (14) diethylambutene;

70.20 (15) difenoxin;

70.21 (16) dimenoxadol;

70.22 (17) dimepheptanol;

70.23 (18) dimethylambutene;

70.24 (19) dioxaphetyl butyrate;

70.25 (20) dipipanone;

70.26 (21) ethylmethylthiambutene;

70.27 (22) etonitazene;

70.28 (23) etoxeridine;

70.29 (24) furethidine;

70.30 (25) hydroxypethidine;

70.31 (26) ketobemidone;

70.32 (27) levomoramide;

70.33 (28) levophenacylmorphan;

70.34 (29) 3-methylfentanyl;

70.35 (30) acetyl-alpha-methylfentanyl;

70.36 (31) alpha-methylthiofentanyl;

- 71.1 (32) benzylfentanyl beta-hydroxyfentanyl;
- 71.2 (33) beta-hydroxy-3-methylfentanyl;
- 71.3 (34) 3-methylthiofentanyl;
- 71.4 (35) thenylfentanyl;
- 71.5 (36) thiofentanyl;
- 71.6 (37) para-fluorofentanyl;
- 71.7 (38) morpheridine;
- 71.8 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 71.9 (40) noracymethadol;
- 71.10 (41) norlevorphanol;
- 71.11 (42) normethadone;
- 71.12 (43) norpipanone;
- 71.13 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 71.14 (45) phenadoxone;
- 71.15 (46) phenampromide;
- 71.16 (47) phenomorphan;
- 71.17 (48) phenoperidine;
- 71.18 (49) piritramide;
- 71.19 (50) proheptazine;
- 71.20 (51) properidine;
- 71.21 (52) propiram;
- 71.22 (53) racemoramide;
- 71.23 (54) tilidine;
- 71.24 (55) trimeperidine;
- 71.25 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl).
- 71.26 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 71.27 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 71.28 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 71.29 (1) acetorphine;
- 71.30 (2) acetyldihydrocodeine;
- 71.31 (3) benzylmorphine;
- 71.32 (4) codeine methylbromide;
- 71.33 (5) codeine-n-oxide;
- 71.34 (6) cyprenorphine;
- 71.35 (7) desomorphine;
- 71.36 (8) dihydromorphine;

- 72.1 (9) drotebanol;
- 72.2 (10) etorphine;
- 72.3 (11) heroin;
- 72.4 (12) hydromorphenol;
- 72.5 (13) methylodesorphine;
- 72.6 (14) methyldihydromorphine;
- 72.7 (15) morphine methylbromide;
- 72.8 (16) morphine methylsulfonate;
- 72.9 (17) morphine-n-oxide;
- 72.10 (18) myrophine;
- 72.11 (19) nicocodeine;
- 72.12 (20) nicomorphine;
- 72.13 (21) normorphine;
- 72.14 (22) pholcodine;
- 72.15 (23) thebacon.
- 72.16 (d) Hallucinogens. Any material, compound, mixture or preparation which contains
- 72.17 any quantity of the following substances, their analogs, salts, isomers (whether optical,
- 72.18 positional, or geometric), and salts of isomers, unless specifically excepted or unless listed
- 72.19 in another schedule, whenever the existence of the analogs, salts, isomers, and salts of
- 72.20 isomers is possible:
- 72.21 (1) methylenedioxy amphetamine;
- 72.22 (2) methylenedioxymethamphetamine;
- 72.23 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 72.24 (4) n-hydroxy-methylenedioxyamphetamine;
- 72.25 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 72.26 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 72.27 (7) 4-methoxyamphetamine;
- 72.28 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 72.29 (9) alpha-ethyltryptamine;
- 72.30 (10) bufotenine;
- 72.31 (11) diethyltryptamine;
- 72.32 (12) dimethyltryptamine;
- 72.33 (13) 3,4,5-trimethoxyamphetamine;
- 72.34 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 72.35 (15) ibogaine;
- 72.36 (16) lysergic acid diethylamide (LSD);

- 73.1 (17) mescaline;
- 73.2 (18) parahexyl;
- 73.3 (19) N-ethyl-3-piperidyl benzilate;
- 73.4 (20) N-methyl-3-piperidyl benzilate;
- 73.5 (21) psilocybin;
- 73.6 (22) psilocyn;
- 73.7 (23) tenocyclidine (TPCP or TCP);
- 73.8 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 73.9 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 73.10 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 73.11 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 73.12 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 73.13 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 73.14 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 73.15 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 73.16 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 73.17 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 73.18 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 73.19 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 73.20 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 73.21 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 73.22 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine  
73.23 (2-CB-FLY);
- 73.24 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 73.25 (40) alpha-methyltryptamine (AMT);
- 73.26 (41) N,N-diisopropyltryptamine (DiPT);
- 73.27 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 73.28 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 73.29 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 73.30 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 73.31 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 73.32 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 73.33 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 73.34 (49) 5-methoxy- $\alpha$ -methyltryptamine (5-MeO-AMT);
- 73.35 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 73.36 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);

- 74.1 (52) 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT);
- 74.2 (53) 5-methoxy- $\alpha$ -ethyltryptamine (5-MeO-AET);
- 74.3 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 74.4 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 74.5 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 74.6 (57) methoxetamine (MXE);
- 74.7 (58) 5-iodo-2-aminoindane (5-IAI);
- 74.8 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 74.9 ~~(60) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine~~
- 74.10 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 74.11 (25B-NBOMe);
- 74.12 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 74.13 (25C-NBOMe);
- 74.14 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 74.15 (25I-NBOMe);
- 74.16 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 74.17 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);

74.18 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora*

74.19 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part

74.20 of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation

74.21 of the plant, its seeds or extracts. The listing of peyote as a controlled substance in

74.22 Schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies

74.23 of the American Indian Church, and members of the American Indian Church are exempt

74.24 from registration. Any person who manufactures peyote for or distributes peyote to the

74.25 American Indian Church, however, is required to obtain federal registration annually and

74.26 to comply with all other requirements of law.

74.27 (f) Central nervous system depressants. Unless specifically excepted or unless listed

74.28 in another schedule, any material compound, mixture, or preparation which contains any

74.29 quantity of the following substances, their analogs, salts, isomers, and salts of isomers

74.30 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 74.31 (1) mecloqualone;
- 74.32 (2) methaqualone;
- 74.33 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 74.34 (4) flunitrazepam.

74.35 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any

74.36 material compound, mixture, or preparation which contains any quantity of the following

75.1 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of  
75.2 the analogs, salts, isomers, and salts of isomers is possible:

- 75.3 (1) aminorex;
- 75.4 (2) cathinone;
- 75.5 (3) fenethylamine;
- 75.6 (4) methcathinone;
- 75.7 (5) methylaminorex;
- 75.8 (6) N,N-dimethylamphetamine;
- 75.9 (7) N-benzylpiperazine (BZP);
- 75.10 (8) methylmethcathinone (mephedrone);
- 75.11 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);
- 75.12 (10) methoxymethcathinone (methedrone);
- 75.13 (11) methylenedioxypropylone (MDPV);
- 75.14 (12) ~~fluoromethcathinone~~ 3-fluoro-N-methylcathinone (3-FMC);
- 75.15 (13) methylethcathinone (MEC);
- 75.16 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 75.17 (15) dimethylmethcathinone (DMMC);
- 75.18 (16) fluoroamphetamine;
- 75.19 (17) fluoromethamphetamine;
- 75.20 (18)  $\alpha$ -methylaminobutyrophenone (MABP or buphedrone);
- 75.21 (19)  ~~$\beta$ -keto-N-methylbenzodioxolylpropylamine (bk-MBDB or butylone)~~
- 75.22 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 75.23 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 75.24 (21) ~~naphthylpyrovalerone (naphyrone)~~ 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)
- 75.25 pentan-1-one (naphthylpyrovalerone or naphyrone);
- 75.26 (22) ~~(RS)-1-phenyl-2-(1-pyrrolidinyl)-1-pentanone (alpha-PVP or~~
- 75.27 ~~alpha-pyrrolidinovalerophenone (alpha-pyrrolidinopentiophenone (alpha-PVP)~~;
- 75.28 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or
- 75.29 MPHP); and
- 75.30 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 75.31 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 75.32 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 75.33 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 75.34 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentydone);
- 75.35 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 75.36 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);

76.1 (31) alpha-pyrrolidinobutiophenone ( $\alpha$ -PBP);  
76.2 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);  
76.3 (33) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); and  
76.4 ~~(24)~~ (34) any other substance, except bupropion or compounds listed under a  
76.5 different schedule, that is structurally derived from 2-aminopropan-1-one by substitution  
76.6 at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not  
76.7 the compound is further modified in any of the following ways:

76.8 (i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy,  
76.9 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring  
76.10 system by one or more other univalent substituents;

76.11 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

76.12 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or  
76.13 methoxybenzyl groups; or

76.14 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

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

76.20 (1) marijuana;

76.21 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis,  
76.22 synthetic equivalents of the substances contained in the cannabis plant or in the  
76.23 resinous extractives of the plant, or synthetic substances with similar chemical structure  
76.24 and pharmacological activity to those substances contained in the plant or resinous  
76.25 extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans  
76.26 tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

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

76.28 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole  
76.29 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,  
76.30 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or  
76.31 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any  
76.32 extent and whether or not substituted in the naphthyl ring to any extent. Examples of  
76.33 naphthoylindoles include, but are not limited to:

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

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

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

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

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

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

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

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

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

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

77.8 (ii) Naphthylmethyloindoles, which are any compounds containing a

77.9 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom

77.10 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

77.11 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further

77.12 substituted in the indole ring to any extent and whether or not substituted in the naphthyl

77.13 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:

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

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

77.16 (iii) Naphthoylpyrroles, which are any compounds containing a

77.17 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the

77.18 pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

77.19 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not

77.20 further substituted in the pyrrole ring to any extent, whether or not substituted in the

77.21 naphthyl ring to any extent. Examples of naphthoylpyrroles include, but are not limited to,

77.22 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

77.23 (iv) Naphthylmethylindenes, which are any compounds containing a

77.24 naphthylideneindene structure with substitution at the 3-position of the indene

77.25 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

77.26 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further

77.27 substituted in the indene ring to any extent, whether or not substituted in the naphthyl

77.28 ring to any extent. Examples of naphthylmethylindenes include, but are not limited to,

77.29 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

77.30 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole

77.31 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

77.32 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

77.33 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to

77.34 any extent, whether or not substituted in the phenyl ring to any extent. Examples of

77.35 phenylacetylindoles include, but are not limited to:

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

- 78.1 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
- 78.2 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 78.3 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 78.4 (vi) Cyclohexylphenols, which are compounds containing a
- 78.5 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position
- 78.6 of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 78.7 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
- 78.8 substituted in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include,
- 78.9 but are not limited to:
- 78.10 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);
- 78.11 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
- 78.12 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 78.13 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
- 78.14 -phenol (CP 55,940).
- 78.15 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
- 78.16 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
- 78.17 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 78.18 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
- 78.19 any extent and whether or not substituted in the phenyl ring to any extent. Examples of
- 78.20 benzoylindoles include, but are not limited to:
- 78.21 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 78.22 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
- 78.23 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
- 78.24 (WIN 48,098 or Pravadoline).
- 78.25 (viii) Others specifically named:
- 78.26 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 78.27 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 78.28 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 78.29 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 78.30 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
- 78.31 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 78.32 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 78.33 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
- 78.34 (XLR-11);
- 78.35 (F) 1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3-carboxamide
- 78.36 (AKB-48(APINACA));

- 79.1 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide  
79.2 (5-Fluoro-AKB-48);
- 79.3 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 79.4 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro  
79.5 PB-22);
- 79.6 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-  
79.7 3-carboxamide (AB-PINACA);
- 79.8 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-  
79.9 1H-indazole-3-carboxamide (AB-FUBINACA);<sub>2</sub>
- 79.10 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-  
79.11 indazole-3-carboxamide(AB-CHMINACA);
- 79.12 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-  
79.13 methylbutanoate (5-fluoro-AMB);
- 79.14 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 79.15 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone  
79.16 (FUBIMINA);
- 79.17 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo  
79.18 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 79.19 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)  
79.20 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 79.21 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
79.22 -1H-indole-3-carboxamide;
- 79.23 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
79.24 -1H-indazole-3-carboxamide; and
- 79.25 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)  
79.26 -3,3-dimethylbutanoate.
- 79.27 (i) A controlled substance analog, to the extent that it is implicitly or explicitly  
79.28 intended for human consumption.

79.29 Sec. 2. Minnesota Statutes 2014, section 152.02, subdivision 3, is amended to read:

79.30 Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this  
79.31 subdivision.

79.32 (b) Unless specifically excepted or unless listed in another schedule, any of  
79.33 the following substances whether produced directly or indirectly by extraction from  
79.34 substances of vegetable origin or independently by means of chemical synthesis, or by a  
79.35 combination of extraction and chemical synthesis:

80.1 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium  
80.2 or opiate.

80.3 (i) Excluding:

80.4 (A) apomorphine;

80.5 (B) thebaine-derived butorphanol;

80.6 (C) dextrophan;

80.7 (D) nalbuphine;

80.8 (E) nalmefene;

80.9 (F) naloxegol;

80.10 ~~(F)~~ (G) naloxone;

80.11 ~~(G)~~ (H) naltrexone; and

80.12 ~~(H) and (I)~~ (I) their respective salts;

80.13 (ii) but including the following:

80.14 (A) opium, in all forms and extracts;

80.15 (B) codeine;

80.16 (C) dihydroetorphine;

80.17 (D) ethylmorphine;

80.18 (E) etorphine hydrochloride;

80.19 (F) hydrocodone;

80.20 (G) hydromorphone;

80.21 (H) metopon;

80.22 (I) morphine;

80.23 (J) oxycodone;

80.24 (K) oxymorphone;

80.25 (L) thebaine;

80.26 (M) oripavine;

80.27 (2) any salt, compound, derivative, or preparation thereof which is chemically  
80.28 equivalent or identical with any of the substances referred to in clause (1), except that  
80.29 these substances shall not include the isoquinoline alkaloids of opium;

80.30 (3) opium poppy and poppy straw;

80.31 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca  
80.32 leaves (including cocaine and ecgonine and their salts, isomers, derivatives, and salts  
80.33 of isomers and derivatives), and any salt, compound, derivative, or preparation thereof  
80.34 which is chemically equivalent or identical with any of these substances, except that the  
80.35 substances shall not include decocainized coca leaves or extraction of coca leaves, which  
80.36 extractions do not contain cocaine or ecgonine;

- 81.1 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid,  
81.2 solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).
- 81.3 (c) Any of the following opiates, including their isomers, esters, ethers, salts, and  
81.4 salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another  
81.5 schedule, whenever the existence of such isomers, esters, ethers and salts is possible  
81.6 within the specific chemical designation:
- 81.7 (1) alfentanil;
  - 81.8 (2) alphaprodine;
  - 81.9 (3) anileridine;
  - 81.10 (4) bezitramide;
  - 81.11 (5) bulk dextropropoxyphene (nondosage forms);
  - 81.12 (6) carfentanil;
  - 81.13 (7) dihydrocodeine;
  - 81.14 (8) dihydromorphinone;
  - 81.15 (9) diphenoxylate;
  - 81.16 (10) fentanyl;
  - 81.17 (11) isomethadone;
  - 81.18 (12) levo-alpha-acetylmethadol (LAAM);
  - 81.19 (13) levomethorphan;
  - 81.20 (14) levorphanol;
  - 81.21 (15) metazocine;
  - 81.22 (16) methadone;
  - 81.23 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
  - 81.24 (18) moramide - intermediate, 2-methyl-3-morpholino-1,  
81.25 1-diphenyl-propane-carboxylic acid;
  - 81.26 (19) pethidine;
  - 81.27 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;
  - 81.28 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;
  - 81.29 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
  - 81.30 (23) phenazocine;
  - 81.31 (24) piminodine;
  - 81.32 (25) racemethorphan;
  - 81.33 (26) racemorphan;
  - 81.34 (27) remifentanil;
  - 81.35 (28) sufentanil;
  - 81.36 (29) tapentadol;

82.1 (30) 4-Anilino-N-phenethyl-4-piperidine (ANPP).

82.2 (d) Unless specifically excepted or unless listed in another schedule, any material,  
82.3 compound, mixture, or preparation which contains any quantity of the following  
82.4 substances having a stimulant effect on the central nervous system:

82.5 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;

82.6 (2) methamphetamine, its salts, isomers, and salts of its isomers;

82.7 (3) phenmetrazine and its salts;

82.8 (4) methylphenidate;

82.9 (5) lisdexamfetamine.

82.10 (e) Unless specifically excepted or unless listed in another schedule, any material,  
82.11 compound, mixture, or preparation which contains any quantity of the following  
82.12 substances having a depressant effect on the central nervous system, including its salts,  
82.13 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of  
82.14 isomers is possible within the specific chemical designation:

82.15 (1) amobarbital;

82.16 (2) glutethimide;

82.17 (3) secobarbital;

82.18 (4) pentobarbital;

82.19 (5) phencyclidine;

82.20 (6) phencyclidine immediate precursors:

82.21 (i) 1-phenylcyclohexylamine;

82.22 (ii) 1-piperidinocyclohexanecarbonitrile;

82.23 (7) phenylacetone.

82.24 (f) Hallucinogenic substances: nabilone.

82.25 Sec. 3. Minnesota Statutes 2014, section 152.02, subdivision 4, is amended to read:

82.26 Subd. 4. **Schedule III.** (a) Schedule III consists of the substances listed in this  
82.27 subdivision.

82.28 (b) Stimulants. Unless specifically excepted or unless listed in another schedule,  
82.29 any material, compound, mixture, or preparation which contains any quantity of the  
82.30 following substances having a potential for abuse associated with a stimulant effect on the  
82.31 central nervous system, including its salts, isomers, and salts of such isomers whenever  
82.32 the existence of such salts, isomers, and salts of isomers is possible within the specific  
82.33 chemical designation:

82.34 (1) benzphetamine;

82.35 (2) chlorphentermine;

- 83.1 (3) clortermine;
- 83.2 (4) phendimetrazine.
- 83.3 (c) Depressants. Unless specifically excepted or unless listed in another schedule,
- 83.4 any material, compound, mixture, or preparation which contains any quantity of the
- 83.5 following substances having a potential for abuse associated with a depressant effect on
- 83.6 the central nervous system:
- 83.7 (1) any compound, mixture, or preparation containing amobarbital, secobarbital,
- 83.8 pentobarbital or any salt thereof and one or more other active medicinal ingredients which
- 83.9 are not listed in any schedule;
- 83.10 (2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital,
- 83.11 or any salt of any of these drugs and approved by the food and drug administration for
- 83.12 marketing only as a suppository;
- 83.13 (3) any substance which contains any quantity of a derivative of barbituric acid, or
- 83.14 any salt of a derivative of barbituric acid, except those substances which are specifically
- 83.15 listed in other schedules;
- 83.16 (4) any drug product containing gamma hydroxybutyric acid, including its salts,
- 83.17 isomers, and salts of isomers, for which an application is approved under section 505 of
- 83.18 the federal Food, Drug, and Cosmetic Act;
- 83.19 (5) any of the following substances:
- 83.20 (i) chlorhexadol;
- 83.21 (ii) ketamine, its salts, isomers and salts of isomers;
- 83.22 (iii) lysergic acid;
- 83.23 (iv) lysergic acid amide;
- 83.24 (v) methyprylon;
- 83.25 (vi) sulfondiethylmethane;
- 83.26 (vii) sulfonethylmethane;
- 83.27 (viii) sulfonmethane;
- 83.28 (ix) tiletamine and zolazepam and any salt thereof;
- 83.29 (x) embutramide;
- 83.30 (xi) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-Dihydropyridin-3-yl)
- 83.31 benzotrile].
- 83.32 (d) Nalorphine.
- 83.33 (e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
- 83.34 any material, compound, mixture, or preparation containing any of the following narcotic
- 83.35 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
- 83.36 as follows:

84.1 (1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90  
 84.2 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid  
 84.3 of opium;

84.4 (2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90  
 84.5 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized  
 84.6 therapeutic amounts;

84.7 ~~(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~  
 84.8 ~~more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an~~  
 84.9 ~~isoquinoline alkaloid of opium;~~

84.10 ~~(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~  
 84.11 ~~more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients~~  
 84.12 ~~in recognized therapeutic amounts;~~

84.13 ~~(5)~~ (3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more  
 84.14 than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in  
 84.15 recognized therapeutic amounts;

84.16 ~~(6)~~ (4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not  
 84.17 more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients  
 84.18 in recognized therapeutic amounts;

84.19 ~~(7)~~ (5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams,  
 84.20 or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic  
 84.21 ingredients in recognized therapeutic amounts;

84.22 ~~(8)~~ (6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams  
 84.23 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

84.24 (f) Anabolic steroids ~~and~~, human growth hormone, and chorionic gonadotropin.

84.25 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal  
 84.26 substance, chemically and pharmacologically related to testosterone, other than estrogens,  
 84.27 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

84.28 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;

84.29 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;

84.30 (iii) androstenedione (5[alpha]-androst-3,17-dione);

84.31 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

84.32 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

84.33 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);

84.34 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);

84.35 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);

84.36 (ix) 4-androstenedione (androst-4-en-3,17-dione);

- 85.1 (x) 5-androstenedione (androst-5-en-3,17-dione);
- 85.2 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 85.3 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 85.4 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 85.5 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 85.6 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 85.7 (xvi) dehydrochloromethyltestosterone  
(4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 85.8 (xvii) desoxymethyltestosterone  
(17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 85.9 (xviii) [delta]1-dihydrotestosterone-  
(17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 85.10 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 85.11 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 85.12 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 85.13 (xxii) fluoxymesterone  
(9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);
- 85.14 (xxiii) formebolone  
(2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
- 85.15 (xxiv) furazabol  
(17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta]-  
85.16 -hydroxygon-4-en-3-one;
- 85.17 (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
- 85.18 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
- 85.19 (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 85.20 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 85.21 (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
- 85.22 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
- 85.23 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one)
- 85.24 ~~(xxxii)~~ (xxxii) methenolone  
(1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 85.25 ~~(xxxiii)~~ (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 85.26 ~~(xxxiv)~~ (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 85.27 ~~(xxxv)~~ (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;
- 85.28 ~~(xxxvi)~~ (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone  
(17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);

- 86.1 ~~(xxxvi)~~ (xxxvii) methyldienolone  
 (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one);
- 86.2
- 86.3 ~~(xxxvii)~~ (xxxviii) methyltrienolone  
 (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one);
- 86.4
- 86.5 ~~(xxxviii)~~ (xxxix) methyltestosterone  
 (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one);
- 86.6
- 86.7 ~~(xxxix)~~ (xl) mibolerone  
 (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one);
- 86.8
- 86.9 ~~(xl)~~ (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone  
 (17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one);
- 86.10
- 86.11 ~~(xli)~~ (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one);
- 86.12
- 86.13 ~~(xlii)~~ (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene;  
~~(xliii)~~ (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol  
 (3[beta],17[beta]-dihydroxyestr-5-ene);
- 86.14
- 86.15 ~~(xliv)~~ (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);
- 86.16
- 86.17 ~~(xlv)~~ (xlvi) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- 86.18
- 86.19 ~~(xlvi)~~ (xlvii) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 86.20
- 86.21 ~~(xlvii)~~ (xlviii) norbolethone
- 86.22
- 86.23 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one);
- 86.24
- 86.25 ~~(xlviii)~~ (xlix) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one);
- 86.26
- 86.27 ~~(xlix)~~ (l) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one);
- 86.28
- 86.29 ~~(l)~~ (li) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one);
- 86.30
- 86.31 ~~(li)~~ (lii) oxandrolone
- 86.32
- 86.33 (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one);
- 86.34
- 86.35 ~~(lii)~~ (liii) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one);
- 86.36
- 86.37 ~~(liii)~~ (liv) oxymetholone
- 86.38
- 86.39 (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 86.40
- 86.41 (lv) prostanazol (17 beta-hydroxy-5 alpha-androstano[3,2-C]pyrazole
- 86.42
- 86.43 ~~(liv)~~ (lvi) stanozolol
- 86.44
- 86.45 (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androst-2-eno[3,2-c]-pyrazole);
- 86.46
- 86.47 ~~(lvi)~~ (lvii) stenbolone (17[beta]-hydroxy-2-methyl-5[alpha]-androst-1-en-3-one);
- 86.48
- 86.49 ~~(lvii)~~ (lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic  
 acid lactone);
- 86.50
- 86.51 ~~(lviii)~~ (lix) testosterone (17[beta]-hydroxyandrost-4-en-3-one);
- 86.52
- 86.53 ~~(lix)~~ (lx) tetrahydrogestrinone
- 86.54
- 86.55 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one);
- 86.56

- 87.1 ~~(lix)~~ (lxi) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one);
- 87.2 ~~(lx)~~ (lxii) any salt, ester, or ether of a drug or substance described in this paragraph.

87.3 Anabolic steroids are not included if they are: (A) expressly intended for administration  
87.4 through implants to cattle or other nonhuman species; and (B) approved by the United  
87.5 States Food and Drug Administration for that use;

87.6 (2) Human growth hormones.

87.7 (3) Chorionic gonadotropin.

87.8 (g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated  
87.9 in a soft gelatin capsule in a United States Food and Drug Administration approved product.

87.10 (h) Any material, compound, mixture, or preparation containing the following  
87.11 narcotic drug or its salt: buprenorphine.

87.12 Sec. 4. Minnesota Statutes 2014, section 152.02, subdivision 5, is amended to read:

87.13 Subd. 5. **Schedule IV.** (a) Schedule IV consists of the substances listed in this  
87.14 subdivision.

87.15 (b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,  
87.16 any material, compound, mixture, or preparation containing any of the following narcotic  
87.17 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities  
87.18 as follows:

87.19 (1) not more than one milligram of difenoxin and not less than 25 micrograms of  
87.20 atropine sulfate per dosage unit;

87.21 (2) dextropropoxyphene (Darvon and Darvocet);<sub>2</sub>

87.22 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical  
87.23 and geometric isomers, and salts of these isomers (including tramadol).

87.24 (c) Depressants. Unless specifically excepted or unless listed in another schedule,  
87.25 any material, compound, mixture, or preparation containing any quantity of the following  
87.26 substances, including its salts, isomers, and salts of isomers whenever the existence of the  
87.27 salts, isomers, and salts of isomers is possible:

87.28 (1) Alfaxalone (5 $\alpha$ -pregnan-3 $\alpha$ -ol-11,20-dione);

87.29 ~~(1)~~ (2) alprazolam;

87.30 ~~(2)~~ (3) barbital;

87.31 ~~(3)~~ (4) bromazepam;

87.32 ~~(4)~~ (5) camazepam;

87.33 ~~(5)~~ (6) carisoprodol;

87.34 ~~(6)~~ (7) chloral betaine;

87.35 ~~(7)~~ (8) chloral hydrate;

- 88.1 ~~(8)~~ (9) chlordiazepoxide;
- 88.2 ~~(9)~~ (10) clobazam;
- 88.3 ~~(10)~~ (11) clonazepam;
- 88.4 ~~(11)~~ (12) clorazepate;
- 88.5 ~~(12)~~ (13) clotiazepam;
- 88.6 ~~(13)~~ (14) cloxazolam;
- 88.7 ~~(14)~~ (15) delorazepam;
- 88.8 ~~(15)~~ (16) diazepam;
- 88.9 ~~(16)~~ (17) dichloralphenazone;
- 88.10 ~~(17)~~ (18) estazolam;
- 88.11 ~~(18)~~ (19) ethchlorvynol;
- 88.12 ~~(19)~~ (20) ethinamate;
- 88.13 ~~(20)~~ (21) ethyl loflazepate;
- 88.14 ~~(21)~~ (22) fludiazepam;
- 88.15 ~~(22)~~ (23) flurazepam;
- 88.16 (24) fospropofol
- 88.17 ~~(23)~~ (25) halazepam;
- 88.18 ~~(24)~~ (26) haloxazolam;
- 88.19 ~~(25)~~ (27) ketazolam;
- 88.20 ~~(26)~~ (28) loprazolam;
- 88.21 ~~(27)~~ (29) lorazepam;
- 88.22 ~~(28)~~ (30) lormetazepam mebutamate;
- 88.23 ~~(29)~~ (31) medazepam;
- 88.24 ~~(30)~~ (32) meprobamate;
- 88.25 ~~(31)~~ (33) methohexital;
- 88.26 ~~(32)~~ (34) methylphenobarbital;
- 88.27 ~~(33)~~ (35) midazolam;
- 88.28 ~~(34)~~ (36) nimetazepam;
- 88.29 ~~(35)~~ nitrazepam~~nordiazepam~~ ~~(37)~~ nitrazepam;
- 88.30 (38) nordiazepam;
- 88.31 ~~(36)~~ (39) oxazepam;
- 88.32 ~~(37)~~ (40) oxazolam;
- 88.33 ~~(38)~~ paraldehyde~~petrichloral~~ ~~(41)~~ paraldehyde;
- 88.34 (42) petrichloral;
- 88.35 ~~(39)~~ (43) phenobarbital;
- 88.36 ~~(40)~~ (44) pinazepam;

89.1 ~~(41)~~ (45) prazepam;

89.2 ~~(42)~~ (46) quazepam;

89.3 (47) Suvorexant;

89.4 ~~(43)~~ (48) temazepam;

89.5 ~~(44)~~ (49) tetrazepam;

89.6 ~~(45)~~ (50) triazolam;

89.7 ~~(46)~~ (51) zaleplon;

89.8 ~~(47)~~ (52) zolpidem;

89.9 ~~(48)~~ (53) zopiclone.

89.10 (d) Any material, compound, mixture, or preparation which contains any quantity of  
89.11 the following substance including its salts, isomers, and salts of such isomers, whenever  
89.12 the existence of such salts, isomers, and salts of isomers is possible: fenfluramine.

89.13 (e) Stimulants. Unless specifically excepted or unless listed in another schedule,  
89.14 any material, compound, mixture, or preparation which contains any quantity of the  
89.15 following substances having a stimulant effect on the central nervous system, including its  
89.16 salts, isomers, and salts of isomers:

89.17 (1) cathine (norpseudoephedrine);

89.18 (2) diethylpropion;

89.19 (3) fencamfamine;

89.20 (4) fenproporex;

89.21 (5) mazindol;

89.22 (6) mefenorex;

89.23 (7) modafinil;

89.24 (8) pemoline (including organometallic complexes and chelates thereof);

89.25 (9) phentermine;

89.26 (10) pipradol;

89.27 (11) sibutramine;

89.28 (12) SPA (1-dimethylamino-1,2-diphenylethane).

89.29 (f) lorcaserin.

89.30 Sec. 5. Minnesota Statutes 2014, section 152.02, subdivision 6, is amended to read:

89.31 Subd. 6. **Schedule V; restrictions on methamphetamine precursor drugs.** (a) As  
89.32 used in this subdivision, the following terms have the meanings given:

89.33 (1) "methamphetamine precursor drug" means any compound, mixture, or  
89.34 preparation intended for human consumption containing ephedrine or pseudoephedrine as  
89.35 its sole active ingredient or as one of its active ingredients; and

90.1 (2) "over-the-counter sale" means a retail sale of a drug or product but does not  
90.2 include the sale of a drug or product pursuant to the terms of a valid prescription.

90.3 (b) The following items are listed in Schedule V:

90.4 (1) any compound, mixture, or preparation containing any of the following limited  
90.5 quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal  
90.6 ingredients in sufficient proportion to confer upon the compound, mixture or preparation  
90.7 valuable medicinal qualities other than those possessed by the narcotic drug alone:

90.8 (i) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100  
90.9 grams;

90.10 (ii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100  
90.11 grams;

90.12 (iii) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms  
90.13 of atropine sulfate per dosage unit;

90.14 (iv) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

90.15 (v) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of  
90.16 atropine sulfate per dosage unit.

90.17 (2) Stimulants. Unless specifically exempted or excluded or unless listed in another  
90.18 schedule, any material, compound, mixture, or preparation that contains any quantity of  
90.19 the following substance having a stimulant effect on the central nervous system, including  
90.20 its salts, isomers, and salts of isomers: pyrovalerone.

90.21 (3) Depressants. Unless specifically exempted or excluded or unless listed in another  
90.22 schedule, any material, compound, mixture, or preparation that contains any quantity  
90.23 of the following substance having a depressant effect on the central nervous system,  
90.24 including its salts, isomers, and salts of isomers:

90.25 (i) ezogabine;

90.26 ~~(i)~~ (ii) pregabalin;

90.27 ~~(ii)~~ (iii) lacosamide.

90.28 (4) Any compound, mixture, or preparation containing ephedrine or pseudoephedrine  
90.29 as its sole active ingredient or as one of its active ingredients.

90.30 (c) No person may sell in a single over-the-counter sale more than two packages of a  
90.31 methamphetamine precursor drug or a combination of methamphetamine precursor drugs or  
90.32 any combination of packages exceeding a total weight of six grams, calculated as the base.

90.33 (d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

90.34 (1) packages containing not more than a total of three grams of one or  
90.35 more methamphetamine precursor drugs, calculated in terms of ephedrine base or  
90.36 pseudoephedrine base; or

91.1 (2) for nonliquid products, sales in blister packs, where each blister contains not  
91.2 more than two dosage units, or, if the use of blister packs is not technically feasible, sales  
91.3 in unit dose packets or pouches.

91.4 (e) A business establishment that offers for sale methamphetamine precursor drugs  
91.5 in an over-the-counter sale shall ensure that all packages of the drugs are displayed  
91.6 behind a checkout counter where the public is not permitted and are offered for sale only  
91.7 by a licensed pharmacist, a registered pharmacy technician, or a pharmacy clerk. The  
91.8 establishment shall ensure that the person making the sale requires the buyer:

91.9 (1) to provide photographic identification showing the buyer's date of birth; and

91.10 (2) to sign a written or electronic document detailing the date of the sale, the name  
91.11 of the buyer, and the amount of the drug sold.

91.12 A document described under clause (2) must be retained by the establishment for  
91.13 at least three years and must at all reasonable times be open to the inspection of any  
91.14 law enforcement agency.

91.15 Nothing in this paragraph requires the buyer to obtain a prescription for the drug's  
91.16 purchase.

91.17 (f) No person may acquire through over-the-counter sales more than six grams of  
91.18 methamphetamine precursor drugs, calculated as the base, within a 30-day period.

91.19 (g) No person may sell in an over-the-counter sale a methamphetamine precursor  
91.20 drug to a person under the age of 18 years. It is an affirmative defense to a charge under  
91.21 this paragraph if the defendant proves by a preponderance of the evidence that the  
91.22 defendant reasonably and in good faith relied on proof of age as described in section  
91.23 340A.503, subdivision 6.

91.24 (h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of  
91.25 a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to  
91.26 payment of a fine of not more than \$1,000, or both.

91.27 (i) An owner, operator, supervisor, or manager of a business establishment that  
91.28 offers for sale methamphetamine precursor drugs whose employee or agent is convicted of  
91.29 or charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal  
91.30 penalties for violating any of those paragraphs if the person:

91.31 (1) did not have prior knowledge of, participate in, or direct the employee or agent to  
91.32 commit the violation; and

91.33 (2) documents that an employee training program was in place to provide the  
91.34 employee or agent with information on the state and federal laws and regulations regarding  
91.35 methamphetamine precursor drugs.

92.1 (j) Any person employed by a business establishment that offers for sale  
92.2 methamphetamine precursor drugs who sells such a drug to any person in a suspicious  
92.3 transaction shall report the transaction to the owner, supervisor, or manager of the  
92.4 establishment. The owner, supervisor, or manager may report the transaction to local law  
92.5 enforcement. A person who reports information under this subdivision in good faith is  
92.6 immune from civil liability relating to the report.

92.7 (k) Paragraphs (b) to (j) do not apply to:

92.8 (1) pediatric products labeled pursuant to federal regulation primarily intended for  
92.9 administration to children under 12 years of age according to label instructions;

92.10 (2) methamphetamine precursor drugs that are certified by the Board of Pharmacy as  
92.11 being manufactured in a manner that prevents the drug from being used to manufacture  
92.12 methamphetamine;

92.13 (3) methamphetamine precursor drugs in gel capsule or liquid form; or

92.14 (4) compounds, mixtures, or preparations in powder form where pseudoephedrine  
92.15 constitutes less than one percent of its total weight and is not its sole active ingredient.

92.16 (l) The Board of Pharmacy, in consultation with the Department of Public Safety,  
92.17 shall certify methamphetamine precursor drugs that meet the requirements of paragraph  
92.18 (k), clause (2), and publish an annual listing of these drugs.

92.19 (m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy  
92.20 pursuant to sections 151.42 to 151.51 and registered with and regulated by the United  
92.21 States Drug Enforcement Administration are exempt from the methamphetamine precursor  
92.22 drug storage requirements of this section.

92.23 (n) This section preempts all local ordinances or regulations governing the sale  
92.24 by a business establishment of over-the-counter products containing ephedrine or  
92.25 pseudoephedrine. All ordinances enacted prior to the effective date of this act are void.

APPENDIX  
Article locations in H0849-1

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**168A.1501 SCRAPPED, DISMANTLED, OR DESTROYED VEHICLE.**

Subd. 5. **Automated property system.** (a) A scrap vehicle operator must completely and accurately provide all the record information required in subdivision 2 by transferring it from the operator's computer to the automated property system, by the close of business each day, using the interchange file specification format.

(b) An operator who does not have an electronic point-of-sale program may request to be provided software by the automated property system to record the required information. If the operator uses a commercially available electronic point-of-sale program to record the information required in this section, it must submit the information using the interchange file specification format. Any record submitted by an operator that does not conform to the interchange file specification format must be corrected and resubmitted the next business day.

(c) An operator must display a sign of sufficient size, in a conspicuous place in the premises, which informs all patrons that transactions are reported to law enforcement daily.

(d) Every local law enforcement agency shall participate in the automated property system as an individual agency or in conjunction with another agency or agencies to provide the service.

(e) This subdivision does not apply to the purchase of a scrap vehicle by a used vehicle parts dealer licensed under section 168.27, for dismantling the vehicle for its parts.

Subd. 5a. **Fee schedule; audits; reports.** (a) The city of Minneapolis may charge a fee to an operator for use of the automated property system required under subdivision 5. The fee is intended to cover the reasonable costs of operating and maintaining the system under this section and section 325E.21, subdivision 1c. The fee may not exceed 72 cents per transaction for the first four years of operation. Thereafter, the city may adjust the fee schedule to reflect the ongoing, reasonable costs of operating and maintaining the system.

(b) The state auditor may examine the fee schedule and associated costs under paragraph (a) at any time. The state auditor may bill the city of Minneapolis for the costs of the examination pursuant to sections 6.56, 6.57, and 6.59.

(c) The city of Minneapolis shall report to the state auditor and chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over commerce and criminal justice policy by January 15 of each even-numbered year until January 15, 2020, and every four years thereafter. The report shall include the following information relating to the automated property system: the formula used to determine or adjust the fee schedule, the direct costs of operating and maintaining the system, and a summary of receipts and expenses incurred during the reporting period. The report shall be combined with the report required under section 325E.21, subdivision 1d, paragraph (c). Section 3.195 applies to this paragraph.

(d) For purposes of this subdivision, "transaction" means an entry into the automated property system of a new record or records containing the information required under subdivision 2 per seller.

**299C.36 PRIORITY FOR STATION CALLS AND MESSAGES.**

Every telegraph and telephone company operating in the state shall give priority to all messages or calls directed to the broadcasting station or stations established under sections 299C.30 to 299C.38.

**299N.05 LICENSE REQUIRED.**

Subd. 3. **Prior appointment.** A full-time firefighter or a volunteer firefighter who has received a permanent appointment with a fire department prior to July 1, 2011, shall be licensed by the board at the request of the firefighter upon providing the board with a statement signed by the chief firefighting officer of the fire department that employs the full-time or volunteer firefighter.

**325E.21 DEALERS IN SCRAP METAL; RECORDS, REPORTS, AND REGISTRATION.**

Subd. 1c. **Automated property system.** (a) Dealers must completely and accurately provide all the record information required in subdivision 1b by transferring it from their computer to the automated property system, by the close of business each day, using the interchange file specification format.

(b) A dealer who does not have an electronic point-of-sale program may request to be provided software by the automated property system to record the required information. If the

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dealer uses a commercially available electronic point-of-sale program to record the information required in this section, it must submit the information using the interchange file specification format. Any record submitted by a dealer that does not conform to the interchange file specification format must be corrected and resubmitted the next business day.

(c) A dealer must display a sign of sufficient size, in a conspicuous place in the premises, which informs all patrons that transactions are reported to law enforcement daily.

(d) Every local law enforcement agency shall participate in the automated property system as an individual agency or in conjunction with another agency or agencies to provide the service.

Subd. 1d. **Fee schedule; audit; reports.** (a) The city of Minneapolis may charge a fee to a dealer for use of the automated property system required under subdivision 1c. The fee is intended to cover the direct costs of operating and maintaining the system under this section and section 168A.1501, subdivision 5. The fee may not exceed 72 cents per transaction for the first four years of operation. Thereafter, the city may adjust the fee schedule to reflect the ongoing, reasonable costs of operating and maintaining the system.

(b) The state auditor may examine the fee schedule and associated costs under paragraph (a) at any time. The state auditor may bill the city of Minneapolis for the costs of the examination pursuant to sections 6.56, 6.57, and 6.59.

(c) The city of Minneapolis shall report to the state auditor and chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over commerce and criminal justice policy by January 15 of each even-numbered year until January 15, 2020, and every four years thereafter. The report shall include the following information on the automated property system: formula used to determine or adjust the fee schedule, the direct costs of operating and maintaining the system, and a summary of receipts and expenses incurred during the reporting period. The report shall be combined with the report required under section 168A.1501, subdivision 5a, paragraph (c). Section 3.195 applies to this paragraph.

(d) For purposes of this subdivision, "transaction" means an entry into the automated property system of a new record or records containing the information required under subdivision 1b per seller.

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***Laws 2014, chapter 190, section 10***

**Sec. 10. ENFORCEMENT; GRACE PERIOD.**

The requirements of Minnesota Statutes, sections 168A.1501, subdivision 5; and 325E.21, subdivision 1c, may not be enforced until May 15, 2016.

***Laws 2014, chapter 190, section 11***

**Sec. 11. EFFECTIVE DATE; LOCAL APPROVAL.**

Sections 2 and 5 are effective the day after the governing body of the city of Minneapolis and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.