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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4911

03/13/2024 Authored by Virnig The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to child protection; modifying child welfare responses for educational
1.3 neglect; appropriating money; amending Minnesota Statutes 2023 Supplement,
1.4 section 260E.17, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2023 Supplement, section 260E.17, subdivision 1, is amended
1.7 to read:

1.8 Subdivision 1. Local welfare agency. (a) Upon receipt of a report, the local welfare
1.9 agency shall determine whether to conduct a family assessment, an investigation, or a
1.10 noncaregiver sex trafficking assessment or provide a discretionary child welfare response
1.11 as appropriate to prevent or provide a remedy for maltreatment.

1.12 (b) The local welfare agency shall conduct an investigation when the report involves
1.13 sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.

1.14 (c) The local welfare agency shall begin an immediate investigation at any time when
1.15 the local welfare agency is responding with a family assessment and the local welfare agency
1.16 determines that there is reason to believe that sexual abuse, substantial child endangerment,
1.17 or a serious threat to the child's safety exists.

1.18 (d) The local welfare agency may conduct a family assessment for reports that do not
1.19 allege sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.
1.20 In determining that a family assessment is appropriate, the local welfare agency may consider
1.21 issues of child safety, parental cooperation, and the need for an immediate response.

2.1 (e) The local welfare agency may conduct a family assessment for a report that was
 2.2 initially screened and assigned for an investigation. In determining that a complete
 2.3 investigation is not required, the local welfare agency must document the reason for
 2.4 terminating the investigation and notify the local law enforcement agency if the local law
 2.5 enforcement agency is conducting a joint investigation.

2.6 (f) The local welfare agency shall conduct a noncaregiver sex trafficking assessment
 2.7 when a maltreatment report alleges sex trafficking of a child and the alleged offender is a
 2.8 noncaregiver sex trafficker as defined by section 260E.03, subdivision 15a.

2.9 (g) During a noncaregiver sex trafficking assessment, the local welfare agency shall
 2.10 initiate an immediate investigation if there is reason to believe that a child's parent, caregiver,
 2.11 or household member allegedly engaged in the act of sex trafficking a child or was alleged
 2.12 to have engaged in any conduct requiring the agency to conduct an investigation.

2.13 (h) The local welfare agency may provide a discretionary child welfare response for a
 2.14 report that alleges failure to ensure that a child is educated as defined in section 260E.03,
 2.15 subdivision 15, paragraph (a), clause (4). When providing a discretionary child welfare
 2.16 response under this paragraph, the local welfare agency must offer services to the child and
 2.17 the child's family to address school attendance concerns and may partner with a county
 2.18 attorney's office, a community-based organization, or other community partner to provide
 2.19 the services. The services must be culturally and linguistically appropriate and tailored to
 2.20 the needs of the child and the child's family.

2.21 (i) If a child's family refuses to engage with the services provided under paragraph (h)
 2.22 after the local welfare agency, county attorney, community-based organization, or community
 2.23 partner made multiple varied attempts to engage the child's family, the local welfare agency
 2.24 may conduct a family assessment under paragraph (d).

2.25 **Sec. 2. APPROPRIATION; DISCRETIONARY CHILD WELFARE RESPONSE**
 2.26 **GRANTS.**

2.27 \$..... in fiscal year 2024 is appropriated from the general fund to the commissioner of
 2.28 human services for grants to fund discretionary child welfare response efforts under
 2.29 Minnesota Statutes, section 260E.17, subdivision 1, paragraph (h). The commissioner must
 2.30 make grants to local welfare agencies for the purpose of improving school attendance after
 2.31 receiving a report that alleges failure to ensure that a child is educated as defined in Minnesota
 2.32 Statutes, section 260E.03, subdivision 15, paragraph (a), clause (4). This is a onetime
 2.33 appropriation and grant money is available until June 30, 2025.

3.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.