



# STATE OF MINNESOTA

## Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 30, 2017

The Honorable Kurt Daudt  
Speaker of the House  
State Office Building, Room 463  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
Saint Paul, Minnesota 55155

Dear Speaker Daudt:

On the advice of my General Counsel, to ensure there are no legal challenges, I am signing Chapter 95, House File 470.

I believe funding Public Safety is not an optional matter and must be done to keep Minnesotans safe. As my Commissioners have stated routinely, there were no bells and whistles in my original budget. Every request was a need. Some of them, you approved:

- **\$38 million for The Department of Corrections (DOC) Employee Compensation:**  
This funding will allow Commissioner Roy to maintain 200-250 positions and avoid layoffs.
- **\$4.3 million for food and utilities operating costs at DOC:**  
This funding will go towards the State's statutory obligation to feed and house offenders in Minnesota's correctional facilities.
- **\$11.4 million for offender health care:**  
This is another obligation of the state and is crucial to keeping offenders and staff in facilities healthy. This also helps address the rising costs of Hepatitis C, which is rising at alarming rate in facilities.
- **\$1.1 million for the enforcement of the Prison Rape Elimination Act (PREA)**  
This funding will ensure DOC complies with the federal PREA regulations. Failure to comply could have resulted in financial penalties and ineligibility for certain federal funds.
- **\$6.4 million for Community services:**  
Allowing the DOC to pass through additional funding to counties to provided community supervision.
- **\$6.4 million for the Department of Public Safety's (DPS) operational support:**  
Without this funding, DPS would not be able to maintain current levels of service to local communities and Minnesotans ranging from supporting crime victims to assisting with natural disasters or violent crimes.
- **\$4.1 million for a replacement system for Predatory Offender Registry (POR):**  
This system holds more than 31,000 records on predatory offenders. A new system will provide more reliable, timely and accurate data to make the POR system more easily integrated with other systems.

- **\$1.4 million for more investigations staff at the Bureau of Criminal Apprehension (BCA):**  
Although this is not my full request, this funding is a start to allowing the BCA Investigations Division to provide investigative assistance to criminal justice agencies statewide.
- **\$300,000 for BCA Drug Chemistry Staff:**  
This funding will decrease the turnaround times at the drug chemistry lab and the investment will increase public safety by providing evidence for cases to move more quickly.
- **\$12 million for Police Training:**  
This funding aligns with the recommendations of the Governor's Council on Law Enforcement and Community Relations and provides training for law enforcement officers across the state on de-escalation and crisis intervention training.
- **Additional funding for the courts:**  
The amount funded is not the full courts ask, but allows them to maintain a well-functioning court system.

I appreciate the work of the legislature and leaders. However, I am disappointed that the following items initiatives that I believe to be very important were not funded:

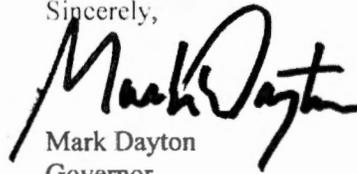
- **\$3.1 million for Mental Health Services and \$3.7 million for restrictive housing reform at DOC:** With this funding, DOC would have been able to increase their mental health programming, counseling and cognitive skills development. This is extremely necessary as DOC has seen a 20% increase in the number of offenders with a mental illness.
- **\$6 million for DOC Security Staffing and Security Systems Upgrades:** Adequate security coverage is paramount to operating a safe and secure prison. This funding would have hired additional correctional officers and updated or replaced security systems.
- **\$2 million for additional Medical and Nursing at DOC facilities:** Funding for medical and nursing services would have increased on-site clinical services, mitigate overtime, accommodate the medical needs of offenders in special programming and expand 24/7 nursing services at one additional correctional facility.
- **\$3.5 million for offender case management at DOC:** This funding would have increased the provision of integrated case management services that are effective in reducing recidivism for high risk offenders.
- **\$200,000 for a Drug Monitoring Analyst at the BCA:** This investment would have further supported public safety partners with addressing the growing opioid epidemic.
- **\$20 million for the Disaster Contingency Account:** Because there was no immediate resources into the Disaster Contingency Account, local governments will have to wait until a special session is called to approve emergency funding during a natural disaster.

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Finally, there is one policy provision that I am particularly disappointed in: the DPS rulemaking prohibition. As I have said continuously, this provision is not necessary as DPS does not have the authority to engage in rulemaking. I still strongly support any legislation that gives DPS express authority to engage in rulemaking to create a path for Driver's Licenses for All. It is my hope that the legislature will look at this issue on its own and work to pass a bill. This is a public safety issue that needs to be addressed and has broad support.

In closing, I again thank you for funding the core operations of my agencies and hope that we can revisit some of my other funding requests in the future.

Sincerely,

A handwritten signature in black ink that reads "Mark Dayton". The signature is written in a cursive, flowing style.

Mark Dayton  
Governor

cc: Senator Michelle L. Fischbach, President of the Senate  
Senator Paul E. Gazelka, Senate Majority Leader  
Senator Thomas M. Bakk, Senate Minority Leader  
Senator Scott J. Newman, Minnesota Senate  
Representative Melissa Hortman, House Minority Leader  
Representative Paul Torkelson, House of Representatives  
The Honorable Steve Simon, Secretary of State  
Mr. Cal R. Ludeman, Secretary of the Senate  
Mr. Patrick Murphy, Chief Clerk of the House of Representatives  
Mr. Paul Marinac, Revisor of Statutes

## AN ACT

1.1  
1.2 relating to public safety; modifying certain provisions relating to courts, public  
1.3 safety, corrections, crime, and controlled substances; requesting reports; providing  
1.4 for penalties; appropriating money for public safety, courts, corrections, Guardian  
1.5 Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board  
1.6 of Public Defense, Sentencing Guidelines, Peace Officer Standards and Training  
1.7 (POST) Board, and Private Detective Board; amending Minnesota Statutes 2016,  
1.8 sections 2.722, subdivision 1; 3.739, subdivision 1; 12.221, subdivision 6; 12B.15,  
1.9 subdivision 2; 13.69, subdivision 1; 152.02, subdivisions 2, 12, by adding a  
1.10 subdivision; 152.105; 171.015, by adding a subdivision; 243.05, subdivision 1;  
1.11 243.17, subdivision 1; 243.49; 244.05, subdivision 3; 244.198, by adding a  
1.12 subdivision; 271.21, subdivision 2; 299A.55, subdivision 2; 299A.707, subdivision  
1.13 2; 299C.46, subdivision 6; 357.021, subdivision 2; 357.42; 358.116; 480.242,  
1.14 subdivision 2; 484.70, subdivision 7; 484.702, by adding a subdivision; 486.05,  
1.15 subdivision 1; 486.06; 518.179, subdivision 2; 609.14, by adding a subdivision;  
1.16 609.475; 609.48, by adding a subdivision; 609.595, subdivisions 1, 2, by adding  
1.17 a subdivision; 609.605, by adding a subdivision; 609.748, subdivisions 3, 3a, 4,  
1.18 5, by adding subdivisions; 624.714, subdivision 17; 631.52, subdivision 2; 634.36;  
1.19 Laws 2009, chapter 59, article 3, section 4, subdivisions 3, as amended, 8, as  
1.20 amended, 9, as amended; proposing coding for new law in Minnesota Statutes,  
1.21 chapters 134A; 609; 626; repealing Minnesota Statutes 2016, sections 486.05,  
1.22 subdivision 1a; 525.112.

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

### 1.24 ARTICLE 1

### 1.25 APPROPRIATIONS

#### 1.26 Section 1. APPROPRIATIONS.

1.27 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
1.28 and for the purposes specified in this article. The appropriations are from the general fund,  
1.29 or another named fund, and are available for the fiscal years indicated for each purpose.  
1.30 The figures "2018" and "2019" used in this article mean that the appropriations listed under

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

2.5	<b><u>APPROPRIATIONS</u></b>		
2.6	<b><u>Available for the Year</u></b>		
2.7	<b><u>Ending June 30</u></b>		
2.8	<b><u>2017</u></b>	<b><u>2018</u></b>	<b><u>2019</u></b>
2.9 <b><u>Sec. 2. SUPREME COURT</u></b>			
2.10	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 51,036,000</u></b>	<b><u>\$ 53,419,000</u></b>
2.11	<u>The amounts that may be spent for each</u>		
2.12	<u>purpose are specified in the following</u>		
2.13	<u>subdivisions.</u>		
2.14	<b><u>Subd. 2. Supreme Court Operations</u></b>	<b><u>37,316,000</u></b>	<b><u>39,699,000</u></b>
2.15	<b><u>(a) Contingent Account</u></b>		
2.16	<u>\$5,000 each year is for a contingent account</u>		
2.17	<u>for expenses necessary for the normal</u>		
2.18	<u>operation of the court for which no other</u>		
2.19	<u>reimbursement is provided.</u>		
2.20	<b><u>(b) Judges' Compensation</u></b>		
2.21	<u>Judges' compensation is increased by two and</u>		
2.22	<u>one-half percent each year.</u>		
2.23	<b><u>(c) Harassment Restraining Orders</u></b>		
2.24	<u>\$993,000 the second year is to implement the</u>		
2.25	<u>changes related to harassment restraining</u>		
2.26	<u>orders required in article 3. The base for this</u>		
2.27	<u>activity is \$993,000 in fiscal years 2020 and</u>		
2.28	<u>2021, and \$0 in fiscal year 2022 and thereafter.</u>		
2.29	<b><u>(d) Information Security and Risk</u></b>		
2.30	<b><u>Management</u></b>		
2.31	<u>\$984,000 each year is for an information</u>		
2.32	<u>security and risk management program.</u>		
2.33	<b><u>Subd. 3. Civil Legal Services</u></b>	<b><u>13,720,000</u></b>	<b><u>13,720,000</u></b>



4.1	<u>\$1,689,000 each year is for treatment courts</u>			
4.2	<u>stability.</u>			
4.3	<b>Sec. 5. <u>GUARDIAN AD LITEM BOARD</u></b>	<b>\$</b>	<b><u>16,157,000</u></b>	<b>\$ <u>16,713,000</u></b>
4.4	<u><b>Compliance Positions. \$400,000 the first year</b></u>			
4.5	<u><b>and \$600,000 the second year are for new</b></u>			
4.6	<u><b>positions to maintain compliance with federal</b></u>			
4.7	<u><b>and state mandates.</b></u>			
4.8	<b>Sec. 6. <u>TAX COURT</u></b>	<b>\$</b>	<b><u>1,679,000</u></b>	<b>\$ <u>1,676,000</u></b>
4.9	<u>\$256,000 each year is for a case management</u>			
4.10	<u>system.</u>			
4.11	<b>Sec. 7. <u>UNIFORM LAWS COMMISSION</u></b>	<b>\$</b>	<b><u>93,000</u></b>	<b>\$ <u>93,000</u></b>
4.12	<b>Sec. 8. <u>BOARD ON JUDICIAL STANDARDS</u></b>	<b>\$</b>	<b><u>486,000</u></b>	<b>\$ <u>486,000</u></b>
4.13	<u><b>Major Disciplinary Actions. \$125,000 each</b></u>			
4.14	<u><b>year is for special investigative and hearing</b></u>			
4.15	<u><b>costs for major disciplinary actions undertaken</b></u>			
4.16	<u><b>by the board. This appropriation does not</b></u>			
4.17	<u><b>cancel. Any unencumbered and unspent</b></u>			
4.18	<u><b>balances remain available for these</b></u>			
4.19	<u><b>expenditures until June 30, 2021.</b></u>			
4.20	<b>Sec. 9. <u>BOARD OF PUBLIC DEFENSE</u></b>	<b>\$</b>	<b><u>85,949,000</u></b>	<b>\$ <u>88,310,000</u></b>
4.21	<u><b>New Attorneys</b></u>			
4.22	<u><b>\$500,000 the first year and \$1,000,000 the</b></u>			
4.23	<u><b>second year are for additional public</b></u>			
4.24	<u><b>defenders.</b></u>			
4.25	<b>Sec. 10. <u>SENTENCING GUIDELINES</u></b>	<b>\$</b>	<b><u>655,000</u></b>	<b>\$ <u>669,000</u></b>
4.26	<b>Sec. 11. <u>PUBLIC SAFETY</u></b>			
4.27	<b>Subdivision 1. <u>Total Appropriation</u></b>	<b>\$</b>	<b><u>195,084,000</u></b>	<b>\$ <u>195,381,000</u></b>
4.28	<u><b>Appropriations by Fund</b></u>			

5.1		<u>2018</u>	<u>2019</u>
5.2	<u>General</u>	<u>101,775,000</u>	<u>101,853,000</u>
5.3	<u>Special Revenue</u>	<u>13,572,000</u>	<u>13,712,000</u>
5.4	<u>State Government</u>		
5.5	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
5.6	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>
5.7	<u>Trunk Highway</u>	<u>2,374,000</u>	<u>2,419,000</u>
5.8	<u>911 Fund</u>	<u>77,187,000</u>	<u>77,221,000</u>
5.9	<u>The amounts that may be spent for each</u>		
5.10	<u>purpose are specified in the following</u>		
5.11	<u>subdivisions.</u>		
5.12	<b><u>Subd. 2. Emergency Management</u></b>	<u>5,575,000</u>	<u>4,232,000</u>
5.13	<u>Appropriations by Fund</u>		
5.14	<u>General</u>	<u>3,977,000</u>	<u>2,634,000</u>
5.15	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>
5.16	<u>Special Revenue</u>		
5.17	<u>Fund</u>	<u>1,525,000</u>	<u>1,525,000</u>
5.18	<b><u>(a) Hazmat and Chemical Assessment</u></b>		
5.19	<b><u>Teams</u></b>		
5.20	<u>\$850,000 each year is from the fire safety</u>		
5.21	<u>account in the special revenue fund. These</u>		
5.22	<u>amounts must be used to fund the hazardous</u>		
5.23	<u>materials and chemical assessment teams. Of</u>		
5.24	<u>this amount, \$100,000 the first year is for</u>		
5.25	<u>cases for which there is no identified</u>		
5.26	<u>responsible party.</u>		
5.27	<b><u>(b) Emergency Response Teams</u></b>		
5.28	<u>\$675,000 each year is from the fire safety</u>		
5.29	<u>account in the special revenue fund to maintain</u>		
5.30	<u>four emergency response teams: one under the</u>		
5.31	<u>jurisdiction of the St. Cloud Fire Department</u>		
5.32	<u>or a similarly located fire department if</u>		
5.33	<u>necessary; one under the jurisdiction of the</u>		
5.34	<u>Duluth Fire Department; one under the</u>		
5.35	<u>jurisdiction of the St. Paul Fire Department;</u>		

6.1 and one under the jurisdiction of the Moorhead  
6.2 Fire Department. The commissioner must  
6.3 allocate the appropriation as follows: (1)  
6.4 \$225,000 each year to the St. Cloud Fire  
6.5 Department; (2) \$225,000 each year to the  
6.6 Duluth Fire Department; (3) \$125,000 each  
6.7 year to the St. Paul Fire Department; and (4)  
6.8 \$100,000 each year to the Moorhead Fire  
6.9 Department. These are onetime appropriations.

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

6.11 \$1,250,000 the first year is from the general  
6.12 fund for distribution to Roseau County for  
6.13 reimbursement of costs to repair public  
6.14 infrastructure damaged by the 1999 and 2002  
6.15 floods.

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

6.17 \$150,000 the first year is from the general fund  
6.18 for supplemental nonprofit security grants  
6.19 under this paragraph.

6.20 Nonprofit organizations whose applications  
6.21 for funding through the Federal Emergency  
6.22 Management Agency's nonprofit security grant  
6.23 program have been approved by the Division  
6.24 of Homeland Security and Emergency  
6.25 Management are eligible for grants under this  
6.26 paragraph. No additional application shall be  
6.27 required for grants under this paragraph, and  
6.28 an application for a grant from the federal  
6.29 program is also an application for funding  
6.30 from the state supplemental program.

6.31 Eligible organizations may receive grants of  
6.32 up to \$75,000, except that the total received  
6.33 by any individual from both the federal  
6.34 nonprofit security grant program and the state

7.1 supplemental nonprofit security grant program  
 7.2 shall not exceed \$75,000. Grants shall be  
 7.3 awarded in an order consistent with the  
 7.4 ranking given to applicants for the federal  
 7.5 nonprofit security grant program. No grants  
 7.6 under the state supplemental nonprofit security  
 7.7 grant program shall be awarded until the  
 7.8 announcement of the recipients and the  
 7.9 amount of the grants awarded under the federal  
 7.10 nonprofit security grant program.

7.11 The commissioner may use up to one percent  
 7.12 of the appropriation received under this  
 7.13 paragraph to pay costs incurred by the  
 7.14 department in administering the supplemental  
 7.15 nonprofit security grant program.

7.16 **(e) Bomb Squad Reimbursements**

7.17 \$50,000 each year is from the general fund for  
 7.18 reimbursements to local governments for  
 7.19 bomb squad services.

7.20 **Subd. 3. Criminal Apprehension** 58,778,000      59,738,000

	<u>Appropriations by Fund</u>	
7.22 <u>General</u>	<u>56,397,000</u>	<u>57,312,000</u>
7.23 <u>State Government</u>		
7.24 <u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
7.25 <u>Trunk Highway</u>	<u>2,374,000</u>	<u>2,419,000</u>

7.26 **(a) DWI Lab Analysis; Trunk Highway**

7.27 **Fund**

7.28 Notwithstanding Minnesota Statutes, section  
 7.29 161.20, subdivision 3, \$2,374,000 the first  
 7.30 year and \$2,419,000 the second year are from  
 7.31 the trunk highway fund for laboratory analysis  
 7.32 related to driving-while-impaired cases.

7.33 **(b) Predatory Registration System**

8.1 \$2,100,000 the first year and \$2,000,000 the  
8.2 second year are to be used to build the  
8.3 predatory registration system. This  
8.4 appropriation is available until June 30, 2020.  
8.5 The base for fiscal year 2020 and thereafter is  
8.6 \$400,000 to maintain the system.

8.7 **(c) BCA Investment Initiative**

8.8 \$1,331,000 the first year and \$1,332,000 the  
8.9 second year are:

8.10 (1) for additional firearms examiners;

8.11 (2) for additional staff in the drug chemistry  
8.12 lab;

8.13 (3) for criminal investigators; and

8.14 (4) for maintenance of the criminal history  
8.15 system.

8.16 **(d) Harassment Restraining Orders**

8.17 \$169,000 the second year is for the Bureau of  
8.18 Criminal Apprehension to implement the  
8.19 changes related to harassment restraining  
8.20 orders required in article 3. The base for this  
8.21 activity is \$47,000 in fiscal year 2020 and  
8.22 thereafter.

8.23 **Subd. 4. Fire Marshal**

6,274,000

6,408,000

8.24 Appropriations by Fund

8.25 Special Revenue                      6,274,000                      6,408,000

8.26 The special revenue fund appropriation is from  
8.27 the fire safety account in the special revenue  
8.28 fund and is for activities under Minnesota  
8.29 Statutes, section 299F.012.

8.30 **Inspections**

8.31 \$300,000 each year is for inspection of nursing  
8.32 homes and boarding care facilities.

9.1	<b><u>Subd. 5. Firefighter Training and Education</u></b>		
9.2	<b><u>Board</u></b>		<b><u>5,015,000</u></b>
			<b><u>5,015,000</u></b>
9.3	<u>Appropriations by Fund</u>		
9.4	<u>Special Revenue</u>	<u>5,015,000</u>	<u>5,015,000</u>
9.5	<u>The special revenue fund appropriation is from</u>		
9.6	<u>the fire safety account in the special revenue</u>		
9.7	<u>fund and is for activities under Minnesota</u>		
9.8	<u>Statutes, section 299F.012.</u>		
9.9	<b><u>(a) Firefighter Training and Education</u></b>		
9.10	<u>\$4,265,000 each year is for firefighter training</u>		
9.11	<u>and education.</u>		
9.12	<b><u>(b) Task Force 1</u></b>		
9.13	<u>\$500,000 each year is for the Minnesota Task</u>		
9.14	<u>Force 1.</u>		
9.15	<b><u>(c) Air Rescue</u></b>		
9.16	<u>\$250,000 each year is for the Minnesota Air</u>		
9.17	<u>Rescue Team.</u>		
9.18	<b><u>(d) Unappropriated Revenue</u></b>		
9.19	<u>Any additional unappropriated money</u>		
9.20	<u>collected in fiscal year 2017 is appropriated</u>		
9.21	<u>to the commissioner of public safety for the</u>		
9.22	<u>purposes of Minnesota Statutes, section</u>		
9.23	<u>299F.012. The commissioner may transfer</u>		
9.24	<u>appropriations and base amounts between</u>		
9.25	<u>activities in this subdivision.</u>		
9.26	<b><u>Subd. 6. Alcohol and Gambling Enforcement</u></b>		<b><u>2,675,000</u></b>
			<b><u>2,731,000</u></b>
9.27	<u>Appropriations by Fund</u>		
9.28	<u>General</u>	<u>1,917,000</u>	<u>1,967,000</u>
9.29	<u>Special Revenue</u>	<u>758,000</u>	<u>764,000</u>
9.30	<u>\$688,000 the first year and \$694,000 the</u>		
9.31	<u>second year are from the alcohol enforcement</u>		
9.32	<u>account in the special revenue fund. Of this</u>		

- 10.1 appropriation, \$500,000 each year shall be  
 10.2 transferred to the general fund.
- 10.3 \$70,000 each year is from the lawful gambling  
 10.4 regulation account in the special revenue fund.
- 10.5 **Field Agents**
- 10.6 \$180,000 each year is from the general fund  
 10.7 for field agents.
- |  |                   |                   |
|--|-------------------|-------------------|
| 10.8 <b><u>Subd. 7. Office of Justice Programs</u></b> | <u>39,580,000</u> | <u>40,036,000</u> |
|--|-------------------|-------------------|
- 10.9 Appropriations by Fund
- |                               |                   |                   |
|-------------------------------|-------------------|-------------------|
| 10.10 <u>General</u>          | <u>39,484,000</u> | <u>39,940,000</u> |
| 10.11 <u>State Government</u> |                   |                   |
| 10.12 <u>Special Revenue</u>  | <u>96,000</u>     | <u>96,000</u>     |
- 10.13 **(a) OJP Administration Costs**
- 10.14 Up to 2.5 percent of the grant funds  
 10.15 appropriated in this subdivision may be used  
 10.16 by the commissioner to administer the grant  
 10.17 program.
- 10.18 **(b) Combating Terrorism Recruitment**
- 10.19 \$250,000 each year is for grants to local law  
 10.20 enforcement agencies to develop strategies  
 10.21 and make efforts to combat the recruitment of  
 10.22 Minnesota residents by terrorist organizations  
 10.23 such as ISIS and al-Shabaab. This is a onetime  
 10.24 appropriation.
- 10.25 **(c) Sex Trafficking Prevention Grants**
- 10.26 \$180,000 each year is for grants to state and  
 10.27 local units of government for the following  
 10.28 purposes:
- 10.29 (1) to support new or existing  
 10.30 multijurisdictional entities to investigate sex  
 10.31 trafficking crimes; and

- 11.1 (2) to provide technical assistance, including  
11.2 training and case consultation, to law  
11.3 enforcement agencies statewide.
- 11.4 **(d) Pathway to Policing Reimbursement Grants**
- 11.5 \$400,000 the second year is for reimbursement  
11.6 grants to local units of government that operate  
11.7 pathway to policing programs intended to  
11.8 bring persons with nontraditional backgrounds  
11.9 into law enforcement. Applicants for  
11.10 reimbursement grants may receive up to 50  
11.11 percent of the cost of compensating and  
11.12 training pathway to policing participants.
- 11.13 Reimbursement grants shall be proportionally  
11.14 allocated based on the number of grant  
11.15 applications approved by the commissioner.
- 11.16 **Subd. 8. Emergency Communication Networks**                      77,187,000                      77,221,000
- 11.17 This appropriation is from the state  
11.18 government special revenue fund for 911  
11.19 emergency telecommunications services.
- 11.20 This appropriation includes funds for  
11.21 information technology project services and  
11.22 support subject to the provisions of Minnesota  
11.23 Statutes, section 16E.0466. Any ongoing  
11.24 information technology costs will be  
11.25 incorporated into the service level agreement  
11.26 and will be paid to the Office of MN.IT  
11.27 Services by the Department of Public Safety  
11.28 under the rates and mechanism specified in  
11.29 that agreement.
- 11.30 **(a) Public Safety Answering Points**
- 11.31 \$13,664,000 each year is to be distributed as  
11.32 provided in Minnesota Statutes, section  
11.33 403.113, subdivision 2.
- 11.34 **(b) Medical Resource Communication Centers**

12.1 \$683,000 each year is for grants to the  
12.2 Minnesota Emergency Medical Services  
12.3 Regulatory Board for the Metro East and  
12.4 Metro West Medical Resource  
12.5 Communication Centers that were in operation  
12.6 before January 1, 2000.

12.7 **(c) ARMER Debt Service**

12.8 \$23,261,000 each year is to the commissioner  
12.9 of management and budget to pay debt service  
12.10 on revenue bonds issued under Minnesota  
12.11 Statutes, section 403.275.

12.12 Any portion of this appropriation not needed  
12.13 to pay debt service in a fiscal year may be used  
12.14 by the commissioner of public safety to pay  
12.15 cash for any of the capital improvements for  
12.16 which bond proceeds were appropriated by  
12.17 Laws 2005, chapter 136, article 1, section 9,  
12.18 subdivision 8; or Laws 2007, chapter 54,  
12.19 article 1, section 10, subdivision 8.

12.20 **(d) ARMER State Backbone Operating**

12.21 **Costs**

12.22 \$9,650,000 each year is to the commissioner  
12.23 of transportation for costs of maintaining and  
12.24 operating the statewide radio system  
12.25 backbone.

12.26 **(e) ARMER Improvements**

12.27 \$1,000,000 each year is to the Statewide  
12.28 Emergency Communications Board for  
12.29 improvements to those elements of the  
12.30 statewide public safety radio and  
12.31 communication system that support mutual  
12.32 aid communications and emergency medical  
12.33 services or provide interim enhancement of  
12.34 public safety communication interoperability



14.1 base for this activity is \$6,000,000 in fiscal  
 14.2 years 2020 and 2021, and \$0 in fiscal year  
 14.3 2022 and thereafter.

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

14.5 \$100,000 each year is from the peace officer  
 14.6 training account in the special revenue fund  
 14.7 for training state and local community safety  
 14.8 personnel in the use of crisis de-escalation  
 14.9 techniques. When selecting a service provider  
 14.10 for this training, the board may consult with  
 14.11 any postsecondary institution, any state or  
 14.12 local governmental official, or any  
 14.13 nongovernmental authority the board  
 14.14 determines to be relevant. Among any other  
 14.15 criteria the board may establish, the training  
 14.16 provider must have a demonstrated  
 14.17 understanding of the transitions and challenges  
 14.18 that veterans may experience during their  
 14.19 re-entry into society following combat service.

14.20 The board must ensure that training  
 14.21 opportunities provided are reasonably  
 14.22 distributed statewide.

14.23	Sec. 13. <b><u>PRIVATE DETECTIVE BOARD</u></b>	\$	<u>191,000</u>	\$	<u>192,000</u>
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14.24 **Sec. 14. CORRECTIONS**

14.25	<b><u>Subdivision 1. Total</u></b>				
14.26	<b><u>Appropriation</u></b>	\$	<u>9,200,000</u>	\$	<u>585,142,000</u>
				\$	<u>585,143,000</u>

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

14.30 **Subd. 2. Correctional**  
 14.31 **Institutions**

		<u>9,200,000</u>	<u>427,891,000</u>	<u>426,867,000</u>
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14.32 **(a) Offender Health Care**

15.1 \$9,200,000 in fiscal year 2017 is to fund a  
15.2 deficiency in the base budget for the offender  
15.3 health care contract.

15.4 \$11,400,000 the first year is for the offender  
15.5 health care contract.

15.6 Prior to entering into a new health care  
15.7 contract, the commissioner must identify and  
15.8 directly solicit bids from at least five health  
15.9 care organizations that provide, or are willing  
15.10 to provide, health care to prison inmates. In  
15.11 the department's next report required under  
15.12 Minnesota Statutes, section 241.016, after  
15.13 entering a new health care contract, the  
15.14 commissioner shall:

15.15 (1) provide the names and a summary of each  
15.16 bid proposal from the health care organizations  
15.17 that submitted a proposal to provide health  
15.18 care to state inmates; and

15.19 (2) explain, in detail, why the commissioner  
15.20 selected the chosen provider.

15.21 The base for increased offender health care is  
15.22 \$5,628,000 in fiscal year 2020 and thereafter.

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

15.24 \$500,000 the first year and \$631,000 the  
15.25 second year are to comply with requirements  
15.26 of the federal Prison Rape Elimination Act.

15.27 The commissioner must limit the number of  
15.28 juveniles accepted at MCF-Red Wing so that  
15.29 the staffing-to-offender ratio at the facility  
15.30 complies with the act.

15.31 **(c) Operational Costs**

15.32 \$2,150,000 each year is to increase the  
15.33 relevant base budgets for operational costs

- 16.1 including offender food, plant operations, and  
16.2 lease of space.
- 16.3 **(d) Critical Technology**
- 16.4 \$2,969,000 each year is to support critical  
16.5 technology needs.
- 16.6 **Subd. 3. Community Services** 129,498,000 130,218,000
- 16.7 **(a) DOC Supervision Services**
- 16.8 \$696,000 each year is for Department of  
16.9 Corrections probation and supervised release  
16.10 agents.
- 16.11 **(b) Community Corrections Act**
- 16.12 \$2,100,000 each year is added to the  
16.13 Community Corrections Act subsidy, as  
16.14 described in Minnesota Statutes, section  
16.15 401.14.
- 16.16 **(c) County Probation Officer**
- 16.17 **Reimbursement**
- 16.18 \$230,000 each year is added to the county  
16.19 probation officers reimbursement, as described  
16.20 in Minnesota Statutes, section 244.19,  
16.21 subdivision 6.
- 16.22 **(d) Alternatives to Incarceration Pilot Program**
- 16.23 **Fund**
- 16.24 \$160,000 each year is to fund grants to  
16.25 facilitate access to community treatment  
16.26 options under article 3, section 30.
- 16.27 **(e) Critical Technology Needs**
- 16.28 \$345,000 each year is to support critical  
16.29 technology needs.
- 16.30 **Subd. 4. Operations Support** 27,753,000 28,058,000
- 16.31 **Technology Needs**

17.1 \$1,638,000 each year is to support technology  
17.2 needs.

17.3 **Sec. 15. TRANSFER; DISASTER ASSISTANCE CONTINGENCY ACCOUNT.**

17.4 (a) If the fiscal year 2017 final closing balance in the general fund exceeds the closing  
17.5 balance projected at the end of the 2017 legislative session by at least \$10,000,000, the  
17.6 commissioner of management and budget must transfer \$10,000,000 from the general fund  
17.7 to the disaster assistance contingency account established under Minnesota Statutes, section  
17.8 12.221, subdivision 6.

17.9 (b) If the fiscal year 2017 final closing balance in the general fund exceeds the closing  
17.10 balance projected at the end of the 2017 legislative session by less than \$10,000,000, the  
17.11 commissioner of management and budget must transfer an amount equal to the difference  
17.12 between the fiscal year 2017 final closing balance and the closing balance projected at the  
17.13 end of the 2017 legislative session from the general fund to the disaster assistance  
17.14 contingency account established under Minnesota Statutes, section 12.221, subdivision 6.

17.15 (c) If a transfer is required under this section, the transfer must be completed before  
17.16 September 30, 2017.

17.17 **ARTICLE 2**

17.18 **COURTS**

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

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

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

17.26 2. Ramsey; 26 judges;

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

17.30 4. Hennepin; 60 judges;

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

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

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

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

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

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

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

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

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

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

18.28 (3) Social Security numbers in driver's license and motor vehicle registration records,  
18.29 except that Social Security numbers must be provided to the Department of Revenue for  
18.30 purposes of tax administration, the Department of Labor and Industry for purposes of  
18.31 workers' compensation administration and enforcement, the judicial branch for purposes of

19.1 debt collection, and the Department of Natural Resources for purposes of license application  
19.2 administration; and

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

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

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

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

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

19.16 **Sec. 3. [134A.17] TRANSFERS TO COUNTY.**

19.17 If the Sherburne County Law Library, through its trustees, has a fiscal reserve that is  
19.18 projected to sustain its operations for a period of over five years, the Sherburne County Law  
19.19 Library may transfer up to half of the money in its fiscal reserve, but not to exceed \$200,000,  
19.20 to Sherburne County to defray costs of constructing a new building to house the law library  
19.21 and courts.

19.22 Sec. 4. Minnesota Statutes 2016, section 243.49, is amended to read:

19.23 **243.49 COMMITMENT PAPERS; DUTY OF COURT ADMINISTRATOR.**

19.24 Upon a plea of guilty or finding of guilty after trial, the court administrator of every  
19.25 court which sentences a defendant for a felony or gross misdemeanor to the custody of the  
19.26 commissioner of corrections or to the superintendent of the workhouse or work farm, shall  
19.27 provide the officer or person having custody of the defendant a certified record for  
19.28 commitment, including (1) a copy of the indictment and plea, ~~(2) a transcript of the sentencing~~  
19.29 ~~proceedings, with the date thereof, together with the defendant's statement under oath, if~~  
19.30 ~~obtained, as to the defendant's true name, residence, if any, the date and place of birth, the~~  
19.31 ~~names and addresses of parents and other relatives and of employers and others who know~~  
19.32 ~~the defendant well, social and other affiliations, past occupations and employments, former~~

20.1 ~~places of residence and the period of time and the dates the defendant has resided in each,~~  
20.2 ~~citizenship, the number, dates, places and causes of any prior convictions, and (3) if the~~  
20.3 ~~person pleaded guilty, a transcript of the sentencing proceedings.~~ The record shall also  
20.4 include the trial judge's impressions of the defendant's mental and physical condition, general  
20.5 character, capacity, disposition, habits and special needs. ~~The court reporter shall provide~~  
20.6 ~~the required transcripts.~~ The certified record for commitment may be used as evidence in  
20.7 any postconviction proceeding brought by the defendant. The court administrator shall also  
20.8 deliver to the sheriff or other officer or person conveying the defendant to the correctional  
20.9 facility, workhouse, or work farm designated by the commissioner of corrections or the  
20.10 judge a warrant of commitment together with a certified copy of the warrant directing the  
20.11 conveyor to deliver the person and the certified record for commitment to the principal  
20.12 officer in charge of the correctional facility, workhouse, or work farm. Upon the delivery  
20.13 of any person, the principal officer in charge of the correctional facility, workhouse, or work  
20.14 farm shall keep the certified copy of the warrant of commitment and endorse the principal  
20.15 officer's receipt upon the original, which shall be filed with the sentencing court. The court  
20.16 administrator shall retain ~~one copy of the required transcripts, and a tape recording and the~~  
20.17 court reporter's notes of all ~~other~~ proceedings.

20.18 Sec. 5. Minnesota Statutes 2016, section 271.21, subdivision 2, is amended to read:

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

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

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

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

20.26 (iii) the entire property is classified as agricultural homestead class 2a or 1b under section  
20.27 273.13; or

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

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

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

21.1 Sec. 6. Minnesota Statutes 2016, section 299A.707, subdivision 2, is amended to read:

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

21.10 Sec. 7. Minnesota Statutes 2016, section 357.42, is amended to read:

21.11 **357.42 DRUG TREATMENT COURT FEES.**

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

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

21.19 Sec. 8. Minnesota Statutes 2016, section 358.116, is amended to read:

21.20 **358.116 COURT DOCUMENTS.**

21.21 Unless specifically required by court rule, a pleading, motion, affidavit, or other document  
21.22 filed with a court of the Minnesota judicial branch, or presented to a judge or judicial officer  
21.23 in support of a request for a court order, warrant, or other relief, is not required to be  
21.24 notarized. Signing a document filed with the court or presented to a judge or judicial officer  
21.25 constitutes "verification upon oath or affirmation" as defined in section 358.41, clause (3),  
21.26 without administration of an oath under section 358.07, provided that the signature, as  
21.27 defined by court rules, is affixed immediately below a declaration using substantially the  
21.28 following language: "I declare under penalty of perjury that everything I have stated in this  
21.29 document is true and correct." In addition to the signature, the date of signing and the county  
21.30 and state where the document was signed shall be noted on the document. A person who  
21.31 signs knowing that the document is false in any material respect is guilty of perjury under  
21.32 section 609.48, even if the date, county, and state of signing are omitted from the document.

22.1 Sec. 9. Minnesota Statutes 2016, section 480.242, subdivision 2, is amended to read:

22.2 Subd. 2. **Review of applications; selection of recipients.** At times and in accordance  
22.3 with any procedures as the Supreme Court adopts in the form of court rules, applications  
22.4 for the expenditure of civil legal services funds shall be accepted from qualified legal services  
22.5 programs or from local government agencies and nonprofit organizations seeking to establish  
22.6 qualified alternative dispute resolution programs. The applications shall be reviewed by the  
22.7 advisory committee, and the advisory committee, subject to review by the Supreme Court,  
22.8 shall distribute the funds available for this expenditure to qualified legal services programs  
22.9 or to qualified alternative dispute resolution programs submitting applications. The funds  
22.10 shall be distributed in accordance with the following formula:

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

22.21 (b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal  
22.22 services programs for the provision of legal services in civil matters to eligible clients,  
22.23 including programs which organize members of the private bar to perform services and  
22.24 programs for qualified alternative dispute resolution, (2) to programs for training mediators  
22.25 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal  
22.26 services programs to provide family farm legal assistance for financially distressed state  
22.27 farmers. The family farm legal assistance must be directed at farm financial problems  
22.28 including, but not limited to, liquidation of farm property including bankruptcy, farm  
22.29 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit  
22.30 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed  
22.31 pursuant to this clause cannot be distributed because of insufficient acceptable applications,  
22.32 the remaining funds shall be distributed pursuant to clause (a).

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

- 23.1 (1) is a state resident;
- 23.2 (2) is or has been a farmer or a family shareholder of a family farm corporation within  
23.3 the preceding 24 months;
- 23.4 (3) has a debt-to-asset ratio greater than 50 percent; and
- 23.5 ~~(4) has a reportable federal adjusted gross income of \$15,000 or less in the previous~~  
23.6 ~~year; and~~
- 23.7 ~~(5) is financially unable to retain legal representation~~ (4) satisfies the income eligibility  
23.8 guidelines established under section 480.243, subdivision 1.

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

23.11 Sec. 10. Minnesota Statutes 2016, section 484.70, subdivision 7, is amended to read:

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

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

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

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

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

23.23 (d) Review of any recommended order or finding of a referee by a judge may be by  
23.24 notice served and filed within ten days of effective notice of the recommended order or  
23.25 finding. The notice of review shall specify the grounds for review and the specific provisions  
23.26 of the recommended findings or orders disputed, and the court, upon receipt of a notice of  
23.27 review, shall set a time and place for a review hearing.

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

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

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

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

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

24.6 Sec. 11. Minnesota Statutes 2016, section 484.702, is amended by adding a subdivision  
24.7 to read:

24.8 Subd. 6. Expedited child support process. Hearings and proceedings conducted in the  
24.9 expedited child support process under this section may be reported by use of electronic  
24.10 recording equipment provided that the equipment meets the minimum standards established  
24.11 by the state court administrator. Electronic recording equipment must be operated and  
24.12 monitored by a person who meets the minimum qualifications established by the state court  
24.13 administrator.

24.14 Sec. 12. Minnesota Statutes 2016, section 486.05, subdivision 1, is amended to read:

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

24.19 Sec. 13. Minnesota Statutes 2016, section 486.06, is amended to read:

24.20 **486.06 CHARGE FOR TRANSCRIPT.**

24.21 In addition to the salary set in section 486.05, the court reporter may charge for a  
24.22 transcript of a record ordered by any person other than the judge 50 cents per original folio  
24.23 ~~thereof and ten cents per folio for each manifold or other copy thereof when so ordered that~~  
24.24 ~~it can be made with the original transcript. The chief judge of the judicial district may by~~  
24.25 ~~order establish new transcript fee ceilings annually at a rate set by the chief justice.~~

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

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

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

- 25.1 (1) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;
- 25.2 (2) manslaughter in the first degree under section 609.20;
- 25.3 (3) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
- 25.4 (4) kidnapping under section 609.25;
- 25.5 (5) depriving another of custodial or parental rights under section 609.26;
- 25.6 (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving
- 25.7 a minor under section 609.322;
- 25.8 (7) criminal sexual conduct in the first degree under section 609.342;
- 25.9 (8) criminal sexual conduct in the second degree under section 609.343;
- 25.10 (9) criminal sexual conduct in the third degree under section 609.344, subdivision 1,
- 25.11 paragraph (c), (f), or (g);
- 25.12 (10) solicitation of a child to engage in sexual conduct under section 609.352;
- 25.13 (11) incest under section 609.365;
- 25.14 (12) malicious punishment of a child under section 609.377;
- 25.15 (13) neglect of a child under section 609.378;
- 25.16 (14) terroristic threats under section 609.713; or
- 25.17 (15) felony stalking under section 609.749, subdivision 4; or
- 25.18 (16) domestic assault by strangulation under section 609.2247.

25.19 Sec. 15. Minnesota Statutes 2016, section 609.48, is amended by adding a subdivision to

25.20 read:

25.21 Subd. 5. Venue. A violation of subdivision 1, clause (4), may be prosecuted in the county

25.22 where the statement, under penalty of perjury, was signed, or the county of the district court

25.23 in which the statement was filed.

25.24 Sec. 16. Minnesota Statutes 2016, section 609.748, subdivision 4, is amended to read:

25.25 Subd. 4. **Temporary restraining order; relief by court.** (a) The court may issue a

25.26 temporary restraining order that provides any or all of the following:

- 25.27 (1) orders the respondent to cease or avoid the harassment of another person; or
- 25.28 (2) orders the respondent to have no contact with another person.

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

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

26.16 (d) The temporary restraining order is in effect until a hearing is held on the issuance of  
26.17 a restraining order under subdivision 5. The court shall hold the hearing on the issuance of  
26.18 a restraining order if the petitioner requests a hearing. The hearing may be continued by the  
26.19 court upon a showing that the respondent has not been served with a copy of the temporary  
26.20 restraining order despite the exercise of due diligence or if service is made by published  
26.21 notice under subdivision 3 and the petitioner files the affidavit required under that  
26.22 subdivision.

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

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

27.1 Sec. 17. Minnesota Statutes 2016, section 631.52, subdivision 2, is amended to read:

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

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

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

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

27.7 (4) kidnapping under section 609.25;

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

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

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

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

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

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

27.16 (11) incest under section 609.365;

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

27.18 (13) neglect of a child under section 609.378;

27.19 (14) terroristic threats under section 609.713; ~~or~~

27.20 (15) felony stalking under section 609.749; or

27.21 (16) domestic assault by strangulation under section 609.2247.

27.22 Sec. 18. Minnesota Statutes 2016, section 634.36, is amended to read:

27.23 **634.36 EVIDENCE OF VIDEOTAPES, AUDIOTAPES, OR OTHER**  
27.24 **RECORDINGS.**

27.25 In any hearing or trial of a criminal offense or petty misdemeanor or proceeding pursuant  
27.26 to section 169A.53, subdivision 3, evidence of a videotape, audiotape, or electronic or digital  
27.27 recording prepared by a peace officer, using recording equipment in a law enforcement  
27.28 vehicle or on the officer's person, while in the performance of official duties shall not be  
27.29 excluded on the ground that a written transcript of the recording was not prepared and

28.1 available at or prior to trial. As used in this section, "peace officer" has the meaning given  
28.2 in section 169A.03, subdivision 18.

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

28.5 Sec. 19. REPEALER.

28.6 Minnesota Statutes 2016, sections 486.05, subdivision 1a; and 525.112, are repealed.

### 28.7 ARTICLE 3

### 28.8 CORRECTIONS AND PUBLIC SAFETY

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

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

28.13 (1) an injury to or death of an inmate of a state, regional, or local correctional facility  
28.14 or county jail ~~who has been conditionally released and ordered to perform~~ while performing  
28.15 compensated or uncompensated work in the community for a state agency, a political  
28.16 subdivision or public corporation of this state, a nonprofit educational, medical, or social  
28.17 service agency, or a private business or individual, ~~as a condition of the release,~~ while  
28.18 performing the work;

28.19 (2) an injury to or death of a person sentenced by a court, granted a suspended sentence  
28.20 by a court, or subject to a court disposition order, and who, ~~under court order,~~ is performing  
28.21 work ~~(a) (i) in restitution, (b) (ii) in lieu of or to work off fines or court ordered,~~ court-ordered  
28.22 costs, or other statutorily authorized correctional fees, (e) (iii) in lieu of incarceration, or  
28.23 ~~(d) (iv) as a term or condition of a sentence, suspended sentence, or disposition order,~~ while  
28.24 performing the work;

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

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

29.1 Sec. 2. Minnesota Statutes 2016, section 12.221, subdivision 6, is amended to read:

29.2 Subd. 6. **Disaster assistance contingency account; appropriation.** (a) A disaster  
29.3 assistance contingency account is created in the special revenue fund in the state treasury.  
29.4 Money in the disaster assistance contingency account is appropriated to the commissioner  
29.5 of public safety to provide:

29.6 (1) cost-share for federal assistance under section 12A.15, subdivision 1;

29.7 (2) state public disaster assistance to eligible applicants under chapter 12B;

29.8 (3) cost-share for federal assistance from the Federal Highway Administration emergency  
29.9 relief program under United States Code, title 23, section 125; and

29.10 (4) cost-share for federal assistance from the United States Department of Agriculture,  
29.11 Natural Resources Conservation Service emergency watershed protection program under  
29.12 United States Code, title 16, sections 2203 to 2205.

29.13 (b) For appropriations under paragraph (a), clause (1), the amount appropriated is 100  
29.14 percent of any nonfederal share for state agencies ~~and~~, local governments, and utility  
29.15 cooperatives. Money appropriated under paragraph (a), clause (1), may be used to pay all  
29.16 or a portion of the nonfederal share for publicly owned capital improvement projects.

29.17 (c) For appropriations under paragraph (a), clause (2), the amount appropriated is the  
29.18 amount required to pay eligible claims under chapter 12B, as certified by the commissioner  
29.19 of public safety.

29.20 (d) By January 15 of each year, the commissioner of management and budget shall  
29.21 submit a report to the chairs and ranking minority members of the house of representatives  
29.22 Ways and Means Committee and the senate Finance Committee detailing state disaster  
29.23 assistance appropriations and expenditures under this subdivision during the previous  
29.24 calendar year.

29.25 (e) The governor's budget proposal submitted to the legislature under section 16A.11  
29.26 must include recommended appropriations to the disaster assistance contingency account.  
29.27 The governor's appropriation recommendations must be informed by the commissioner of  
29.28 public safety's estimate of the amount of money that will be necessary to:

29.29 (1) provide 100 percent of the nonfederal share for state agencies ~~and~~, local governments,  
29.30 and utility cooperatives that will receive federal financial assistance from FEMA during  
29.31 the next biennium; and

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

30.1 (f) Notwithstanding section 16A.28:

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

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

30.6 Sec. 3. Minnesota Statutes 2016, section 12B.15, subdivision 2, is amended to read:

30.7 Subd. 2. **Applicant.** "Applicant" means a local government or, state government agency,  
30.8 or utility cooperative that applies for state disaster assistance under this chapter.

30.9 Sec. 4. Minnesota Statutes 2016, section 152.105, is amended to read:

30.10 **152.105 DISPOSAL.**

30.11 Subdivision 1. Disposal of controlled substances. Controlled substances listed in section  
30.12 152.02, subdivisions 3 to 6, may be collected and disposed of only pursuant to the provisions  
30.13 of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305, 1307, and 1317, that  
30.14 are applicable to the disposal of controlled substances. Disposal of controlled substances  
30.15 and legend and nonlegend drugs must also comply with the requirements of section 116.07  
30.16 governing the disposal of hazardous waste, and the rules promulgated thereunder.

30.17 Subd. 2. Sheriff to maintain collection receptacle. The sheriff of each county shall  
30.18 maintain or contract for the maintenance of at least one collection receptacle for the disposal  
30.19 of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs,  
30.20 as permitted by federal law. For purposes of this section, "legend drug" has the meaning  
30.21 given in section 151.01, subdivision 17. The collection receptacle must comply with federal  
30.22 law. In maintaining and operating the collection receptacle, the sheriff shall follow all  
30.23 applicable provisions of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305,  
30.24 1307, and 1317, as amended through May 1, 2017.

30.25 Sec. 5. Minnesota Statutes 2016, section 171.015, is amended by adding a subdivision to  
30.26 read:

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

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

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

31.2 Sec. 6. Minnesota Statutes 2016, section 243.05, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

32.26 (h) Unless the district court directs otherwise, state parole and probation agents may  
32.27 require a person who is under the supervision of the commissioner of corrections to perform  
32.28 community work service for violating a condition of probation imposed by the court.  
32.29 Community work service may be imposed for the purpose of protecting the public, to aid  
32.30 the offender's rehabilitation, or both. Agents may impose up to eight hours of community  
32.31 work service for each violation and up to a total of 24 hours per offender per 12-month  
32.32 period, beginning with the date on which community work service is first imposed. The  
32.33 commissioner may authorize an additional 40 hours of community work services, for a total  
32.34 of 64 hours per offender per 12-month period, beginning with the date on which community

33.1 work service is first imposed. At the time community work service is imposed, parole and  
33.2 probation agents are required to provide written notice to the offender that states:

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

33.7 An offender may challenge the imposition of community work service by filing a petition  
33.8 in district court. An offender must file the petition within five days of receiving written  
33.9 notice that community work service is being imposed. If the offender challenges the  
33.10 imposition of community work service, the state bears the burden of showing, by a  
33.11 preponderance of the evidence, that the imposition of community work service is reasonable  
33.12 under the circumstances.

33.13 Community work service includes sentencing to service.

33.14 (i) Prior to revoking a nonviolent controlled substance offender's parole or probation  
33.15 based on a technical violation, when the offender does not present a risk to the public and  
33.16 the offender is amenable to continued supervision in the community, a parole or probation  
33.17 agent must identify community options to address and correct the violation including, but  
33.18 not limited to, inpatient chemical dependency treatment. If a probation or parole agent  
33.19 determines that community options are appropriate, the agent shall seek to restructure the  
33.20 offender's terms of release to incorporate those options. If an offender on probation stipulates  
33.21 in writing to restructure the terms of release, a probation agent must forward a report to the  
33.22 district court containing:

- 33.23 (1) the specific nature of the technical violation of probation;
- 33.24 (2) the recommended restructure to the terms of probation; and
- 33.25 (3) a copy of the offender's signed stipulation indicating that the offender consents to  
33.26 the restructuring of probation.

33.27 The recommended restructuring of probation becomes effective when confirmed by a  
33.28 judge. The order of the court shall be proof of such confirmation and amend the terms of  
33.29 the sentence imposed by the court under section 609.135. If a nonviolent controlled substance  
33.30 offender's parole or probation is revoked, the offender's agent must first attempt to place  
33.31 the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance  
33.32 offender" is a person who meets the criteria described under section 244.0513, subdivision  
33.33 2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order

34.1 of probation or a condition of parole, except an allegation of a subsequent criminal act that  
34.2 is alleged in a formal complaint, citation, or petition.

34.3 Sec. 7. Minnesota Statutes 2016, section 243.17, subdivision 1, is amended to read:

34.4 Subdivision 1. **Allowed expenses.** ~~The necessary expenses of sheriffs and other peace~~  
34.5 ~~officers~~ commissioner of management and budget shall pay out of the state treasury to the  
34.6 commissioner of corrections each fiscal year the amount necessary to offset expenses  
34.7 incurred in conveying to convey convicted persons and children adjudicated delinquent and  
34.8 committed to the custody of the commissioner of corrections to the appropriate adult or  
34.9 juvenile correctional facility as designated by the commissioner of corrections, including  
34.10 per diem and expenses of correctional officers, shall be allowed by the commissioner of  
34.11 management and budget and paid out of the state treasury. The commissioner of management  
34.12 and budget may allow and pay for the necessary expenses incurred by the sheriff, deputy,  
34.13 or other peace officer in going to and returning from the correctional facility and \$10 per  
34.14 day for each correctional officer. Not more than one correctional officer shall be allowed  
34.15 for one prisoner, but one additional correctional officer shall be allowed for every two  
34.16 additional prisoners. All bills shall be in writing, fully itemized, verified, and accompanied  
34.17 by the receipt of the chief executive officer of the facility for the delivery of the convicted  
34.18 or adjudicated persons, in a form prescribed by the commissioner of management and  
34.19 budget. The total amount of payments shall not exceed \$500,000 each fiscal year. Payments  
34.20 shall be made one or two times each fiscal year based on a fee schedule agreed to by the  
34.21 Department of Corrections and the Minnesota Sheriffs' Association.

34.22 Sec. 8. Minnesota Statutes 2016, section 244.05, subdivision 3, is amended to read:

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

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

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

34.29 Prior to revoking a nonviolent controlled substance offender's supervised release based  
34.30 on a technical violation, when the offender does not present a risk to the public and the  
34.31 offender is amenable to continued supervision in the community, the commissioner must  
34.32 identify community options to address and correct the violation including, but not limited  
34.33 to, inpatient chemical dependency treatment. If the commissioner determines that community

35.1 options are appropriate, the commissioner shall restructure the inmate's terms of release to  
35.2 incorporate those options. If a nonviolent controlled substance offender's supervised release  
35.3 is revoked, the offender's agent must first attempt to place the offender in a local jail. For  
35.4 purposes of this subdivision, "nonviolent controlled substance offender" is a person who  
35.5 meets the criteria described under section 244.0513, subdivision 2, clauses (1), (2), and (5),  
35.6 and "technical violation" means a violation of a condition of supervised release, except an  
35.7 allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or  
35.8 petition.

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

35.14 Sec. 9. Minnesota Statutes 2016, section 244.198, is amended by adding a subdivision to  
35.15 read:

35.16 Subd. 1a. **Alternatives to incarceration.** At a sanctions conference regarding a  
35.17 nonviolent controlled substance offender, when the offender does not present a risk to the  
35.18 public and the offender is amenable to continued supervision in the community, a probation  
35.19 agency must identify community options to address and correct the violation including, but  
35.20 not limited to, inpatient chemical dependency treatment. If the agency determines that  
35.21 community options are appropriate, the county probation officer shall recommend a sanction  
35.22 that incorporates those options. For purposes of this subdivision, "nonviolent controlled  
35.23 substance offender" is a person who meets the criteria described under section 244.0513,  
35.24 subdivision 2, clauses (1), (2), and (5).

35.25 Sec. 10. Minnesota Statutes 2016, section 299A.55, subdivision 2, is amended to read:

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

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

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

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

36.7 Sec. 11. Minnesota Statutes 2016, section 299C.46, subdivision 6, is amended to read:

36.8 Subd. 6. **Orders for protection and no contact orders.** (a) As used in this subdivision,  
36.9 "no contact orders" include orders issued as pretrial orders under section 629.72, subdivision  
36.10 2, orders under section 629.75, and orders issued as probationary or sentencing orders at  
36.11 the time of disposition in a criminal domestic abuse case.

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

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

36.21 Sec. 12. Minnesota Statutes 2016, section 609.14, is amended by adding a subdivision to  
36.22 read:

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

36.27 (1) a nonviolent controlled substance offender;

36.28 (2) subject to supervised probation;

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

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

37.1 (b) For purposes of this subdivision, "nonviolent controlled substance offender" is a  
37.2 person who meets the criteria described under section 244.0513, subdivision 2, clauses (1),  
37.3 (2), and (5), and "technical violation" has the meaning given in section 244.196, subdivision  
37.4 6.

37.5 Sec. 13. Minnesota Statutes 2016, section 609.475, is amended to read:

37.6 **609.475 IMPERSONATING OFFICER A MILITARY SERVICE MEMBER,**  
37.7 **VETERAN, OR PUBLIC OFFICIAL.**

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

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

37.14 Sec. 14. **[609.4751] IMPERSONATING A PEACE OFFICER.**

37.15 Subdivision 1. Misdemeanor. Whoever falsely impersonates a peace officer with intent  
37.16 to mislead another into believing that the impersonator is actually an officer is guilty of a  
37.17 misdemeanor.

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

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

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

37.24 (3) violating section 169.64, subdivision 2, 3, or 4, or the siren provisions of section  
37.25 169.68; or

37.26 (4) operating a motor vehicle marked:

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

37.29 (ii) with any lettering, marking, or insignia, or colorable imitation thereof, including,  
37.30 but not limited to, stars, badges, or shields identifying the vehicle as a law enforcement

38.1 vehicle, and which a reasonable person would believe is a law enforcement vehicle governed  
38.2 under section 169.98, subdivision 1.

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

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

38.8 Sec. 15. Minnesota Statutes 2016, section 609.595, subdivision 1, is amended to read:

38.9 Subdivision 1. **Criminal damage to property in the first degree.** Whoever intentionally  
38.10 causes damage to physical property of another without the latter's consent may be sentenced  
38.11 to imprisonment for not more than five years or to payment of a fine of not more than  
38.12 \$10,000, or both, if:

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

38.14 (2) the property damaged was a public safety motor vehicle, the defendant knew the  
38.15 vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial  
38.16 interruption or impairment of public safety service or a reasonably foreseeable risk of bodily  
38.17 harm; or

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

38.20 ~~(3)~~ (4) the damage reduces the value of the property by more than \$1,000 measured by  
38.21 the cost of repair and replacement; or

38.22 (4) (5) the damage reduces the value of the property by more than \$500 measured by  
38.23 the cost of repair and replacement and the defendant has been convicted within the preceding  
38.24 three years of an offense under this subdivision or subdivision 2.

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

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

39.1 Sec. 16. Minnesota Statutes 2016, section 609.595, subdivision 2, is amended to read:

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

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

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

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

39.23 Sec. 17. Minnesota Statutes 2016, section 609.595, is amended by adding a subdivision  
39.24 to read:

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

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

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

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

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

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

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

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

40.11 Sec. 18. Minnesota Statutes 2016, section 609.605, is amended by adding a subdivision  
40.12 to read:

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

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

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

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

40.22 Sec. 19. [609.6057] **GEOGRAPHIC RESTRICTION.**

40.23 Subdivision 1. **Definition.** As used in this section, "geographic restriction" means a  
40.24 limitation prohibiting a defendant in a criminal proceeding or a juvenile offender in a  
40.25 delinquency proceeding from entering a designated property or geographic area.

40.26 Subd. 2. **Prohibited conduct; penalty.** A person who knows of a geographic restriction  
40.27 order issued against the person and intentionally enters or remains in the restricted area is  
40.28 guilty of a misdemeanor.

40.29 Subd. 3. **Notice.** (a) A geographic restriction may be issued as a pretrial order before  
40.30 final disposition of the underlying criminal case, as a postconviction probationary order, or  
40.31 both. A geographic restriction order is independent of any condition of pretrial release or

41.1 probation imposed on the defendant. A geographic restriction order may be issued in addition  
41.2 to a similar restriction imposed as a condition of pretrial release or probation.

41.3 (b) A court may issue a geographic restriction upon a finding that its issuance will serve  
41.4 the interests of protecting public safety or property. In making that determination, a court  
41.5 shall consider the following factors:

41.6 (1) whether a defendant's presence in a restricted area creates a risk to public safety or  
41.7 property;

41.8 (2) a defendant's criminal history;

41.9 (3) the likelihood of future criminal activity within the restricted area; and

41.10 (4) any other factors deemed relevant by the court.

41.11 (c) A court may grant any exceptions to a geographic restriction that it deems necessary  
41.12 in order to avoid the imposition of a significant hardship upon a defendant. In determining  
41.13 whether to grant an exception, a court shall also consider the impact of the exception on the  
41.14 interests of protecting public safety or property.

41.15 (d) A geographic restriction order under this section shall be issued in a proceeding that  
41.16 is separate from but which may be held immediately following a proceeding in which any  
41.17 pretrial release or sentencing issues are decided.

41.18 (e) A court issuing a geographic restriction order under this section shall notify a  
41.19 defendant:

41.20 (1) of the area subject to a geographic restriction; and

41.21 (2) that violation of the geographic restriction order is a crime.

41.22 Subd. 4. Cancellation. (a) A court shall cancel a pretrial geographic restriction order at  
41.23 the final disposition of the underlying criminal case.

41.24 (b) A court shall cancel a postconviction geographic restriction order when an offender  
41.25 completes a period of probationary supervision or is committed to the commissioner of  
41.26 corrections.

41.27 (c) A court may cancel a postconviction geographic restriction order at any time during  
41.28 which an offender is under probationary supervision.

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

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

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

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

42.5 (2) the name of the respondent; and

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

42.7 A petition for relief must state whether the petitioner has had a previous restraining order  
42.8 in effect against the respondent. The petition shall be accompanied by an affidavit made  
42.9 under oath stating the specific facts and circumstances from which relief is sought. The  
42.10 court shall provide simplified forms and clerical assistance to help with the writing and  
42.11 filing of a petition under this section and shall advise the petitioner of the right to sue in  
42.12 forma pauperis under section 563.01. The court shall advise the petitioner of the right to  
42.13 request a hearing. If the petitioner does not request a hearing, the court shall advise the  
42.14 petitioner that the respondent may request a hearing and that notice of the hearing date and  
42.15 time will be provided to the petitioner by mail at least five days before the hearing. Upon  
42.16 receipt of the petition and a request for a hearing by the petitioner, the court shall order a  
42.17 hearing. Personal service must be made upon the respondent not less than five days before  
42.18 the hearing. If personal service cannot be completed in time to give the respondent the  
42.19 minimum notice required under this paragraph, the court may set a new hearing date. Nothing  
42.20 in this section shall be construed as requiring a hearing on a matter that has no merit.

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

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

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

42.31 (c) Regardless of the method of service, if the respondent is a juvenile, whenever possible,  
42.32 the court also shall have notice of the pendency of the case and of the time and place of the

43.1 hearing served by mail at the last known address upon any parent or guardian of the juvenile  
43.2 respondent who is not the petitioner.

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

43.5 Sec. 21. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

43.6 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this  
43.7 section are waived for the petitioner if the petition alleges acts that would constitute a  
43.8 violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to 609.3451. The  
43.9 court administrator and ~~the sheriff of any county~~ any peace officer in this state shall perform  
43.10 their duties relating to service of process without charge to the petitioner. The court shall  
43.11 direct payment of the reasonable costs of service of process if served by a private process  
43.12 server when ~~the sheriff~~ a peace officer is unavailable or if service is made by publication.  
43.13 The court may direct a respondent to pay to the court administrator the petitioner's filing  
43.14 fees and reasonable costs of service of process if the court determines that the respondent  
43.15 has the ability to pay the petitioner's fees and costs.

43.16 Sec. 22. Minnesota Statutes 2016, section 609.748, subdivision 5, is amended to read:

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

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

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

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

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

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

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

43.28 A restraining order may be issued only against the respondent named in the petition; except  
43.29 that if the respondent is an organization, the order may be issued against and apply to all of  
43.30 the members of the organization. If the court finds that the petitioner has had two or more  
43.31 previous restraining orders in effect against the same respondent or the respondent has

44.1 violated a prior or existing restraining order on two or more occasions, relief granted by the  
44.2 restraining order may be for a period of up to 50 years. In all other cases, relief granted by  
44.3 the restraining order must be for a fixed period of not more than two years. When a referee  
44.4 presides at the hearing on the petition, the restraining order becomes effective upon the  
44.5 referee's signature.

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

44.7 (d) If the court orders relief for a period of up to 50 years under paragraph (a), the  
44.8 respondent named in the restraining order may request to have the restraining order vacated  
44.9 or modified if the order has been in effect for at least five years and the respondent has not  
44.10 violated the order. Application for relief under this paragraph must be made in the county  
44.11 in which the restraining order was issued. Upon receipt of the request, the court shall set a  
44.12 hearing date. Personal service must be made upon the petitioner named in the restraining  
44.13 order not less than 30 days before the date of the hearing. At the hearing, the respondent  
44.14 named in the restraining order has the burden of proving by a preponderance of the evidence  
44.15 that there has been a material change in circumstances and that the reasons upon which the  
44.16 court relied in granting the restraining order no longer apply and are unlikely to occur. If  
44.17 the court finds that the respondent named in the restraining order has met the burden of  
44.18 proof, the court may vacate or modify the order. If the court finds that the respondent named  
44.19 in the restraining order has not met the burden of proof, the court shall deny the request and  
44.20 no request may be made to vacate or modify the restraining order until five years have  
44.21 elapsed from the date of denial. An order vacated or modified under this paragraph must  
44.22 be personally served on the petitioner named in the restraining order.

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

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

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

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

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

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

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

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

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

45.19 Sec. 24. Minnesota Statutes 2016, section 609.748, is amended by adding a subdivision  
45.20 to read:

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

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

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

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

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

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

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

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

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

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

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

46.16 (d) The owner or operator of a private establishment may not prohibit the lawful carry  
46.17 or possession of firearms by a peace officer, as defined in section 626.84, subdivision 1,  
46.18 paragraph (c), within the private establishment or deny the officer access thereto, except  
46.19 when specifically authorized by statute. The owner or operator of the private establishment  
46.20 may require the display of official credentials issued by the agency that employs the peace  
46.21 officer prior to granting the officer entry into the private establishment.

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

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

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

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

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

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

47.6 Sec. 26. [626.8469] TRAINING IN CRISIS RESPONSE, CONFLICT  
47.7 MANAGEMENT, AND CULTURAL DIVERSITY.

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

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

47.22 Subd. 3. Licensing sanctions; injunctive relief. The board may impose licensing  
47.23 sanctions and seek injunctive relief under section 214.11 for failure to comply with the  
47.24 requirements of this section.

47.25 Sec. 27. Laws 2009, chapter 59, article 3, section 4, subdivision 3, as amended by Laws  
47.26 2011, chapter 87, section 1, subdivision 3, is amended to read:

47.27 Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an eligible  
47.28 city or county may contract with a third party to create and administer the diversion program.  
47.29 A third party administering the program under this section must annually provide to the city  
47.30 or county a copy of an annual independent audit. At a minimum, the audit shall include the  
47.31 following:

47.32 (1) the amount charged for program fees;

- 48.1 (2) the total number of participants in the pilot program;  
48.2 (3) the total amount of money collected from participants in the pilot program;  
48.3 (4) the total amount of money, detailed by category, paid or applied to reinstatement  
48.4 fees, surcharges, criminal and traffic fines, and program fees;  
48.5 (5) the number of participants who successfully completed the pilot program in the  
48.6 previous year;  
48.7 (6) the number of participants terminated from the pilot program under subdivision 7,  
48.8 paragraph (a), clauses (1) to (3);  
48.9 (7) the reimbursement policy for all payments listed under clause (4); and  
48.10 (8) the amount of all payments listed under clause (4) retained from participants who  
48.11 were terminated from the program.

48.12 The third party administering the program must pay the cost of the audit.

48.13 Sec. 28. Laws 2009, chapter 59, article 3, section 4, subdivision 8, as amended by Laws  
48.14 2011, chapter 87, section 1, subdivision 8, is amended to read:

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

- 48.21 (1) recidivism rates for participants in the diversion pilot program;  
48.22 (2) ~~payment of the~~ information for reinstatement fees, surcharges, and criminal fines  
48.23 collected in the diversion pilot program to cities, counties, and the state;  
48.24 (3) educational support provided to participants in the diversion pilot program; ~~and~~  
48.25 (4) the total number of participants in the diversion pilot program ~~and~~;  
48.26 (5) the number of participants who have terminated from the pilot program under  
48.27 subdivision 7, paragraph (a), clauses (1) to (3); and  
48.28 (6) the names of all third-party program administrators and their program fee refund  
48.29 policy, and, for each administrator the amount charged for program fees, and the amount  
48.30 of program fees retained from participants who have terminated from the program.

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

49.3 Sec. 29. Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended by Laws  
49.4 2010, chapter 197, section 1, Laws 2011, chapter 87, section 1, subdivision 9, and Laws  
49.5 2013, chapter 127, section 60, is amended to read:

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

49.11 Sec. 30. ALTERNATIVES TO INCARCERATION PILOT PROGRAM FUND.

49.12 (a) Agencies providing supervision to offenders on probation, parole, or supervised  
49.13 release are eligible for grants to facilitate access to community options including, but not  
49.14 limited to, inpatient chemical dependency treatment for nonviolent controlled substance  
49.15 offenders to address and correct behavior that is, or is likely to result in, a technical violation  
49.16 of the conditions of release. For purposes of this section, "nonviolent controlled substance  
49.17 offender" is a person who meets the criteria described under Minnesota Statutes, section  
49.18 244.0513, subdivision 2, clauses (1), (2), and (5), and "technical violation" means a violation  
49.19 of a court order of probation, condition of parole, or condition of supervised release, except  
49.20 an allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or  
49.21 petition.

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

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

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

49.28: (2) the average amount of each grant;

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

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

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

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

50.6 **Sec. 31. ASSESSMENT OF APPLETON FACILITY.**

50.7 (a) The commissioner of corrections shall select an independent entity to conduct a  
50.8 thorough assessment of the existing correctional facility located in Appleton, Minnesota.  
50.9 This assessment must determine the current physical state of the facility and the  
50.10 improvements to it, if any, that would be necessary for the department to open and operate  
50.11 it to house Minnesota offenders in a manner consistent with other state correctional facilities.  
50.12 The assessment must estimate the costs involved in upgrading, leasing or purchasing, and  
50.13 operating the facility.

50.14 (b) By January 15, 2018, the commissioner shall report the results of the assessment to  
50.15 the chairs and ranking minority members of the senate and house of representatives  
50.16 committees having jurisdiction over criminal justice policy and finance.

50.17 **ARTICLE 4**

50.18 **COURT-RELATED FEE DECREASES**

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

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

50.22 (1) In every civil action or proceeding in said court, including any case arising under  
50.23 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,  
50.24 petitioner, or other moving party shall pay, when the first paper is filed for that party in said  
50.25 action, a fee of ~~\$310~~ \$285, except in marriage dissolution actions the fee is ~~\$340~~ \$315.

50.26 The defendant or other adverse or intervening party, or any one or more of several  
50.27 defendants or other adverse or intervening parties appearing separately from the others,  
50.28 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$285, except  
50.29 in marriage dissolution actions the fee is ~~\$340~~ \$315. This subdivision does not apply to the  
50.30 filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application  
50.31 for Discharge of Judgment.

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

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

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

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

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

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

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

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

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

51.20 (9) Filing and indexing trade name; or recording basic science certificate; or recording  
51.21 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,  
51.22 \$5.

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

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

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

51.26 (13) Filing a motion or response to a motion for modification of child support, a fee of  
51.27 ~~\$100~~ \$50.

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

52.1 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of  
52.2 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption  
52.3 petition filed in district court to fund the fathers' adoption registry under section 259.52.

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

52.6 Sec. 2. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

52.7 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this  
52.8 section are waived for the petitioner and the respondent if the petition alleges acts that would  
52.9 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to  
52.10 609.3451. The court administrator and the sheriff of any county in this state shall perform  
52.11 their duties relating to service of process without charge to the petitioner. The court shall  
52.12 direct payment of the reasonable costs of service of process if served by a private process  
52.13 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~  
52.14 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~  
52.15 ~~costs of service of process if the court determines that the respondent has the ability to pay~~  
52.16 ~~the petitioner's fees and costs.~~

## 52.17 ARTICLE 5

### 52.18 CONTROLLED SUBSTANCES

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

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

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

52.25 (1) acetylmethadol;

52.26 (2) allylprodine;

52.27 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl  
52.28 acetate);

52.29 (4) alphameprodine;

52.30 (5) alphamethadol;

52.31 (6) alpha-methylfentanyl benzethidine;

- 53.1 (7) betacetylmethadol;
- 53.2 (8) betameprodine;
- 53.3 (9) betamethadol;
- 53.4 (10) betaprodine;
- 53.5 (11) clonitazene;
- 53.6 (12) dextromoramide;
- 53.7 (13) diampromide;
- 53.8 (14) diethylambutene;
- 53.9 (15) difenoxin;
- 53.10 (16) dimenoxadol;
- 53.11 (17) dimepheptanol;
- 53.12 (18) dimethylambutene;
- 53.13 (19) dioxaphetyl butyrate;
- 53.14 (20) dipipanone;
- 53.15 (21) ethylmethylthiambutene;
- 53.16 (22) etonitazene;
- 53.17 (23) etoxeridine;
- 53.18 (24) furethidine;
- 53.19 (25) hydroxypethidine;
- 53.20 (26) ketobemidone;
- 53.21 (27) levomoramide;
- 53.22 (28) levophenacymorphan;
- 53.23 (29) 3-methylfentanyl;
- 53.24 (30) acetyl-alpha-methylfentanyl;
- 53.25 (31) alpha-methylthiofentanyl;
- 53.26 (32) benzylfentanyl beta-hydroxyfentanyl;
- 53.27 (33) beta-hydroxy-3-methylfentanyl;

- 54.1 (34) 3-methylthiofentanyl;
- 54.2 (35) thenylfentanyl;
- 54.3 (36) thiofentanyl;
- 54.4 (37) para-fluorofentanyl;
- 54.5 (38) morpheridine;
- 54.6 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 54.7 (40) noracymethadol;
- 54.8 (41) norlevorphanol;
- 54.9 (42) normethadone;
- 54.10 (43) norpipanone;
- 54.11 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 54.12 (45) phenadoxone;
- 54.13 (46) phenampromide;
- 54.14 (47) phenomorphan;
- 54.15 (48) phenoperidine;
- 54.16 (49) piritramide;
- 54.17 (50) proheptazine;
- 54.18 (51) properidine;
- 54.19 (52) propiram;
- 54.20 (53) racemoramide;
- 54.21 (54) tilidine;
- 54.22 (55) trimeperidine;
- 54.23 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 54.24 (57)
- 54.25 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-methylbenzamide(U47700);
- 54.26 and
- 54.27 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl).

55.1 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,  
55.2 and salts of isomers, unless specifically excepted or unless listed in another schedule,  
55.3 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 55.4 (1) acetorphine;  
55.5 (2) acetyldihydrocodeine;  
55.6 (3) benzylmorphine;  
55.7 (4) codeine methylbromide;  
55.8 (5) codeine-n-oxide;  
55.9 (6) cyprenorphine;  
55.10 (7) desomorphine;  
55.11 (8) dihydromorphine;  
55.12 (9) drotebanol;  
55.13 (10) etorphine;  
55.14 (11) heroin;  
55.15 (12) hydromorphinol;  
55.16 (13) methyldesorphine;  
55.17 (14) methyldihydromorphine;  
55.18 (15) morphine methylbromide;  
55.19 (16) morphine methylsulfonate;  
55.20 (17) morphine-n-oxide;  
55.21 (18) myrophine;  
55.22 (19) nicocodeine;  
55.23 (20) nicomorphine;  
55.24 (21) normorphine;  
55.25 (22) pholcodine; and  
55.26 (23) thebacon.

55.27 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any  
55.28 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,

56.1 or geometric), and salts of isomers, unless specifically excepted or unless listed in another  
56.2 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is  
56.3 possible:

- 56.4 (1) methylenedioxy amphetamine;
- 56.5 (2) methylenedioxymethamphetamine;
- 56.6 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 56.7 (4) n-hydroxy-methylenedioxyamphetamine;
- 56.8 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 56.9 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 56.10 (7) 4-methoxyamphetamine;
- 56.11 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 56.12 (9) alpha-ethyltryptamine;
- 56.13 (10) bufotenine;
- 56.14 (11) diethyltryptamine;
- 56.15 (12) dimethyltryptamine;
- 56.16 (13) 3,4,5-trimethoxyamphetamine;
- 56.17 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 56.18 (15) ibogaine;
- 56.19 (16) lysergic acid diethylamide (LSD);
- 56.20 (17) mescaline;
- 56.21 (18) parahexyl;
- 56.22 (19) N-ethyl-3-piperidyl benzilate;
- 56.23 (20) N-methyl-3-piperidyl benzilate;
- 56.24 (21) psilocybin;
- 56.25 (22) psilocyn;
- 56.26 (23) tenocyclidine (TCP or TCP);
- 56.27 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 56.28 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);

- 57.1 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 57.2 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 57.3 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 57.4 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 57.5 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 57.6 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 57.7 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 57.8 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 57.9 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 57.10 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 57.11 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 57.12 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 57.13 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 57.14 (2-CB-FLY);
- 57.15 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 57.16 (40) alpha-methyltryptamine (AMT);
- 57.17 (41) N,N-diisopropyltryptamine (DiPT);
- 57.18 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 57.19 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 57.20 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 57.21 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 57.22 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 57.23 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 57.24 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 57.25 (49) 5-methoxy- $\alpha$ -methyltryptamine (5-MeO-AMT);
- 57.26 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 57.27 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);

- 58.1 (52) 5-methoxy-N-methyl-N-propyltryptamine  
58.2 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);  
58.3 (53) 5-methoxy- $\alpha$ -ethyltryptamine (5-MeO-AET);  
58.4 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);  
58.5 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);  
58.6 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);  
58.7 (57) methoxetamine (MXE);  
58.8 (58) 5-iodo-2-aminoindane (5-IAI);  
58.9 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);  
58.10 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);  
58.11 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);  
58.12 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);  
58.13 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);  
58.14 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);  
58.15 (65) N,N-Dipropyltryptamine (DPT);  
58.16 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);  
58.17 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);  
58.18 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);  
58.19 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);  
58.20 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine,  
58.21 ethketamine, NENK); and  
58.22 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);  
58.23 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and  
58.24 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).  
58.25 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*  
58.26 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,  
58.27 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,  
58.28 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not  
58.29 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian

59.1 Church, and members of the American Indian Church are exempt from registration. Any  
59.2 person who manufactures peyote for or distributes peyote to the American Indian Church,  
59.3 however, is required to obtain federal registration annually and to comply with all other  
59.4 requirements of law.

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

59.9 (1) mecloqualone;

59.10 (2) methaqualone;

59.11 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

59.12 (4) flunitrazepam; and

59.13 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,  
59.14 methoxyketamine).

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

59.19 (1) aminorex;

59.20 (2) cathinone;

59.21 (3) fenethylamine;

59.22 (4) methcathinone;

59.23 (5) methylaminorex;

59.24 (6) N,N-dimethylamphetamine;

59.25 (7) N-benzylpiperazine (BZP);

59.26 (8) methylmethcathinone (mephedrone);

59.27 (9) 3,4-methylenedioxy-N-methylcathinone (methyldone);

59.28 (10) methoxymethcathinone (methedrone);

59.29 (11) methylenedioxypropylamphetamine (MDPV);

59.30 (12) 3-fluoro-N-methylcathinone (3-FMC);

- 60.1 (13) methylethcathinone (MEC);
- 60.2 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 60.3 (15) dimethylmethcathinone (DMMC);
- 60.4 (16) fluoroamphetamine;
- 60.5 (17) fluoromethamphetamine;
- 60.6 (18)  $\alpha$ -methylaminobutyrophenone (MABP or buphedrone);
- 60.7 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 60.8 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 60.9 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or  
60.10 naphyrone);
- 60.11 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 60.12 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 60.13 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 60.14 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 60.15 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 60.16 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 60.17 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 60.18 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 60.19 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 60.20 (31) alpha-pyrrolidinobutiophenone ( $\alpha$ -PBP);
- 60.21 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 60.22 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 60.23 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); and
- 60.24 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 60.25 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4-chloro-PPP);
- 60.26 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 60.27 and

61.1 (38) any other substance, except bupropion or compounds listed under a different  
61.2 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the  
61.3 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the  
61.4 compound is further modified in any of the following ways:

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

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

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

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

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

61.17 (1) marijuana;

61.18 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, synthetic  
61.19 equivalents of the substances contained in the cannabis plant or in the resinous extractives  
61.20 of the plant, or synthetic substances with similar chemical structure and pharmacological  
61.21 activity to those substances contained in the plant or resinous extract, including, but not  
61.22 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4  
61.23 cis or trans tetrahydrocannabinol;

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

61.25 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole  
61.26 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,  
61.27 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
61.28 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any  
61.29 extent and whether or not substituted in the naphthyl ring to any extent. Examples of  
61.30 naphthoylindoles include, but are not limited to:

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

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

- 62.1 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- 62.2 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 62.3 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- 62.4 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- 62.5 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);
- 62.6 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);
- 62.7 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
- 62.8 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).
- 62.9 (ii) Naphthylmethylindoles, which are any compounds containing a
- 62.10 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the
- 62.11 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 62.12 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
- 62.13 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
- 62.14 ring to any extent. Examples of naphthylmethylindoles include, but are not limited to:
- 62.15 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);
- 62.16 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).
- 62.17 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
- 62.18 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
- 62.19 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 62.20 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
- 62.21 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
- 62.22 naphthoylpyrroles include, but are not limited to,
- 62.23 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).
- 62.24 (iv) Naphthylmethylindenes, which are any compounds containing a naphthylideneindene
- 62.25 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,
- 62.26 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 62.27 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any
- 62.28 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
- 62.29 naphthylmethylindenes include, but are not limited to,
- 62.30 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).
- 62.31 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole
- 62.32 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

- 63.1 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
63.2 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any  
63.3 extent, whether or not substituted in the phenyl ring to any extent. Examples of  
63.4 phenylacetylindoles include, but are not limited to:
- 63.5 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);  
63.6 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);  
63.7 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);  
63.8 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 63.9 (vi) Cyclohexylphenols, which are compounds containing a  
63.10 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic  
63.11 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
63.12 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted  
63.13 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not  
63.14 limited to:
- 63.15 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);  
63.16 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol  
63.17 (Cannabicyclohexanol or CP 47,497 C8 homologue);  
63.18 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]  
63.19 -phenol (CP 55,940).
- 63.20 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure  
63.21 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,  
63.22 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
63.23 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any  
63.24 extent and whether or not substituted in the phenyl ring to any extent. Examples of  
63.25 benzoylindoles include, but are not limited to:
- 63.26 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);  
63.27 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);  
63.28 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN  
63.29 48,098 or Pravadoline).
- 63.30 (viii) Others specifically named:

- 64.1 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)  
64.2 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 64.3 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)  
64.4 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 64.5 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]  
64.6 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 64.7 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 64.8 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone  
64.9 (XLR-11);
- 64.10 (F) 1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3-carboxamide  
64.11 (AKB-48(APINACA));
- 64.12 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide  
64.13 (5-Fluoro-AKB-48);
- 64.14 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 64.15 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);
- 64.16 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide  
64.17 (AB-PINACA);
- 64.18 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-  
64.19 1H-indazole-3-carboxamide (AB-FUBINACA);
- 64.20 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-  
64.21 indazole-3-carboxamide(AB-CHMINACA);
- 64.22 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate  
64.23 (5-fluoro-AMB);
- 64.24 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 64.25 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone  
64.26 (FUBIMINA);
- 64.27 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo  
64.28 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 64.29 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)  
64.30 -1H-indole-3-carboxamide (5-fluoro-ABICA);

- 65.1 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
65.2 -1H-indole-3-carboxamide;
- 65.3 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
65.4 -1H-indazole-3-carboxamide;
- 65.5 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 65.6 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1  
65.7 H-indazole-3-carboxamide (MAB-CHMINACA);
- 65.8 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide  
65.9 (ADB-PINACA);
- 65.10 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 65.11 (X)  
65.12 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-3-carboxamide.  
65.13 (APP-CHMINACA); ~~and~~
- 65.14 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and  
65.15 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).
- 65.16 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended  
65.17 for human consumption.
- 65.18 EFFECTIVE DATE. This section is effective August 1, 2017, and applies to crimes  
65.19 committed on or after that date.
- 65.20 Sec. 2. Minnesota Statutes 2016, section 152.02, subdivision 12, is amended to read:
- 65.21 Subd. 12. **Coordination of controlled substance regulation with federal law and**  
65.22 **state statute.** (a) If any substance is designated, rescheduled, or deleted as a controlled  
65.23 substance under federal law and notice thereof is given to the state Board of Pharmacy, the  
65.24 state Board of Pharmacy shall may similarly and temporarily control the substance under  
65.25 this chapter, after the expiration of 30 days from publication in the Federal Register of a  
65.26 final order designating a substance as a controlled substance or rescheduling or deleting a  
65.27 substance. Such order shall be filed with the secretary of state. If within that 30-day period,  
65.28 the state Board of Pharmacy objects to inclusion, rescheduling, or deletion, it shall publish  
65.29 the reasons for objection and afford all interested parties an opportunity to be heard. At the  
65.30 conclusion of the hearing, the state Board of Pharmacy shall publish its decision, which  
65.31 shall be subject to the provisions of chapter 14 by issuing an order and causing it to be  
65.32 published in the State Register and filed with the secretary of state. In issuing the order, the

66.1 board is not required to engage in rulemaking. The order expires no later than 12 months  
66.2 after the date of issue and may not be renewed. After issuing the order, the board may  
66.3 permanently schedule the substance only by exercising the authority granted to it under  
66.4 subdivision 8.

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

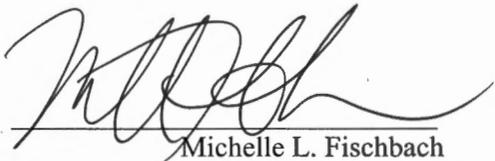
66.7 (b) The state Board of Pharmacy shall annually submit a report to the legislature on or  
66.8 before December 1 that specifies what changes the board made to the controlled substance  
66.9 schedules maintained by the board in Minnesota Rules, parts 6800.4210 to 6800.4250, in  
66.10 the preceding 12 months. The report must also specify any orders issued by the board under  
66.11 this subdivision. The report must include specific recommendations for amending the  
66.12 controlled substance schedules contained in subdivisions 2 to 6, so that they conform with  
66.13 the controlled substance schedules maintained by the board in Minnesota Rules, parts  
66.14 6800.4210 to 6800.4250, and with the federal schedules.

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

66.17 Subd. 14. Procedural requirements. Except as otherwise permitted in this section, the  
66.18 Board of Pharmacy is subject to the provisions of chapter 14 in exercising the authority  
66.19 granted by this chapter.

This bill was passed in conformity to the rules of each house and the joint rules of the two houses as required by the Constitution of the State of Minnesota.

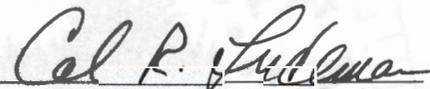
  
Kurt L. Daudt  
Speaker of the House of Representatives

  
Michelle L. Fischbach  
President of the Senate

Passed the House of Representatives on May 22, 2017.

  
Patrick D. Murphy  
Chief Clerk, House of Representatives

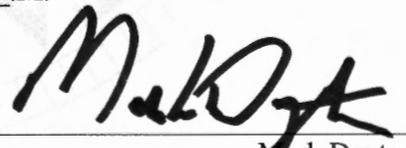
Passed the Senate on May 22, 2017.

  
Cal R. Ludeman  
Secretary of the Senate

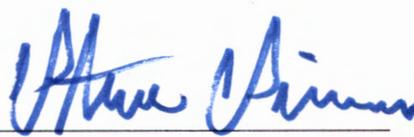
This bill is properly enrolled and was presented to  
Governor on May 26, 2017.

  
Paul M. Marinac  
Revisor of Statutes

Approved on May 30, 2017, at 5:00 P.M.

  
Mark Dayton  
Governor

Filed on May 31, 2017.

  
Steve Simon  
Secretary of State