

(d) identify the gaps in current delivery of services to meet these specialized needs;

(e) determine the feasibility and cost effectiveness of developing new programs for this population or expanding utilization of existing services and programs;

(f) identify potential sources of funding for services for brain impaired persons and describe how present lack of funding has affected the provision of services to the brain impaired population; and

(g) examine the potential for expanding existing criteria and disability definitions to allow persons with brain impairment access to housing, case-management, independent living skills programs, and other similar programs now available to other groups.

The commissioner shall deliver the report and the task force's recommendations to the legislature by January 15, 1986.

Approved May 23, 1985

CHAPTER 227 — H.F.No. 245

An act relating to crimes; clarifying elements of the crime of depriving another of custodial or parental rights; amending Minnesota Statutes 1984, section 609.26, subdivisions 1 and 2.

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

Section 1. Minnesota Statutes 1984, section 609.26, subdivision 1, is amended to read:

Subdivision 1. **PROHIBITED ACTS.** Whoever intentionally does any of the following acts may be charged with a felony and, upon conviction, may be sentenced as provided in subdivision 6:

(1) conceals a minor child from the child's parent or other person having the right to visitation or custody, where the action manifests an intent substantially to deprive that parent or other person of his parental rights to visitation or custody or conceals a minor child from another person having the right to visitation or custody where the action manifests an intent to substantially deprive that person of rights to visitation or custody;

(2) takes, obtains, retains, or fails to return a minor child in violation of a court order which has transferred legal custody under chapter 260 to the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

commissioner of human services, a child placing agency, or the county welfare board;

(3) takes, obtains, retains, or fails to return a minor child from or to the parent or other person having the right to visitation or custody under a court order, where the action manifests an intent substantially to deprive that parent or other person having the right to visitation or custody of his rights to visitation or custody; or

(4) takes, obtains, retains, or fails to return a minor child from or to a parent or other person having the right to visitation or custody after commencement of an action relating to child visitation or custody but prior to the issuance of an order determining custody or visitation rights, where the action manifests an intent substantially to deprive that parent or other person having the right to visitation or custody of his rights to visitation or custody of parental rights.

Sec. 2. Minnesota Statutes 1984, section 609.26, subdivision 2, is amended to read:

Subd. 2. **DEFENSES.** No person violates subdivision 1 if the action:

(1) is taken to protect the child or the person taking the action from physical or emotional harm or sexual assault or substantial emotional harm;

(2) is taken to protect the person taking the action from physical or sexual assault;

(3) is consented to by the parent, stepparent, or legal custodian seeking prosecution; or

(3) (4) is otherwise authorized by a court order issued prior to the violation of subdivision 1.

The defenses provided in this subdivision are in addition to and do not limit other defenses available under this chapter or chapter 611.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective August 1, 1985, and apply to crimes committed on or after that date.

Approved May 24, 1985

CHAPTER 228 — H.F.No. 533

An act relating to occupations and professions; concerning the practice of veterinary medicine; allowing foreign veterinary graduates to be admitted to practice under certain conditions; amending Minnesota Statutes 1984, sections 156.001; 156.02, subdivision 1; 156.081, subdivision 2; and 156.12, subdivision 2; repealing Minnesota Statutes 1984, section 156.09.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.