

Sec. 4. Minnesota Statutes 2002, section 326.107, subdivision 8, is amended to read:

Subd. 8. **NONCOMPLIANCE.** A licensee or certificate holder who does not satisfy the continuing education requirements for licensure or certification renewal shall be placed on probationary status and shall be promptly notified of that fact. If the board rejects professional development hours reported by a licensee or certificate holder in an amount sufficient to reduce the number of nonrejected professional development hours below the required minimum number, the licensee or certificate holder must be notified of the board's rejection of the hours. The licensee or certificate holder has 180 days after notification to substantiate the original claim validity of the rejected hours or to earn other professional development qualifying hours to meet the minimum requirement. If the deficiencies are not made up ~~The board's rejection of any professional development hours submitted during this 180-day cure period does not extend or expand the cure period. If the board does not reinstate a sufficient number of the rejected professional development hours to meet the required minimum number of professional development hours, or the licensee or certificate holder does not complete or substantiate that the individual has completed other qualifying professional development hours within the specified period of time, the individual's licensure or certification shall be suspended. Professional development hours earned within the probation 180-day cure period and applied to current renewal may not be applied to the requirements for the following biennial renewal.~~

~~An individual who applies for license or certification renewal after the biennial renewal period has lapsed and has not satisfied the continuing education requirements shall be notified of that fact. The licensee or certificate holder shall have 180 days after notification to substantiate the original claim or to earn other professional development hours to meet the minimum requirement. If the deficiencies are not made up within the specified period of time, the individual's licensure or certification shall be suspended.~~

Sec. 5. **REPEALER.**

Minnesota Statutes 2002, sections 326.10, subdivision 5; and 326.107, subdivisions 6 and 9, are repealed.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:10 p.m.

CHAPTER 86—S.F.No. 256

An act relating to crime prevention; making changes related to search warrants; amending Minnesota Statutes 2002, sections 626.11; 626.13.

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 2002, section 626.11, is amended to read:

626.11 ISSUANCE OF WARRANT.

(a) If the judge is satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, the judge must issue a signed search warrant, naming the judge's judicial office, to a peace officer having jurisdiction in the area where the place to be searched is located, to an agent of the bureau of criminal apprehension, to an officer of the metropolitan transit police, or to an agent of the division of alcohol and gambling enforcement who is a licensed peace officer as defined in section 626.84, subdivision 1, paragraph (e) inside or outside the officer's jurisdiction. The warrant shall direct the officer or agent to search the person or place named for the property or things specified, and to retain the property or things in the officer's or agent's custody subject to order of the court issuing the warrant.

(b) Nothing in sections 626.04 to 626.17 is meant to supersede another law or statute that limits a peace officer's authority to obtain, serve, or execute a search warrant.

Sec. 2. Minnesota Statutes 2002, section 626.13, is amended to read:

626.13 SERVICE; PERSONS MAKING.

A search warrant may in all cases be served anywhere within the issuing judge's jurisdiction by any of the officers mentioned in its directions, but by no other person, except in aid of the officer on the officer's requiring it, the officer being present and acting in its execution. ~~If the warrant is to be served by an agent of the bureau of criminal apprehension, an agent of the division of alcohol and gambling enforcement, a state patrol trooper, a metropolitan transit police officer, or a conservation officer, the agent, state patrol trooper, police officer, or conservation officer~~ An officer serving and executing a warrant shall notify the chief of police of an organized full-time police department of the municipality or, if there is no such local chief of police, the sheriff or a deputy sheriff of the county in which service is to be made prior to service and execution.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 2003, and apply to search warrants issued or served on or after that date.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:10 p.m.

CHAPTER 87—S.F.No. 333

An act relating to health; extending dates of certain advisory councils; modifying certain nursing requirements; modifying provisions relating to the practice of speech-language pathology

New language is indicated by underline, deletions by ~~strikeout~~.