

age annual benefit increases, employer and employee contribution rates, availability of early retirement incentives, administrative costs, and other factors as necessary to compare benefits.

Presented to the governor May 11, 2000

Signed by the governor May 15, 2000, 6:40 p.m.

CHAPTER 480—S.F.No. 2854

An act relating to civil commitment; allowing a county attorney or designee prior to filing a petition for commitment as a sexual psychopathic personality or sexually dangerous person to have access to patient records for determining whether good cause exists to file a petition; requiring the court to decide a motion for access to patient records within 48 hours after hearing on motion; amending Minnesota Statutes 1998, section 253B.185, by adding a subdivision.

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

Section 1. Minnesota Statutes 1998, section 253B.185, is amended by adding a subdivision to read:

Subd. 1b. COUNTY ATTORNEY ACCESS TO DATA. Notwithstanding sections 144.335; 245.467, subdivision 6; 245.4876, subdivision 7; 260B.171; 260B.235, subdivision 8; 260C.171; and 609.749, subdivision 6, or any provision of chapter 13 or other state law, prior to filing a petition for commitment as a sexual psychopathic personality or as a sexually dangerous person, and upon notice to the proposed patient, the county attorney or the county attorney's designee may move the court for an order granting access to any records or data, to the extent it relates to the proposed patient, for the purpose of determining whether good cause exists to file a petition and, if a petition is filed, to support the allegations set forth in the petition.

The court may grant the motion if: (1) the department of corrections refers the case for commitment as a sexual psychopathic personality or a sexually dangerous person; or (2) upon a showing that the requested category of data or records may be relevant to the determination by the county attorney or designee. The court shall decide a motion under this subdivision within 48 hours after a hearing on the motion. Notice to the proposed patient need not be given upon a showing that such notice may result in harm or harassment of interested persons or potential witnesses.

Data collected pursuant to this subdivision shall retain their original status and, if not public, are inadmissible in any court proceeding unrelated to civil commitment, unless otherwise permitted.

Presented to the governor May 11, 2000

Signed by the governor May 15, 2000, 10:40 a.m.

New language is indicated by underline, deletions by strikeout.