

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3853

(SENATE AUTHORS: JOHNSON)

DATE	D-PG	OFFICIAL STATUS
03/09/2022	5257	Introduction and first reading Referred to Civil Law and Data Practices Policy
03/30/2022		Comm report: To pass as amended Second reading

- 1.1 A bill for an act
- 1.2 relating to courts; permitting certain emancipated minors to seek harassment
- 1.3 restraining orders on their own behalf; amending Minnesota Statutes 2020, section
- 1.4 609.748, subdivision 2.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 609.748, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Restraining order; court jurisdiction.** (a) A person who is a victim of
- 1.8 harassment or the victim's guardian or conservator may seek a restraining order from the
- 1.9 district court in the manner provided in this section.
- 1.10 (b) The parent, guardian or conservator, or stepparent of a minor who is a victim of
- 1.11 harassment may seek a restraining order from the district court on behalf of the minor.
- 1.12 (c) An emancipated minor may seek a restraining order on the emancipated minor's own
- 1.13 behalf if the court determines that the minor has sufficient maturity and judgment and that
- 1.14 it is in the best interests of the minor. If the court does not permit the emancipated minor
- 1.15 to seek an order on the emancipated minor's own behalf, the court may permit a reputable
- 1.16 adult age 25 or older to seek an order on behalf of the emancipated minor provided the court
- 1.17 finds that it is in the best interests of the minor.
- 1.18 (d) An application for relief under this section may be filed in the county of residence
- 1.19 of either party or in the county in which the alleged harassment occurred. There are no
- 1.20 residency requirements that apply to a petition for a harassment restraining order.
- 1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.