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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **1510**

02/09/2023 Authored by Moller and Huot
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
03/16/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

1.2 relating to public safety; authorizing the commissioner of public safety to accept

1.3 donations, nonfederal grants, bequests, and other gifts of money; modifying

1.4 Minnesota Hazardous Materials Incident Response Act; modifying bomb disposal

1.5 cost reimbursement; making technical changes related to smoke alarms; modifying

1.6 Bureau of Criminal Apprehension's questioned identity process; providing more

1.7 comprehensive use of Criminal and Juvenile Justice Information Advisory Group

1.8 in review of Bureau of Criminal Apprehension issues; modifying crime of computer

1.9 theft to include copies of data; requiring prosecutors to notify victims of plea,

1.10 sentencing, and sentencing modification hearings; improving ability of crime

1.11 victims to access reimbursement program; changing name of reparations program

1.12 to reimbursement act; clarifying and removing outdated statutory language

1.13 regarding duty of Office of Justice Programs to designate services to domestic

1.14 abuse victims; amending Minnesota Statutes 2022, sections 256I.04, subdivision

1.15 2g; 299A.48; 299A.49; 299A.50; 299A.51; 299A.52; 299C.063; 299C.46,

1.16 subdivision 1; 299C.65, subdivisions 1a, 3a; 299F.362; 609.87, by adding a

1.17 subdivision; 609.89; 611A.033; 611A.039, subdivision 1; 611A.51; 611A.52,

1.18 subdivisions 3, 4, 5; 611A.53; 611A.54; 611A.55; 611A.56; 611A.57, subdivisions

1.19 5, 6; 611A.60; 611A.61; 611A.612; 611A.66; 611A.68, subdivisions 2a, 4, 4b, 4c;

1.20 629.341, subdivisions 3, 4; 629.72, subdivision 6; proposing coding for new law

1.21 in Minnesota Statutes, chapters 299A; 299C; repealing Minnesota Statutes 2022,

1.22 section 518B.02, subdivision 3.

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

1.24 Section 1. Minnesota Statutes 2022, section 256I.04, subdivision 2g, is amended to read:

1.25 Subd. 2g. **Crisis shelters.** Secure crisis shelters for ~~battered women~~ victims of domestic

1.26 abuse and their children designated by the Minnesota Department of ~~Corrections~~ Public

1.27 Safety are not eligible for housing support under this chapter.

2.1 Sec. 2. **[299A.012] ACCEPTANCE OF PRIVATE FUNDS; APPROPRIATION.**

2.2 The commissioner may accept donations, nonfederal grants, bequests, and other gifts
2.3 of money to carry out the purposes of chapter 299A. Donations, nonfederal grants, bequests,
2.4 or other gifts of money accepted by the commissioner must be deposited in an account in
2.5 the special revenue fund and are appropriated to the commissioner for the purpose for which
2.6 the money was given.

2.7 Sec. 3. Minnesota Statutes 2022, section 299A.48, is amended to read:

2.8 **299A.48 CITATION.**

2.9 Sections 299A.48 to ~~299A.52~~ 299A.53 and 299K.095 may be cited as the "Minnesota
2.10 ~~Hazardous Materials~~ Emergency Incident Response Act."

2.11 Sec. 4. Minnesota Statutes 2022, section 299A.49, is amended to read:

2.12 **299A.49 DEFINITIONS.**

2.13 Subdivision 1. **Scope.** For the purposes of sections 299A.48 to ~~299A.52~~ 299A.53 and
2.14 299K.095, the following terms have the meanings given ~~them~~.

2.15 Subd. 1a. **Bomb squad.** "Bomb squad" means a team trained, equipped, and authorized
2.16 by the commissioner to evaluate and provide disposal operations for bombs or other similar
2.17 hazardous explosives. Bomb squad includes a bomb disposal unit as defined in section
2.18 299C.063.

2.19 ~~Subd. 2. **Chemical assessment team.** "Chemical assessment team" means a team (1)~~
2.20 ~~trained, equipped, and authorized to evaluate and, when possible, provide simple mitigation~~
2.21 ~~to a hazardous materials incident and (2) required to recommend to the local incident manager~~
2.22 ~~the best means of controlling the hazard after consideration of life safety concerns,~~
2.23 ~~environmental effects, exposure hazards, quantity and type of hazardous material, availability~~
2.24 ~~of resources, or other relevant factors.~~

2.25 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of public safety.

2.26 Subd. 3a. **Emergency response incident.** "Emergency response incident" means any
2.27 incident to which the response of a state emergency response asset is required.

2.28 Subd. 4. **Hazardous materials.** "Hazardous materials" means substances or materials
2.29 that, because of their chemical, physical, or biological nature, pose a potential risk to life,
2.30 health, or property if they are released. "Hazardous materials" includes any substance or
2.31 material in a particular form or quantity that may pose an unreasonable risk to health, safety,

3.1 and property, or any substance or material in a quantity or form that may be harmful to
3.2 humans, animals, crops, water systems, or other elements of the environment if accidentally
3.3 or intentionally released. Hazardous substances so designated may include explosives,
3.4 radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or
3.5 solids, poisons, oxidizing or corrosive materials, chemical and biological substances, and
3.6 toxic or flammable gases.

3.7 Subd. 4a. **Hazardous materials emergency response team.** "Hazardous materials
3.8 emergency response team" means a team (1) trained, equipped, and authorized to evaluate
3.9 and, when possible, provide practical mitigation to a hazardous materials incident and (2)
3.10 required to recommend to the local incident manager the best means of controlling the
3.11 hazard after consideration of life safety concerns, environmental effects, exposure hazards,
3.12 quantity and type of hazardous material, availability of resources, and other relevant factors.

3.13 **Subd. 5. Local unit of government.** "Local unit of government" means a county, home
3.14 rule charter or statutory city, or town.

3.15 Subd. 5a. **Minnesota air rescue team.** "Minnesota air rescue team" means a team trained,
3.16 equipped, and authorized by the commissioner to perform specialized air rescue operations.

3.17 **Subd. 6. Person.** "Person" means any individual, partnership, association, public or
3.18 private corporation or other entity including the United States government, any interstate
3.19 body, the state, and any agency, department, or political subdivision of the state.

3.20 ~~Subd. 7. **Regional Hazardous materials response team.** "Regional hazardous materials~~
3.21 ~~response team" means a team trained and equipped to respond to and mitigate a hazardous~~
3.22 ~~materials release. A regional hazardous materials response team may include strategically~~
3.23 ~~located chemical assessment teams.~~

3.24 Subd. 8. **State emergency response asset.** "State emergency response asset" means any
3.25 team or teams defined under this section.

3.26 Subd. 9. **Urban search and rescue team (USAR).** "Urban search and rescue team" or
3.27 "USAR" means a team trained and equipped to respond to and carry out rescue and recovery
3.28 operations at the scene of a collapsed structure. A USAR team may include strategically
3.29 located fire department assets combined under one joint powers agreement.

4.1 Sec. 5. Minnesota Statutes 2022, section 299A.50, is amended to read:

4.2 **299A.50 RESPONSE PLAN.**

4.3 Subdivision 1. **Elements of plan; rules.** After consultation with the commissioners of
4.4 natural resources, agriculture, transportation, and the Pollution Control Agency, the state
4.5 fire marshal, the Emergency Response Commission, appropriate technical emergency
4.6 response representatives, and representatives of affected parties, the commissioner shall
4.7 adopt rules to implement a statewide hazardous materials incident response plan. The plan
4.8 must include:

4.9 (1) the locations of ~~up to five regional~~ hazardous materials emergency response teams,
4.10 based on the location of hazardous materials, response time, proximity to large population
4.11 centers, and other factors;

4.12 (2) the number and qualifications of members on each team;

4.13 (3) the responsibilities of ~~regional~~ hazardous materials emergency response teams;

4.14 (4) equipment needed for ~~regional~~ hazardous materials emergency response teams;

4.15 (5) procedures for selecting and contracting with local governments or nonpublic persons
4.16 to establish ~~regional~~ hazardous materials emergency response teams;

4.17 (6) procedures for dispatching teams at the request of local governments;

4.18 (7) a fee schedule for reimbursing local governments or nonpublic persons responding
4.19 to an incident; and

4.20 (8) coordination with other state departments and agencies, local units of government,
4.21 other states, Indian tribes, the federal government, and other nonpublic persons.

4.22 Subd. 2. **Contract and agreement.** The commissioner may cooperate with and enter
4.23 into contracts with other state departments and agencies, local units of government, other
4.24 states, Indian tribes, the federal government, or nonpublic persons to implement the
4.25 emergency incident response plan.

4.26 Subd. 3. **Long-term oversight; transition.** When a ~~regional~~ hazardous materials
4.27 emergency response team has completed its response to an incident, the commissioner shall
4.28 notify the commissioner of the Pollution Control Agency, which is responsible for assessing
4.29 environmental damage caused by the incident and providing oversight of monitoring and
4.30 remediation of that damage from the time the response team has completed its activities.

5.1 Sec. 6. Minnesota Statutes 2022, section 299A.51, is amended to read:

5.2 **299A.51 LIABILITY AND WORKERS' COMPENSATION.**

5.3 Subdivision 1. **Liability.** During operations authorized under section 299A.50, members
5.4 of a ~~regional hazardous materials team~~ state emergency response asset operating outside
5.5 their geographic jurisdiction are "employees of the state" as defined in section 3.736.

5.6 Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50,
5.7 members of a ~~regional hazardous materials team~~ state emergency response asset operating
5.8 outside their geographic jurisdiction are considered employees of the Department of Public
5.9 Safety for purposes of chapter 176.

5.10 Subd. 3. **Limitation.** A person who provides personnel and equipment to assist at the
5.11 scene of a ~~hazardous materials~~ an emergency response incident outside the person's
5.12 geographic jurisdiction or property, at the request of the state or a local unit of government,
5.13 is not liable for any civil damages resulting from acts or omissions in providing the assistance,
5.14 unless the person acts in a willful and wanton or reckless manner in providing the assistance.

5.15 Sec. 7. Minnesota Statutes 2022, section 299A.52, is amended to read:

5.16 **299A.52 RESPONSIBLE ~~PERSON~~ PARTY.**

5.17 Subdivision 1. **Response liability.** A responsible ~~person~~ party, as described in section
5.18 115B.03, is liable for the reasonable and necessary costs, including legal and administrative
5.19 costs, of response to a ~~hazardous materials~~ an emergency response incident or explosives
5.20 disposal under section 299C.063 incurred by a ~~regional hazardous materials response team~~
5.21 state emergency response asset or local unit of government. For the purposes of this section,
5.22 "hazardous substance" as used in section 115B.03 means "hazardous material" as defined
5.23 in section 299A.49.

5.24 Subd. 2. **Expense recovery.** The commissioner shall assess the responsible ~~person~~ party
5.25 ~~for the regional hazardous materials response team~~ an emergency response asset's costs of
5.26 response. The commissioner may bring an action for recovery of unpaid costs, reasonable
5.27 attorney fees, and any additional court costs. Any funds received by the commissioner under
5.28 this subdivision are appropriated to the commissioner to pay for costs for which the funds
5.29 were received. Any remaining funds at the end of the biennium shall be transferred to the
5.30 ~~Fire Safety Account~~ general fund.

5.31 Subd. 3. **Attempted avoidance of liability.** For purposes of sections 299A.48 to 299A.52
5.32 and 299K.095, a responsible ~~person~~ party may not avoid liability by conveying any right,

6.1 title, or interest in real property or by any indemnification, hold harmless agreement, or
6.2 similar agreement.

6.3 Sec. 8. Minnesota Statutes 2022, section 299C.063, is amended to read:

6.4 **299C.063 BOMB DISPOSAL EXPENSE REIMBURSEMENT.**

6.5 Subdivision 1. **Definitions.** The terms used in this section have the meanings given them
6.6 in this subdivision:

6.7 (a) "Bomb disposal unit" means a commissioner-approved unit consisting of persons
6.8 who are trained and equipped to dispose of or neutralize bombs or other similar hazardous
6.9 explosives and who are employed by a municipality.

6.10 (b) "Commissioner" means the commissioner of public safety.

6.11 ~~(c) "Municipality" has the meaning given it in section 466.01.~~

6.12 (c) "Explosives sweep" means a detailed scanning service used in corporate office
6.13 buildings, shipping hangars, event stadiums, transportation hubs, large outdoor events, and
6.14 other critical facilities using ground-penetrating radar, magnetometers, metal detectors, and
6.15 specially trained K-9 units to detect improvised explosive devices and explosive remnants
6.16 of war, such as unexploded ordnance and abandoned ordnance.

6.17 (d) "Hazardous explosives" means explosives as defined in section 299F.72, subdivision
6.18 2, explosive devices and incendiary devices as defined in section 609.668, subdivision 1,
6.19 and all materials subject to regulation under United States Code, title 18, chapter 40.

6.20 (e) "Municipality" has the meaning given in section 466.01.

6.21 Subd. 2. **Expense reimbursement.** (a) The commissioner may reimburse bomb disposal
6.22 units for reasonable expenses incurred:

6.23 (1) to dispose of or neutralize bombs or other similar hazardous explosives for their
6.24 employer-municipality or for another municipality outside the jurisdiction of the
6.25 employer-municipality but within the state. Reimbursement is limited to the extent of
6.26 appropriated funds;

6.27 (2) to use the services of police explosive detection K-9 assets;

6.28 (3) for dignitary explosive sweeps;

6.29 (4) for explosive sweeps at large state events;

6.30 (5) to provide for explosive security at large state events; and

7.1 (6) for large-scale scheduled public events.

7.2 (b) Reimbursement for expenses under this subdivision is limited to the extent of
7.3 appropriated funds.

7.4 Subd. 3. **Agreements.** The commissioner may enter into contracts or agreements with
7.5 bomb disposal units to implement and administer this section.

7.6 Subd. 4. **Public event agreements.** The commissioner may enter into contracts with
7.7 public event organizers, as defined in section 299A.52, for costs associated with explosive
7.8 sweeps conducted by state bomb disposal units.

7.9 Sec. 9. [299C.092] **QUESTIONED IDENTITY PROCESS.**

7.10 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
7.11 subdivision have the meanings given.

7.12 (b) "Bureau" means the Bureau of Criminal Apprehension.

7.13 (c) "Questioned identity" means an individual's identity that is associated with another
7.14 person's records when the individual's identity is used by an offender in interactions with
7.15 law enforcement or the offender has the same name which can lead to difficulties
7.16 differentiating the individual from the offender.

7.17 Subd. 2. **Process.** (a) When an individual is the subject of questioned identity, the
7.18 individual may request a review by the bureau through its questioned identity process.
7.19 Individuals must contact the bureau and provide the following:

7.20 (1) documentation of the individual's identity through or via a government-issued photo
7.21 identification;

7.22 (2) documents or information that lead the individual to believe that the individual is
7.23 the subject of questioned identity; and

7.24 (3) fingerprints for identification verification purposes.

7.25 (b) If the bureau is able to confirm that the individual is the subject of questioned identity,
7.26 the bureau shall provide documentation to the individual indicating that the individual has
7.27 been through the bureau's questioned identity process.

7.28 (c) The bureau shall denote any aliases determined to be questioned identities in the
7.29 criminal history system under section 299C.09 and shall work with other state and local
7.30 agencies to denote aliases in arrest warrants.

8.1 (d) The bureau shall attach a photo of the offender to arrest warrants in the bureau's
8.2 warrant file if a photo is available.

8.3 (e) Notwithstanding section 13.87, subdivision 1, paragraph (b), the bureau, in
8.4 consultation with reporting criminal justice agencies, may remove an alias from a criminal
8.5 history record when it determines doing so will not negatively impact a criminal justice
8.6 agency's ability to identify the offender in the future. Some considerations in making the
8.7 determination include but are not limited to time elapsed since the alias name was last used,
8.8 frequency with which the alias was used, current incarceration status of the offender, whether
8.9 it is or was the offender's name, and whether the offender is living or deceased.

8.10 (f) Law enforcement must take into account the presence of documentation from the
8.11 bureau or another law enforcement agency confirming a questioned identity when considering
8.12 whether an individual has a warrant under section 299C.115 and may contact the bureau or
8.13 the issuing law enforcement agency to confirm authenticity of the documentation provided
8.14 by an individual.

8.15 Sec. 10. Minnesota Statutes 2022, section 299C.46, subdivision 1, is amended to read:

8.16 Subdivision 1. **Establishment.** The commissioner of public safety shall establish a
8.17 criminal justice data communications network that will provide secure access to systems
8.18 and services available from or through the Bureau of Criminal Apprehension. The Bureau
8.19 of Criminal Apprehension may approve additional criminal justice uses by authorized
8.20 agencies to access necessary systems or services not from or through the bureau. The
8.21 commissioner of public safety is authorized to lease or purchase facilities and equipment
8.22 as may be necessary to establish and maintain the data communications network.

8.23 Sec. 11. Minnesota Statutes 2022, section 299C.65, subdivision 1a, is amended to read:

8.24 Subd. 1a. **Membership; duties.** (a) The Criminal and Juvenile Justice Information and
8.25 Bureau of Criminal Apprehension Advisory Group consists of the following members:

8.26 (1) the commissioner of corrections or designee;

8.27 (2) the commissioner of public safety or designee;

8.28 (3) the state chief information officer or designee;

8.29 (4) three members of the judicial branch appointed by the chief justice of the supreme
8.30 court;

8.31 (5) the commissioner of administration or designee;

- 9.1 (6) the state court administrator or designee;
- 9.2 (7) two members appointed by the Minnesota Sheriffs Association, at least one of whom
9.3 must be a sheriff;
- 9.4 (8) two members appointed by the Minnesota Chiefs of Police Association, at least one
9.5 of whom must be a chief of police;
- 9.6 (9) two members appointed by the Minnesota County Attorneys Association, at least
9.7 one of whom must be a county attorney;
- 9.8 (10) two members appointed by the League of Minnesota Cities representing the interests
9.9 of city attorneys, at least one of whom must be a city attorney;
- 9.10 (11) two members appointed by the Board of Public Defense, at least one of whom must
9.11 be a public defender;
- 9.12 (12) two corrections administrators appointed by the Association of Minnesota Counties
9.13 representing the interests of local corrections, at least one of whom represents a Community
9.14 Corrections Act county;
- 9.15 (13) two probation officers appointed by the commissioner of corrections in consultation
9.16 with the president of the Minnesota Association of Community Corrections Act Counties
9.17 and the president of the Minnesota Association of County Probation Officers;
- 9.18 (14) four public members appointed by the governor representing both metropolitan and
9.19 greater Minnesota for a term of four years using the process described in section 15.059,
9.20 one of whom represents the interests of victims, and one of whom represents the private
9.21 business community who has expertise in integrated information systems and who, for the
9.22 purposes of meetings of the advisory group, may be compensated pursuant to section 15.059;
- 9.23 (15) two members appointed by the Minnesota Association for Court Management, at
9.24 least one of whom must be a court administrator;
- 9.25 (16) one member of the house of representatives appointed by the speaker of the house,
9.26 or an alternate who is also a member of the house of representatives, appointed by the
9.27 speaker of the house;
- 9.28 (17) one member of the senate appointed by the majority leader, or an alternate who is
9.29 also a member of the senate, appointed by the majority leader of the senate;
- 9.30 (18) one member appointed by the attorney general;

10.1 (19) two members appointed by the League of Minnesota Cities, one of whom works
10.2 or resides in greater Minnesota and one of whom works or resides in the seven-county
10.3 metropolitan area, and at least one of whom is an elected official;

10.4 (20) two members appointed by the Association of Minnesota Counties, one of whom
10.5 works or resides in greater Minnesota and one of whom works or resides in the seven-county
10.6 metropolitan area, and at least one of whom is an elected official; and

10.7 (21) the director of the Sentencing Guidelines Commission or a designee.

10.8 (b) The chair, first vice-chair, and second vice-chair shall be elected by the advisory
10.9 group.

10.10 (c) The advisory group shall serve as the state advisory group on statewide criminal
10.11 justice information policy and funding issues. The advisory group shall study and make
10.12 recommendations to the governor, the supreme court, and the legislature on criminal justice
10.13 information funding and policy issues such as related data practices, individual privacy
10.14 rights, and data on race and ethnicity; information-sharing at the local, state, and federal
10.15 levels; technology education and innovation; the impact of proposed legislation on the
10.16 criminal justice system related to information systems and business processes; and data and
10.17 identification standards.

10.18 (d) The advisory group shall have the additional duties of reviewing and advising the
10.19 bureau superintendent on:

10.20 (1) audits, accreditation reports, and internal reviews of bureau operations;

10.21 (2) emerging technologies in the law enforcement and forensic science fields;

10.22 (3) policies and practices that impact individual privacy interests; and

10.23 (4) other programmatic and operational initiatives of the bureau at the request of the
10.24 superintendent.

10.25 Sec. 12. Minnesota Statutes 2022, section 299C.65, subdivision 3a, is amended to read:

10.26 Subd. 3a. **Report.** The advisory group shall file a biennial report with the governor,
10.27 supreme court, and chairs and ranking minority members of the senate and house of
10.28 representatives committees and divisions with jurisdiction over criminal justice funding
10.29 and policy by January 15 in each odd-numbered year. The report must provide the following:

10.30 (1) status and review of current statewide criminal justice information systems;

11.1 (2) recommendations concerning any legislative changes or appropriations that are
11.2 needed to ensure that the criminal justice information systems operate accurately and
11.3 efficiently; ~~and~~

11.4 (3) summary of the activities of the advisory group, including any funding and grant
11.5 requests; and

11.6 (4) summary of any reviews conducted by the advisory group of bureau audits, reports,
11.7 policies, programs, and procedures along with any recommendations provided to the bureau
11.8 related to the reviews.

11.9 Sec. 13. Minnesota Statutes 2022, section 299F.362, is amended to read:

11.10 **299F.362 SMOKE ~~DETECTOR~~ ALARM; INSTALLATION; RULES; PENALTY.**

11.11 Subdivision 1. **Definitions.** For the purposes of this section, the following definitions
11.12 shall apply:

11.13 (a) "Apartment house" is any building, or portion thereof, which is designed, built,
11.14 rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence
11.15 of three or more families living independently of each other and doing their own cooking
11.16 in the building, and shall include buildings containing three or more flats or apartments.

11.17 (b) "Dwelling" is any building, or any portion thereof, which is not an apartment house,
11.18 lodging house, or a hotel and which contains one or two "dwelling units" which are, or are
11.19 intended or designed to be, occupied for living purposes.

11.20 (c) "Dwelling unit" is a single unit providing complete, independent living facilities for
11.21 one or more persons including permanent provisions for living, sleeping, eating, cooking,
11.22 and sanitation, or a single unit used by one or more persons for sleeping and sanitation
11.23 pursuant to a work practice or labor agreement.

11.24 (d) "Hotel" is any building, or portion thereof, containing six or more guest rooms
11.25 intended or designed to be used, or which are used, rented, or hired out to be occupied, or
11.26 which are occupied for sleeping purposes by guests.

11.27 (e) "Lodging house" is any building, or portion thereof, containing not more than five
11.28 guest rooms which are used or are intended to be used for sleeping purposes by guests and
11.29 where rent is paid in money, goods, labor, or otherwise.

11.30 Subd. 2. **Rules; smoke detector alarm location.** The commissioner of public safety
11.31 shall promulgate rules concerning the placement of smoke ~~detectors~~ alarms in dwellings,

12.1 apartment houses, hotels, and lodging houses. The rules shall take into account designs of
12.2 the guest rooms or dwelling units.

12.3 Subd. 3. **Smoke ~~detector~~ alarm for any dwelling.** Every dwelling unit within a dwelling
12.4 must be provided with a smoke ~~detector~~ alarm meeting the requirements of the State Fire
12.5 Code. The ~~detector~~ smoke alarm must be mounted in accordance with the rules regarding
12.6 smoke ~~detector~~ alarm location adopted under subdivision 2. When actuated, the ~~detector~~
12.7 smoke alarm must provide an alarm in the dwelling unit.

12.8 Subd. 3a. **Smoke ~~detector~~ alarm for new dwelling.** In construction of a new dwelling,
12.9 each smoke ~~detector~~ alarm must be attached to a centralized power source.

12.10 Subd. 4. **Smoke ~~detector~~ alarm for apartment, lodging house, or hotel.** Every dwelling
12.11 unit within an apartment house and every guest room in a lodging house or hotel used for
12.12 sleeping purposes must be provided with a smoke ~~detector~~ alarm conforming to the
12.13 requirements of the State Fire Code. In dwelling units, ~~detectors~~ smoke alarms must be
12.14 mounted in accordance with the rules regarding smoke ~~detector~~ alarm location adopted
12.15 under subdivision 2. When actuated, the ~~detector~~ smoke alarm must provide an alarm in
12.16 the dwelling unit or guest room.

12.17 Subd. 5. **Maintenance responsibilities.** For all occupancies covered by this section
12.18 where the occupant is not the owner of the dwelling unit or the guest room, the owner is
12.19 responsible for maintenance of the smoke ~~detectors~~ alarms. An owner may file inspection
12.20 and maintenance reports with the local fire marshal for establishing evidence of inspection
12.21 and maintenance of smoke ~~detectors~~ alarms.

12.22 Subd. 5a. **Inform owner; no added liability.** The occupant of a dwelling unit must
12.23 inform the owner of the dwelling unit of a nonfunctioning smoke ~~detector~~ alarm within 24
12.24 hours of discovering that the smoke ~~detector~~ alarm in the dwelling unit is not functioning.
12.25 If the occupant fails to inform the owner under this subdivision, the occupant's liability for
12.26 damages is not greater than it otherwise would be.

12.27 Subd. 6. **Penalties.** (a) Any person who violates any provision of this section ~~shall be~~
12.28 is subject to the same penalty and ~~the~~ enforcement mechanism that is provided for violation
12.29 of the State Fire Code, as specified in section 299F.011, subdivision 6.

12.30 (b) An occupant who willfully disables a smoke ~~detector~~ alarm or causes it to be
12.31 nonfunctioning, resulting in damage or injury to persons or property, is guilty of a
12.32 misdemeanor.

13.1 Subd. 7. **Local government preempted.** This section prohibits a local unit of government
13.2 from adopting standards different from those provided in this section.

13.3 Subd. 9. **Local government ordinance; installation in single-family**
13.4 **residence.** Notwithstanding subdivision 7, or other law to the contrary, a local governing
13.5 body may adopt, by ordinance, rules for the installation of a smoke ~~detector~~ alarm in
13.6 single-family homes in the city that are more restrictive than the standards provided by this
13.7 section. Rules adopted pursuant to this subdivision may be enforced through a
13.8 truth-in-housing inspection.

13.9 Subd. 10. **Public fire safety educator.** The position of Minnesota public fire safety
13.10 educator is established in the Department of Public Safety.

13.11 Subd. 11. **Insurance claim.** No insurer shall deny a claim for loss or damage by fire for
13.12 failure of a person to comply with this section.

13.13 Sec. 14. Minnesota Statutes 2022, section 609.87, is amended by adding a subdivision to
13.14 read:

13.15 Subd. 17. **Electronic data.** "Electronic data" means records or information in digital
13.16 form on a computer, computer network, computer system, or in computer software that can
13.17 be stored, transmitted, or processed.

13.18 Sec. 15. Minnesota Statutes 2022, section 609.89, is amended to read:

13.19 **609.89 COMPUTER OR ELECTRONIC DATA THEFT.**

13.20 Subdivision 1. **Acts.** Whoever does any of the following is guilty of computer or
13.21 electronic data theft and may be sentenced as provided in subdivision 2:

13.22 ~~(a)~~ (1) intentionally and without authorization or claim of right accesses or causes to be
13.23 accessed any computer, computer system, computer network or any part thereof for the
13.24 purpose of obtaining services or property; ~~or~~

13.25 ~~(b)~~ (2) intentionally and without claim of right, and with intent to deprive the owner of
13.26 use or possession, takes, transfers, conceals or retains possession of any computer, computer
13.27 system, or any computer software or data contained in a computer, computer system, or
13.28 computer network;

13.29 (3) intentionally and without authorization or claim of right accesses or copies any
13.30 computer software or electronic data and uses, alters, transfers, retains, or publishes the
13.31 computer software or electronic data; or

14.1 (4) intentionally retains copies of any computer software or electronic data beyond the
14.2 individual's authority.

14.3 Subd. 2. **Penalty.** Anyone who commits computer or electronic data theft may be
14.4 sentenced as follows:

14.5 ~~(a)~~ (1) to imprisonment for not more than ten years or to payment of a fine of not more
14.6 than \$50,000, or both, if the loss to the owner, or the owner's agent, or lessee is in excess
14.7 of \$2,500; ~~or~~

14.8 ~~(b)~~ (2) to imprisonment for not more than five years or to payment of a fine of not more
14.9 than \$10,000, or both, if the loss to the owner, or the owner's agent, or lessee is more than
14.10 \$500 but not more than \$2,500; or

14.11 ~~(c)~~ (3) in all other cases to imprisonment for not more than 90 days or to payment of a
14.12 fine of not more than \$1,000, or both.

14.13 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
14.14 committed on or after that date.

14.15 Sec. 16. Minnesota Statutes 2022, section 611A.033, is amended to read:

14.16 **611A.033 SPEEDY TRIAL; NOTICE OF HEARINGS AND SCHEDULE**
14.17 **CHANGE.**

14.18 (a) A victim has the right to request that the prosecutor make a demand under rule 11.09
14.19 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand.
14.20 The prosecutor shall make reasonable efforts to comply with the victim's request.

14.21 (b) A prosecutor shall make reasonable efforts to provide to a victim the date and time
14.22 of the sentencing hearing and the hearing during which the plea is to be presented to the
14.23 court.

14.24 ~~(b)~~ (c) A prosecutor shall make reasonable efforts to provide advance notice of any
14.25 change in the schedule of the court proceedings to a victim who has been subpoenaed or
14.26 requested to testify.

14.27 ~~(c)~~ (d) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232,
14.28 subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after
14.29 consideration of the age and health of the victim, may grant a speedy trial. The motion may
14.30 be filed and served with the complaint or any time after the complaint is filed and served.

15.1 Sec. 17. Minnesota Statutes 2022, section 611A.039, subdivision 1, is amended to read:

15.2 Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2,
15.3 within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which
15.4 there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts
15.5 to provide to each affected crime victim oral or written notice of the final disposition of the
15.6 case and of the victim rights under section 611A.06. When the court is considering modifying
15.7 the sentence for a felony or a crime of violence or an attempted crime of violence, the ~~court~~
15.8 ~~or its designee~~ prosecutor shall make a reasonable and good faith effort to notify the victim
15.9 of the crime. If the victim is incapacitated or deceased, notice must be given to the victim's
15.10 family. If the victim is a minor, notice must be given to the victim's parent or guardian. The
15.11 notice must include:

15.12 (1) the date and approximate time of the review;

15.13 (2) the location where the review will occur;

15.14 (3) the name and telephone number of a person to contact for additional information;

15.15 and

15.16 (4) a statement that the victim and victim's family may provide input to the court
15.17 concerning the sentence modification.

15.18 (b) The Office of Justice Programs in the Department of Public Safety shall develop and
15.19 update a model notice of postconviction rights under this subdivision and section 611A.06.

15.20 (c) As used in this section, "crime of violence" has the meaning given in section 624.712,
15.21 subdivision 5, and also includes violations of section 609.3458, gross misdemeanor violations
15.22 of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451,
15.23 609.748, and 609.749.

15.24 Sec. 18. Minnesota Statutes 2022, section 611A.51, is amended to read:

15.25 **611A.51 TITLE.**

15.26 Sections 611A.51 to 611A.68 shall be known as the "Minnesota Crime Victims
15.27 ~~Reparations~~ Reimbursement Act."

15.28 Sec. 19. Minnesota Statutes 2022, section 611A.52, subdivision 3, is amended to read:

15.29 Subd. 3. **Board.** "Board" means the Crime Victims ~~reparations~~ Reimbursement Board
15.30 established by section 611A.55.

16.1 Sec. 20. Minnesota Statutes 2022, section 611A.52, subdivision 4, is amended to read:

16.2 Subd. 4. **Claimant.** "Claimant" means a person entitled to apply for ~~reparations~~
16.3 reimbursement pursuant to sections 611A.51 to 611A.68.

16.4 Sec. 21. Minnesota Statutes 2022, section 611A.52, subdivision 5, is amended to read:

16.5 Subd. 5. **Collateral source.** "Collateral source" means a source of benefits or advantages
16.6 for economic loss otherwise ~~reparable~~ reimbursable under sections 611A.51 to 611A.68
16.7 which the victim or claimant has received, or which is readily available to the victim, from:

16.8 (1) the offender;

16.9 (2) the government of the United States or any agency thereof, a state or any of its
16.10 political subdivisions, or an instrumentality of two or more states, unless the law providing
16.11 for the benefits or advantages makes them excess or secondary to benefits under sections
16.12 611A.51 to 611A.68;

16.13 (3) Social Security, Medicare, and Medicaid;

16.14 (4) state required temporary nonoccupational disability insurance;

16.15 (5) workers' compensation;

16.16 (6) wage continuation programs of any employer;

16.17 (7) proceeds of a contract of insurance payable to the victim for economic loss sustained
16.18 because of the crime;

16.19 (8) a contract providing prepaid hospital and other health care services, or benefits for
16.20 disability;

16.21 (9) any private source as a voluntary donation or gift; or

16.22 (10) proceeds of a lawsuit brought as a result of the crime.

16.23 The term does not include a life insurance contract.

16.24 Sec. 22. Minnesota Statutes 2022, section 611A.53, is amended to read:

16.25 **611A.53 REPARATIONS REIMBURSEMENT AWARDS PROHIBITED.**

16.26 Subdivision 1. **Generally.** Except as provided in subdivisions 1a and 2, the following
16.27 persons shall be entitled to ~~reparations~~ reimbursement upon a showing by a preponderance
16.28 of the evidence that the requirements for ~~reparations~~ reimbursement have been met:

16.29 (1) a victim who has incurred economic loss;

- 17.1 (2) a dependent who has incurred economic loss;
- 17.2 (3) the estate of a deceased victim if the estate has incurred economic loss;
- 17.3 (4) any other person who has incurred economic loss by purchasing any of the products,
17.4 services, and accommodations described in section 611A.52, subdivision 8, for a victim;
- 17.5 (5) the guardian, guardian ad litem, conservator or authorized agent of any of these
17.6 persons.

17.7 Subd. 1a. **Providers; limitations.** No hospital, medical organization, health care provider,
17.8 or other entity that is not an individual may qualify for reparations under subdivision 1,
17.9 clause (4). If a hospital, medical organization, health care provider, or other entity that is
17.10 not an individual qualifies for ~~reparations~~ reimbursement under subdivision 1, clause (5),
17.11 because it is a guardian, guardian ad litem, conservator, or authorized agent, any ~~reparations~~
17.12 reimbursement to which it is entitled must be made payable solely or jointly to the victim,
17.13 if alive, or to the victim's estate or successors, if the victim is deceased.

17.14 Subd. 1b. **Minnesota residents injured elsewhere.** (a) A Minnesota resident who is
17.15 the victim of a crime committed outside the geographical boundaries of this state but who
17.16 otherwise meets the requirements of this section shall have the same rights under this chapter
17.17 as if the crime had occurred within this state upon a showing that the state, territory, United
17.18 States possession, country, or political subdivision of a country in which the crime occurred
17.19 does not have a crime ~~victim reparations~~ victims reimbursement law covering the resident's
17.20 injury or death.

17.21 (b) Notwithstanding paragraph (a), a Minnesota resident who is the victim of a crime
17.22 involving international terrorism who otherwise meets the requirements of this section has
17.23 the same rights under this chapter as if the crime had occurred within this state regardless
17.24 of where the crime occurred or whether the jurisdiction has a crime victims ~~reparations~~
17.25 reimbursement law.

17.26 Subd. 2. **Limitations on awards.** No ~~reparations~~ reimbursement shall be awarded to a
17.27 claimant otherwise eligible if:

- 17.28 (1) the crime was not reported to the police within 30 days of its occurrence or, if it
17.29 could not reasonably have been reported within that period, within 30 days of the time when
17.30 a report could reasonably have been made. A victim of criminal sexual conduct in the first,
17.31 second, third, or fourth degree who does not report the crime within 30 days of its occurrence
17.32 is deemed to have been unable to have reported it within that period;

18.1 (2) the victim or claimant failed or refused to cooperate fully with the police and other
18.2 law enforcement officials. Cooperation is determined through law enforcement reports,
18.3 prosecutor records, or corroboration memorialized in a signed document submitted by a
18.4 victim service, counseling, or medical professional involved in the case;

18.5 (3) the victim or claimant was the offender or an accomplice of the offender or an award
18.6 to the claimant would unjustly benefit the offender or an accomplice;

18.7 (4) the victim or claimant was in the act of committing a crime at the time the injury
18.8 occurred;

18.9 (5) no claim was filed with the board within three years of victim's injury or death; except
18.10 that (i) if the claimant was unable to file a claim within that period, then the claim can be
18.11 made within three years of the time when a claim could have been filed; and (ii) if the
18.12 victim's injury or death was not reasonably discoverable within three years of the injury or
18.13 death, then the claim can be made within three years of the time when the injury or death
18.14 is reasonably discoverable. The following circumstances do not render a claimant unable
18.15 to file a claim for the purposes of this clause: (A) lack of knowledge of the existence of the
18.16 Minnesota Crime Victims ~~Reparations~~ Reimbursement Act, (B) the failure of a law
18.17 enforcement agency to provide information or assistance to a potential claimant under
18.18 section 611A.66, (C) the incompetency of the claimant if the claimant's affairs were being
18.19 managed during that period by a guardian, guardian ad litem, conservator, authorized agent,
18.20 or parent, or (D) the fact that the claimant is not of the age of majority; or

18.21 (6) the claim is less than \$50.

18.22 The limitations contained in clauses (1) and (6) do not apply to victims of child abuse.
18.23 In those cases the three-year limitation period commences running with the report of the
18.24 crime to the police.

18.25 Sec. 23. Minnesota Statutes 2022, section 611A.54, is amended to read:

18.26 **611A.54 AMOUNT OF ~~REPARATIONS~~ REIMBURSEMENT.**

18.27 ~~Reparations~~ Reimbursement shall equal economic loss except that:

18.28 (1) ~~reparations~~ reimbursement shall be reduced to the extent that economic loss is
18.29 recouped from a collateral source or collateral sources. Where compensation is readily
18.30 available to a claimant from a collateral source, the claimant must take reasonable steps to
18.31 recoup from the collateral source before claiming ~~reparations~~ reimbursement;

19.1 (2) ~~reparations~~ reimbursement shall be denied or reduced to the extent, if any, that the
19.2 board deems reasonable because of the contributory misconduct of the claimant or of a
19.3 victim through whom the claimant claims. Contributory misconduct does not include current
19.4 or past affiliation with any particular group; and

19.5 (3) ~~reparations~~ reimbursement paid to all claimants suffering economic loss as the result
19.6 of the injury or death of any one victim shall not exceed \$50,000.

19.7 No employer may deny an employee an award of benefits based on the employee's
19.8 eligibility or potential eligibility for ~~reparations~~ reimbursement.

19.9 Sec. 24. Minnesota Statutes 2022, section 611A.55, is amended to read:

19.10 **611A.55 CRIME VICTIMS ~~REPARATIONS~~ REIMBURSEMENT BOARD.**

19.11 Subdivision 1. **Creation of board.** There is created in the Department of Public Safety,
19.12 for budgetary and administrative purposes, the Crime Victims ~~Reparations~~ Reimbursement
19.13 Board, which shall consist of five members appointed by the commissioner of public safety.
19.14 One of the members shall be designated as chair by the commissioner of public safety and
19.15 serve as such at the commissioner's pleasure. At least one member shall be a medical or
19.16 osteopathic physician licensed to practice in this state, and at least one member shall be a
19.17 victim, as defined in section 611A.01.

19.18 Subd. 2. **Membership, terms and compensation.** The membership terms, compensation,
19.19 removal of members, and filling of vacancies on the board shall be as provided in section
19.20 15.0575.

19.21 Subd. 3. **Part-time service.** Members of the board shall serve part time.

19.22 Sec. 25. Minnesota Statutes 2022, section 611A.56, is amended to read:

19.23 **611A.56 POWERS AND DUTIES OF BOARD.**

19.24 Subdivision 1. **Duties.** In addition to carrying out any duties specified elsewhere in
19.25 sections 611A.51 to 611A.68 or in other law, the board shall:

19.26 (1) provide all claimants with an opportunity for hearing pursuant to chapter 14;

19.27 (2) adopt rules to implement and administer sections 611A.51 to 611A.68, including
19.28 rules governing the method of practice and procedure before the board, prescribing the
19.29 manner in which applications for ~~reparations~~ reimbursement shall be made, and providing
19.30 for discovery proceedings;

20.1 (3) publicize widely the availability of ~~reparations~~ reimbursement and the method of
20.2 making claims; and

20.3 (4) prepare and transmit annually to the governor and the commissioner of public safety
20.4 a report of its activities including the number of claims awarded, a brief description of the
20.5 facts in each case, the amount of ~~reparation~~ reimbursement awarded, and a statistical
20.6 summary of claims and awards made and denied.

20.7 Subd. 2. **Powers.** In addition to exercising any powers specified elsewhere in sections
20.8 611A.51 to 611A.68 or other law, the board upon its own motion or the motion of a claimant
20.9 or the attorney general may:

20.10 (1) issue subpoenas for the appearance of witnesses and the production of books, records,
20.11 and other documents;

20.12 (2) administer oaths and affirmations and cause to be taken affidavits and depositions
20.13 within and without this state;

20.14 (3) take notice of judicially cognizable facts and general, technical, and scientific facts
20.15 within their specialized knowledge;

20.16 (4) order a mental or physical examination of a victim or an autopsy of a deceased victim
20.17 provided that notice is given to the person to be examined and that the claimant and the
20.18 attorney general receive copies of any resulting report;

20.19 (5) suspend or postpone the proceedings on a claim if a criminal prosecution arising out
20.20 of the incident which is the basis of the claim has been commenced or is imminent;

20.21 (6) request from prosecuting attorneys and law enforcement officers investigations and
20.22 data to enable the board to perform its duties under sections 611A.51 to 611A.68;

20.23 (7) grant emergency ~~reparations~~ reimbursement pending the final determination of a
20.24 claim if it is one with respect to which an award will probably be made and undue hardship
20.25 will result to the claimant if immediate payment is not made; and

20.26 (8) reconsider any decision granting or denying ~~reparations~~ reimbursement or determining
20.27 their amount.

20.28 Sec. 26. Minnesota Statutes 2022, section 611A.57, subdivision 5, is amended to read:

20.29 Subd. 5. **Reconsideration.** The claimant may, within 30 days after receiving the decision
20.30 of the board, apply for reconsideration before the entire board. Upon request for
20.31 reconsideration, the board shall reexamine all information filed by the claimant, including
20.32 any new information the claimant provides, and all information obtained by investigation.

21.1 The board may also conduct additional examination into the validity of the claim. Upon
21.2 reconsideration, the board may affirm, modify, or reverse the prior ruling. A claimant denied
21.3 ~~reparations~~ reimbursement upon reconsideration is entitled to a contested case hearing within
21.4 the meaning of chapter 14.

21.5 Sec. 27. Minnesota Statutes 2022, section 611A.57, subdivision 6, is amended to read:

21.6 Subd. 6. **Data.** Claims for ~~reparations~~ reimbursement and supporting documents and
21.7 reports are investigative data and subject to the provisions of section 13.39 until the claim
21.8 is paid, denied, withdrawn, or abandoned. Following the payment, denial, withdrawal, or
21.9 abandonment of a claim, the claim and supporting documents and reports are private data
21.10 on individuals as defined in section 13.02, subdivision 12; provided that the board may
21.11 forward any ~~reparations~~ reimbursement claim forms, supporting documents, and reports to
21.12 local law enforcement authorities for purposes of implementing section 611A.67.

21.13 Sec. 28. Minnesota Statutes 2022, section 611A.60, is amended to read:

21.14 **611A.60 ~~REPARATIONS~~ REIMBURSEMENT; HOW PAID.**

21.15 ~~Reparations~~ Reimbursement may be awarded in a lump sum or in installments in the
21.16 discretion of the board. The amount of any emergency award shall be deducted from the
21.17 final award, if a lump sum, or prorated over a period of time if the final award is made in
21.18 installments. ~~Reparations are~~ Reimbursement is exempt from execution or attachment except
21.19 by persons who have supplied services, products or accommodations to the victim as a result
21.20 of the injury or death which is the basis of the claim. The board, in its discretion may order
21.21 that all or part of the ~~reparations~~ reimbursement awarded be paid directly to these suppliers.

21.22 Sec. 29. Minnesota Statutes 2022, section 611A.61, is amended to read:

21.23 **611A.61 SUBROGATION.**

21.24 Subdivision 1. **Subrogation rights of state.** The state shall be subrogated, to the extent
21.25 of ~~reparations~~ reimbursement awarded, to all the claimant's rights to recover benefits or
21.26 advantages for economic loss from a source which is or, if readily available to the victim
21.27 or claimant would be, a collateral source. Nothing in this section shall limit the claimant's
21.28 right to bring a cause of action to recover for other damages.

21.29 Subd. 2. **Duty of claimant to assist.** A claimant who receives ~~reparations~~ reimbursement
21.30 must agree to assist the state in pursuing any subrogation rights arising out of the claim.
21.31 The board may require a claimant to agree to represent the state's subrogation interests if
21.32 the claimant brings a cause of action for damages arising out of the crime or occurrence for

22.1 which the board has awarded ~~reparations~~ reimbursement. An attorney who represents the
22.2 state's subrogation interests pursuant to the client's agreement with the board is entitled to
22.3 reasonable attorney's fees not to exceed one-third of the amount recovered on behalf of the
22.4 state.

22.5 Sec. 30. Minnesota Statutes 2022, section 611A.612, is amended to read:

22.6 **611A.612 CRIME VICTIMS ACCOUNT.**

22.7 A crime victim account is established as a special account in the state treasury. Amounts
22.8 collected by the state under section 611A.61, paid to the Crime Victims ~~Reparations~~
22.9 Reimbursement Board under section 611A.04, subdivision 1a, or amounts deposited by the
22.10 court under section 611A.04, subdivision 5, shall be credited to this account. Money credited
22.11 to this account is annually appropriated to the Department of Public Safety for use for crime
22.12 victim ~~reparations~~ reimbursement under sections 611A.51 to 611A.67.

22.13 Sec. 31. Minnesota Statutes 2022, section 611A.66, is amended to read:

22.14 **611A.66 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS**
22.15 **OF RIGHT TO FILE CLAIM.**

22.16 All law enforcement agencies investigating crimes shall provide victims with notice of
22.17 their right to apply for ~~reparations~~ reimbursement with the telephone number ~~to call to~~
22.18 ~~request~~ and website information to obtain an application form.

22.19 Law enforcement agencies shall assist the board in performing its duties under sections
22.20 611A.51 to 611A.68. Law enforcement agencies within ten days after receiving a request
22.21 from the board shall supply the board with requested reports, notwithstanding any provisions
22.22 to the contrary in chapter 13, and including reports otherwise maintained as confidential or
22.23 not open to inspection under section 260B.171 or 260C.171. All data released to the board
22.24 retains the data classification that it had in the possession of the law enforcement agency.

22.25 Sec. 32. Minnesota Statutes 2022, section 611A.68, subdivision 2a, is amended to read:

22.26 Subd. 2a. **Notice and payment of proceeds to board required.** A person that enters
22.27 into a contract with an offender convicted in this state, and a person that enters into a contract
22.28 in this state with an offender convicted in this state or elsewhere within the United States,
22.29 must comply with this section if the person enters into the contract during the ten years after
22.30 the offender is convicted of a crime or found not guilty by reason of insanity. If an offender
22.31 is imprisoned or committed to an institution following the conviction or finding of not guilty
22.32 by reason of insanity, the ten-year period begins on the date of the offender's release. A

23.1 person subject to this section must notify the Crime Victims ~~Reparations~~ Reimbursement
23.2 Board of the existence of the contract immediately upon its formation, and pay over to the
23.3 board money owed to the offender or the offender's representatives by virtue of the contract
23.4 according to the following proportions:

23.5 (1) if the crime occurred in this state, the person shall pay to the board 100 percent of
23.6 the money owed under the contract;

23.7 (2) if the crime occurred in another jurisdiction having a law applicable to the contract
23.8 which is substantially similar to this section, this section does not apply, and the person
23.9 must not pay to the board any of the money owed under the contract; and

23.10 (3) in all other cases, the person shall pay to the board that percentage of money owed
23.11 under the contract which can fairly be attributed to commerce in this state with respect to
23.12 the subject matter of the contract.

23.13 Sec. 33. Minnesota Statutes 2022, section 611A.68, subdivision 4, is amended to read:

23.14 Subd. 4. **Deductions.** When the board has made ~~reparations~~ reimbursement payments
23.15 to or on behalf of a victim of the offender's crime pursuant to sections 611A.51 to 611A.68,
23.16 it shall deduct the amount of the ~~reparations~~ reimbursement award from any payment
23.17 received under this section by virtue of the offender's contract unless the board has already
23.18 been reimbursed for the ~~reparations~~ award from another collateral source.

23.19 Sec. 34. Minnesota Statutes 2022, section 611A.68, subdivision 4b, is amended to read:

23.20 Subd. 4b. **Claims by victims of offender's crime.** A victim of a crime committed by
23.21 the offender and the estate of a deceased victim of a crime committed by the offender may
23.22 submit the following claims for ~~reparations~~ reimbursement and damages to the board to be
23.23 paid from money received by virtue of the offender's contract:

23.24 (1) claims for ~~reparations~~ reimbursement to which the victim is entitled under sections
23.25 611A.51 to 611A.68 and for which the victim has not yet received an award from the board;

23.26 (2) claims for ~~reparations~~ reimbursement to which the victim would have been entitled
23.27 under sections 611A.51 to 611A.68, but for the \$50,000 maximum limit contained in section
23.28 611A.54, clause (3); and

23.29 (3) claims for other uncompensated damages suffered by the victim as a result of the
23.30 offender's crime including, but not limited to, damages for pain and suffering.

24.1 The victim must file the claim within five years of the date on which the board received
24.2 payment under this section. The board shall determine the victim's claim in accordance with
24.3 the procedures contained in sections 611A.57 to 611A.63. An award made by the board
24.4 under this subdivision must be paid from the money received by virtue of the offender's
24.5 contract that remains after a deduction or allocation, if any, has been made under subdivision
24.6 4 or 4a.

24.7 Sec. 35. Minnesota Statutes 2022, section 611A.68, subdivision 4c, is amended to read:

24.8 Subd. 4c. **Claims by other crime victims.** The board may use money received by virtue
24.9 of an offender's contract for the purpose of paying ~~reparations~~ reimbursement awarded to
24.10 victims of other crimes pursuant to sections 611A.51 to 611A.68 under the following
24.11 circumstances:

24.12 (1) money remain after deductions and allocations have been made under subdivisions
24.13 4 and 4a, and claims have been paid under subdivision 4b; or

24.14 (2) no claim is filed under subdivision 4b within five years of the date on which the
24.15 board received payment under this section.

24.16 None of this money may be used for purposes other than ~~the payment of reparations~~
24.17 reimbursement.

24.18 Sec. 36. Minnesota Statutes 2022, section 629.341, subdivision 3, is amended to read:

24.19 Subd. 3. **Notice of rights.** The peace officer shall tell the victim whether a shelter or
24.20 other services are available in the community and give the victim immediate notice of the
24.21 legal rights and remedies available. The notice must include furnishing the victim a copy
24.22 of the following statement:

24.23 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or
24.24 county attorney to file a criminal complaint. You also have the right to go to court and file
24.25 a petition requesting an order for protection from domestic abuse. The order could include
24.26 the following:

24.27 (1) an order restraining the abuser from further acts of abuse;

24.28 (2) an order directing the abuser to leave your household;

24.29 (3) an order preventing the abuser from entering your residence, school, business, or
24.30 place of employment;

25.1 (4) an order awarding you or the other parent custody of or parenting time with your
25.2 minor child or children; or

25.3 (5) an order directing the abuser to pay support to you and the minor children if the
25.4 abuser has a legal obligation to do so."

25.5 The notice must include the resource listing, including telephone number, for the area
25.6 ~~battered women's~~ program that provides services to victims of domestic abuse as shelter,
25.7 ~~to be designated by the~~ Office of Justice Programs in the Department of Corrections Public
25.8 Safety.

25.9 Sec. 37. Minnesota Statutes 2022, section 629.341, subdivision 4, is amended to read:

25.10 Subd. 4. **Report required.** Whenever a peace officer investigates an allegation that an
25.11 incident described in subdivision 1 has occurred, whether or not an arrest is made, the officer
25.12 shall make a written police report of the alleged incident. The report must contain at least
25.13 the following information: the name, address and telephone number of the victim, if provided
25.14 by the victim, a statement as to whether an arrest occurred, the name of the arrested person,
25.15 and a brief summary of the incident. Data that identify a victim who has made a request
25.16 under section 13.82, subdivision 17, paragraph (d), and that are private data under that
25.17 subdivision, shall be private in the report required by this section. A copy of this report must
25.18 be provided upon request, at no cost, to the victim of domestic abuse, the victim's attorney,
25.19 or organizations designated by the Office of Justice Programs in the Department of Public
25.20 Safety ~~or the commissioner of corrections~~ that are providing services to victims of domestic
25.21 abuse. The officer shall submit the report to the officer's supervisor or other person to whom
25.22 the employer's rules or policies require reports of similar allegations of criminal activity to
25.23 be made.

25.24 Sec. 38. Minnesota Statutes 2022, section 629.72, subdivision 6, is amended to read:

25.25 Subd. 6. **Notice; release of arrested person.** (a) Immediately after issuance of a citation
25.26 in lieu of continued detention under subdivision 1, or the entry of an order for release under
25.27 subdivision 2, but before the arrested person is released, the agency having custody of the
25.28 arrested person or its designee must make a reasonable and good faith effort to inform orally
25.29 the alleged victim, local law enforcement agencies known to be involved in the case, if
25.30 different from the agency having custody, and, at the victim's request any local battered
25.31 women's and domestic abuse programs established under section 611A.32 or sexual assault
25.32 programs of:

25.33 (1) the conditions of release, if any;

26.1 (2) the time of release;

26.2 (3) the time, date, and place of the next scheduled court appearance of the arrested person
26.3 and the victim's right to be present at the court appearance; and

26.4 (4) if the arrested person is charged with domestic abuse, the location and telephone
26.5 number of the area ~~battered women's shelter~~ program that provides services to victims of
26.6 domestic abuse as designated by the Office of Justice Programs in the Department of Public
26.7 Safety.

26.8 (b) As soon as practicable after an order for conditional release is entered, the agency
26.9 having custody of the arrested person or its designee must personally deliver or mail to the
26.10 alleged victim a copy of the written order and written notice of the information in paragraph
26.11 (a), clauses (2) and (3).

26.12 (c) Data on the victim and the notice provided by the custodial authority are private data
26.13 on individuals as defined in section 13.02, subdivision 12, and are accessible only to the
26.14 victim.

26.15 Sec. 39. **REVISOR INSTRUCTION.**

26.16 In Minnesota Statutes, the revisor of statutes shall change "reparations," "reparable," or
26.17 the same or similar terms to "reimbursement," "reimbursable," or the same or similar terms
26.18 consistent with this act. The revisor shall also make other technical changes resulting from
26.19 the change of term to the statutory language, sentence structure, or both, if necessary to
26.20 preserve the meaning of the text.

26.21 Sec. 40. **REPEALER.**

26.22 Minnesota Statutes 2022, section 518B.02, subdivision 3, is repealed.

518B.02 DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM REQUIRED.

Subd. 3. **Program accountability.** The Office of Justice Programs in the Department of Public Safety will consult with domestic abuse counseling and educational programs, the court, probation departments, and the interagency task force on the prevention of domestic and sexual abuse on acceptable measures to ensure program accountability. By December 30, 2001, the center shall make recommendations to the house of representatives and senate committees and divisions with jurisdiction over criminal justice policy and funding on agreed-upon accountability measures including outcome studies.