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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 308

01/11/2023 Authored by Nash, Hudella, Wiens, Backer, Engen and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; authorizing local units of government to regulate the
1.3 placement of certain level III predatory offenders within their communities;
1.4 amending Minnesota Statutes 2022, section 244.052, subdivision 4a.

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

1.6 Section 1. Minnesota Statutes 2022, section 244.052, subdivision 4a, is amended to read:

1.7 Subd. 4a. Level III offenders; location of residence. (a) When an offender assigned
1.8 to risk level III is released from confinement or a residential facility to reside in the
1.9 community or changes residence while on supervised or conditional release, the agency
1.10 responsible for the offender's supervision shall take into consideration the proximity of the
1.11 offender's residence to that of other level III offenders and proximity to schools and, to the
1.12 greatest extent feasible, shall mitigate the concentration of level III offenders and
1.13 concentration of level III offenders near schools.

1.14 (b) If the owner or property manager of a hotel, motel, lodging establishment, or
1.15 apartment building has an agreement with an agency that arranges or provides shelter for
1.16 victims of domestic abuse, the owner or property manager may not knowingly rent rooms
1.17 to both level III offenders and victims of domestic abuse at the same time. If the owner or
1.18 property manager has an agreement with an agency to provide housing to domestic abuse
1.19 victims and discovers or is informed that a tenant is a level III offender after signing a lease
1.20 or otherwise renting to the offender, the owner or property manager may evict the offender.

1.21 (c) Notwithstanding any contrary provision of this section, chapter 253B or 253D, or
1.22 any other law, a local governmental unit may, by ordinance, place reasonable residency
1.23 location restrictions on level III offenders who have committed offenses involving children

2.1 and who are on supervised or conditional release or provisional discharge under chapter
2.2 253D. A restriction must be narrowly tailored to address the risk posed based on the pattern
2.3 of offending behavior and may not completely preclude the placement of an offender in the
2.4 community. In addition, a restriction may not apply to placements at a location where an
2.5 offender will receive treatment or where the location is owned, leased, or operated by or on
2.6 behalf of the state or federal government.