

Sec. 4. Minnesota Statutes 2000, section 299C.147, subdivision 3, is amended to read:

Subd. 3. **AUTHORITY TO ENTER OR RETRIEVE DATA.** Only criminal justice agencies may submit data to the conditional release data statewide supervision system and only persons who are authorized users under subdivision 2 may obtain data from the system. The commissioner of corrections may require that any or all information be submitted to the conditional release data statewide supervision system. A consent to the release of data in the conditional release data statewide supervision system from the individual who is the subject of the data is not effective.

Sec. 5. Minnesota Statutes 2000, section 299C.147, subdivision 4, is amended to read:

Subd. 4. **PROCEDURES.** The bureau department of corrections shall adopt procedures to provide for the orderly collection, entry, retrieval, and deletion of data contained in the conditional release data statewide supervision system.

Presented to the governor March 11, 2002

Signed by the governor March 13, 2002, 4:57 p.m.

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#### CHAPTER 234—H.F.No. 2783

*An act relating to insurance; no-fault auto; regulating residual liability coverage; amending Minnesota Statutes 2000, section 65B.49, subdivision 3.*

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

Section 1. Minnesota Statutes 2000, section 65B.49, subdivision 3, is amended to read:

Subd. 3. **RESIDUAL LIABILITY INSURANCE.** (1) Each plan of reparation security shall also contain stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is thereby granted, of not less than \$30,000 because of bodily injury to one person in any one accident and, subject to said limit for one person, of not less than \$60,000 because of injury to two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, of not less than \$10,000 because of such injury to or destruction of property of others in any one accident.

(2) Under residual liability insurance the reparation obligor shall be liable to pay, on behalf of the insured, sums which the insured is legally obligated to pay as damages because of bodily injury and property damage arising out of the ownership, maintenance or use of a any motor vehicle, including a motor vehicle permissively operated by an insured as that term is defined in section 65B.43, subdivision 5, if the injury or damage occurs within this state, the United States of America, its territories

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or possessions, or Canada. A reparation obligor shall also be liable to pay sums which another reparation obligor is entitled to recover under the indemnity provisions of section 65B.53, subdivision 1.

(3) Every plan of reparation security shall be subject to the following provisions which need not be contained therein:

(a) The liability of the reparation obligor with respect to the residual liability coverage required by this clause shall become absolute whenever injury or damage occurs; such liability may not be canceled or annulled by any agreement between the reparation obligor and the insured after the occurrence of the injury or damage; no statement made by the insured or on the insured's behalf and no violation of said policy shall defeat or void said policy.

(b) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the reparation obligor to make payment on account of such injury or damage.

(c) The reparation obligor shall have the right to settle any claim covered by the residual liability insurance policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability for the accident out of which such claim arose.

(d) Except as provided in subdivision 5a, a residual liability insurance policy shall be excess of a nonowned vehicle policy whether the nonowned vehicle is borrowed or rented, or used for business or pleasure. A nonowned vehicle is one not used or provided on a regular basis.

## Sec. 2. **EFFECTIVE DATE; APPLICATION.**

Section 1 is effective the day following final enactment and applies to policies issued or renewed on or after that date.

Presented to the governor March 13, 2002

Signed by the governor March 14, 2002, 3:03 p.m.

## CHAPTER 235—H.F.No. 1189

*An act relating to annexation; providing for the election of municipal council members after certain annexations; amending Minnesota Statutes 2000, sections 414.031, subdivision 4a; and 414.09, subdivision 3.*

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

Section 1, Minnesota Statutes 2000, section 414.031, subdivision 4a, is amended to read:

Subd. 4a. **PROCEEDINGS INITIATED BY JOINT RESOLUTION PROVIDING FOR ELECTION OF NEW MUNICIPAL OFFICERS.** ~~If the proceeding~~

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