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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **447**

01/17/2023 Authored by Becker-Finn  
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law  
04/03/2023 Adoption of Report: Placed on the General Register as Amended  
Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act

1.2 relating to civil law; amending certain policy provisions related to forfeiture, name

1.3 change, property, survival of cause of action after death, mediation for debtors

1.4 owning agricultural property, State Board of Public Defense, construction contracts,

1.5 civil rights, gender identity, data, notaries public, and health care incident open

1.6 discussion; amending Minnesota Statutes 2022, sections 13.072, subdivision 1;

1.7 13.32, subdivisions 3, 5; 13.643, subdivision 6; 15.71, by adding subdivisions;

1.8 15.72, by adding a subdivision; 82B.195, subdivision 3; 169A.63, subdivision 8;

1.9 245I.12, subdivision 1; 259.11; 259.13, subdivisions 1, 5; 325F.992, subdivision

1.10 3; 336.9-601; 337.01, subdivision 3; 337.05, subdivision 1; 357.17; 359.04;

1.11 363A.02, subdivision 1; 363A.03, subdivisions 23, 44, by adding a subdivision;

1.12 363A.04; 363A.06, subdivision 1; 363A.07, subdivision 2; 363A.08, subdivisions

1.13 1, 2, 3, 4, by adding a subdivision; 363A.09, subdivisions 1, 2, 3, 4; 363A.11,

1.14 subdivisions 1, 2; 363A.12, subdivision 1; 363A.13, subdivisions 1, 2, 3, 4;

1.15 363A.15; 363A.16, subdivision 1; 363A.17; 363A.21, subdivision 1; 504B.301;

1.16 508.52; 517.04; 517.08, subdivisions 1a, 1b; 518.191, subdivisions 1, 3; 550.365,

1.17 subdivision 2; 559.209, subdivision 2; 573.01; 573.02, subdivisions 1, 2; 582.039,

1.18 subdivision 2; 583.25; 583.26, subdivision 2; 600.23; 609.5314, subdivision 3;

1.19 611.215, subdivision 1; proposing coding for new law in Minnesota Statutes,

1.20 chapters 13; 145; 259; 359; repealing Minnesota Statutes 2022, sections 346.02;

1.21 363A.20, subdivision 3; 363A.27; 504B.305; 582.14.

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

1.23 **ARTICLE 1**

1.24 **CIVIL LAW, PROPERTY, AND BOARD MEMBERSHIP**

1.25 Section 1. Minnesota Statutes 2022, section 169A.63, subdivision 8, is amended to read:

1.26 Subd. 8. **Administrative forfeiture procedure.** (a) A motor vehicle used to commit a

1.27 designated offense or used in conduct resulting in a designated license revocation is subject

1.28 to administrative forfeiture under this subdivision.

2.1 (b) Within 60 days from when a motor vehicle is seized under subdivision 2, or within  
2.2 a reasonable time after seizure, the appropriate agency shall serve the driver or operator of  
2.3 the vehicle with a notice of the seizure and intent to forfeit the vehicle. Additionally, when  
2.4 a motor vehicle is seized under subdivision 2, or within a reasonable time after that, all  
2.5 persons known to have an ownership, possessory, or security interest in the vehicle must  
2.6 be notified of the seizure and the intent to forfeit the vehicle. For those vehicles required to  
2.7 be registered under chapter 168, the notification to a person known to have a security interest  
2.8 in the vehicle is required only if the vehicle is registered under chapter 168 and the interest  
2.9 is listed on the vehicle's title. Upon motion by the appropriate agency or prosecuting  
2.10 authority, a court may extend the time period for sending notice for a period not to exceed  
2.11 90 days for good cause shown. Notice mailed by certified mail to the address shown in  
2.12 Department of Public Safety records is sufficient notice to the registered owner of the  
2.13 vehicle. For motor vehicles not required to be registered under chapter 168, notice mailed  
2.14 by certified mail to the address shown in the applicable filing or registration for the vehicle  
2.15 is sufficient notice to a person known to have an ownership, possessory, or security interest  
2.16 in the vehicle. Otherwise, notice may be given in the manner provided by law for service  
2.17 of a summons in a civil action.

2.18 (c) The notice must be in writing and contain:

2.19 (1) a description of the vehicle seized;

2.20 (2) the date of seizure; and

2.21 (3) notice of the right to obtain judicial review of the forfeiture and of the procedure for  
2.22 obtaining that judicial review, printed in English. This requirement does not preclude the  
2.23 appropriate agency from printing the notice in other languages in addition to English.

2.24 Substantially the following language must appear conspicuously in the notice:

2.25 "WARNING: If you were the person arrested when the property was seized, you will  
2.26 automatically lose the above-described property and the right to be heard in court if you do  
2.27 not file a lawsuit and serve the prosecuting authority within 60 days. You may file your  
2.28 lawsuit in conciliation court if the property is worth \$15,000 or less; otherwise, you must  
2.29 file in district court. You do not have to pay a filing fee for your lawsuit.

2.30 WARNING: If you have an ownership interest in the above-described property and were  
2.31 not the person arrested when the property was seized, you will automatically lose the  
2.32 above-described property and the right to be heard in court if you do not notify the  
2.33 prosecuting authority of your interest in writing within 60 days."

3.1 (d) If notice is not sent in accordance with paragraph (b), and no time extension is granted  
3.2 or the extension period has expired, the appropriate agency shall return the vehicle to the  
3.3 owner. An agency's return of property due to lack of proper notice does not restrict the  
3.4 agency's authority to commence a forfeiture proceeding at a later time.

3.5 (e) Within 60 days following service of a notice of seizure and forfeiture under this  
3.6 subdivision, a claimant may file a demand for a judicial determination of the forfeiture. The  
3.7 demand must be in the form of a civil complaint and must be filed with the court  
3.8 administrator in the county in which the seizure occurred, together with proof of service of  
3.9 a copy of the complaint on the prosecuting authority having jurisdiction over the forfeiture.  
3.10 The claimant may serve the complaint by certified mail or any means permitted by court  
3.11 rules. If the value of the seized property is \$15,000 or less, the claimant may file an action  
3.12 in conciliation court for recovery of the seized vehicle. A copy of the conciliation court  
3.13 statement of claim ~~must~~ may be served personally or ~~by mail~~ as permitted by the Rules of  
3.14 Conciliation Court Procedure on the prosecuting authority having jurisdiction over the  
3.15 forfeiture within 60 days following service of the notice of seizure and forfeiture under this  
3.16 subdivision. The claimant does not have to pay the court filing fee.

3.17 No responsive pleading is required of the prosecuting authority and no court fees may  
3.18 be charged for the prosecuting authority's appearance in the matter. The prosecuting authority  
3.19 may appear for the appropriate agency. Pleadings, filings, and methods of service are  
3.20 governed by the Rules of Civil Procedure and, where applicable, by the Rules of Conciliation  
3.21 Court Procedure.

3.22 (f) The complaint must be captioned in the name of the claimant as plaintiff and the  
3.23 seized vehicle as defendant, and must state with specificity the grounds on which the claimant  
3.24 alleges the vehicle was improperly seized, the claimant's interest in the vehicle seized, and  
3.25 any affirmative defenses the claimant may have. Notwithstanding any law to the contrary,  
3.26 an action for the return of a vehicle seized under this section may not be maintained by or  
3.27 on behalf of any person who has been served with a notice of seizure and forfeiture unless  
3.28 the person has complied with this subdivision.

3.29 (g) If the claimant makes a timely demand for a judicial determination under this  
3.30 subdivision, the forfeiture proceedings must be conducted as provided under subdivision  
3.31 9.

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

4.1 Sec. 2. Minnesota Statutes 2022, section 259.11, is amended to read:

4.2 **259.11 ORDER; FILING COPIES.**

4.3 (a) Upon meeting the requirements of section 259.10, the court shall grant the application  
4.4 unless: (1) it finds that there is an intent to defraud or mislead; (2) section 259.13 prohibits  
4.5 granting the name change; or (3) in the case of the change of a minor child's name, the court  
4.6 finds that such name change is not in the best interests of the child. The court shall set forth  
4.7 in the order the name and age of the applicant's spouse and each child of the applicant, if  
4.8 any, and shall state a description of the lands, if any, in which the applicant and the spouse  
4.9 and children, if any, claim to have an interest. The court administrator shall file such order,  
4.10 and record the same in the judgment book. If lands be described therein, a certified copy of  
4.11 the order shall be filed for record, by the applicant, with the county recorder of each county  
4.12 wherein any of the same are situated. Before doing so the court administrator shall present  
4.13 the same to the county auditor who shall enter the change of name in the auditor's official  
4.14 records and note upon the instrument, over an official signature, the words "change of name  
4.15 recorded." Any such order shall not be filed, nor any certified copy thereof be issued, until  
4.16 the applicant shall have paid to the county recorder and court administrator the fee required  
4.17 by law. No application shall be denied on the basis of the marital status of the applicant.

4.18 (b) When a person applies for a name change, the court shall determine whether the  
4.19 person has a criminal history in this or any other state. The court may conduct a search of  
4.20 national records through the Federal Bureau of Investigation by submitting a set of  
4.21 fingerprints and the appropriate fee to the Bureau of Criminal Apprehension. If it is  
4.22 determined that the person has a criminal history in this or any other state, the court shall,  
4.23 within ten days after the name change application is granted, report the name change to the  
4.24 Bureau of Criminal Apprehension. The person whose name is changed shall also report the  
4.25 change to the Bureau of Criminal Apprehension within ten days. The court granting the  
4.26 name change application must explain this reporting duty in its order. Any person required  
4.27 to report the person's name change to the Bureau of Criminal Apprehension who fails to  
4.28 report the name change as required under this paragraph is guilty of a gross misdemeanor.

4.29 (c) Paragraph (b) does not apply to ~~either~~:

4.30 (1) a request for a name change as part of an application for a marriage license under  
4.31 section 517.08; ~~or~~

4.32 (2) a request for a name change in conjunction with a marriage dissolution under section  
4.33 518.27; or

4.34 (3) a request for a name change filed under section 259.14.

5.1 Sec. 3. Minnesota Statutes 2022, section 259.13, subdivision 1, is amended to read:

5.2 Subdivision 1. **Procedure for seeking name change.** (a) A person with a felony  
5.3 conviction under Minnesota law or the law of another state or federal jurisdiction shall serve  
5.4 a notice of application for a name change on the prosecuting authority that obtained the  
5.5 conviction against the person when seeking a name change through one of the following  
5.6 procedures:

5.7 (1) an application for a name change under section 259.10; or

5.8 ~~(2) a request for a name change as part of an application for a marriage license under~~  
5.9 ~~section 517.08; or~~

5.10 ~~(3)~~ (2) a request for a name change in conjunction with a marriage dissolution under  
5.11 section 518.27.

5.12 If the conviction is from another state or federal jurisdiction, notice of application must also  
5.13 be served on the attorney general.

5.14 (b) A person who seeks a name change under section 259.10 or 518.27 shall file proof  
5.15 of service with the court as part of the name change request. ~~A person who seeks a name~~  
5.16 ~~change under section 517.08 shall file proof of service with the county as part of the~~  
5.17 ~~application for a marriage license.~~

5.18 (c) The name change request may not be granted during the 30-day period provided for  
5.19 in subdivision 2 or, if an objection is filed under subdivision 2, until satisfaction of the  
5.20 requirements in subdivision 3 or 4. Nothing in this section shall delay the granting of a  
5.21 marriage license under section 517.08, which may be granted without the name change.

5.22 Sec. 4. Minnesota Statutes 2022, section 259.13, subdivision 5, is amended to read:

5.23 Subd. 5. **Costs.** (a) Except as provided in paragraph (b), a person seeking a name change  
5.24 under this section may proceed in forma pauperis only when the failure to allow the name  
5.25 change would infringe upon a constitutional right.

5.26 (b) A court shall not require a person with a felony conviction to pay filing fees for a  
5.27 name change application provided that the person files the action within 180 days after the  
5.28 marriage and submits to the court a certified copy of the marriage certificate.

5.29 Sec. 5. **[259.14] POSTDISSOLUTION NAME CHANGE.**

5.30 (a) A person who has resided in this state for at least six months and obtained the person's  
5.31 most recent final marriage dissolution from a district court in this state may apply to the

6.1 district court in the county where the person resides to change the person's name to the legal  
6.2 name on the person's birth certificate. A person applying for a name change must submit a  
6.3 certified copy of the certificate of dissolution issued pursuant to section 518.148 and a  
6.4 certified copy of the person's birth certificate.

6.5 (b) A court shall not require a person applying for a name change to pay filing fees for  
6.6 an application submitted pursuant to this section. Notwithstanding section 259.10, a court  
6.7 shall not require the person applying for a name change to provide proof of the person's  
6.8 identity by two witnesses unless the proof of identity is necessary to determine whether the  
6.9 person has an intent to defraud or mislead the court.

6.10 (c) Upon meeting the requirements of this section, the court shall grant the application  
6.11 for a name change unless the court finds that: (1) the person has an intent to defraud or  
6.12 mislead the court; or (2) section 259.13 prohibits granting the name change. The court shall  
6.13 notify the person applying for a name change that using a different surname without  
6.14 complying with section 259.13, if applicable, is a gross misdemeanor.

6.15 Sec. 6. Minnesota Statutes 2022, section 325F.992, subdivision 3, is amended to read:

6.16 Subd. 3. **Penalties; remedies.** In addition to any other remedies available under the law,  
6.17 the military beneficiary injured by a violation of this section may bring a cause of action to  
6.18 recover damages, reasonable attorney fees and costs, ~~or~~ and equitable relief related to a  
6.19 violation of subdivision 2. The attorney general may enforce this section pursuant to  
6.20 applicable law.

6.21 Sec. 7. Minnesota Statutes 2022, section 336.9-601, is amended to read:

6.22 **336.9-601 RIGHTS AFTER DEFAULT; JUDICIAL ENFORCEMENT;**  
6.23 **CONSIGNOR OR BUYER OF ACCOUNTS, CHATTEL PAPER, PAYMENT**  
6.24 **INTANGIBLES, OR PROMISSORY NOTES.**

6.25 (a) **Rights of secured party after default.** After default, a secured party has the rights  
6.26 provided in this part and, except as otherwise provided in section 336.9-602, those provided  
6.27 by agreement of the parties. A secured party:

6.28 (1) may reduce a claim to judgment, foreclose, or otherwise enforce the claim, security  
6.29 interest, or agricultural lien by any available judicial procedure; and

6.30 (2) if the collateral is documents, may proceed either as to the documents or as to the  
6.31 goods they cover.

7.1 (b) **Rights and duties of secured party in possession or control.** A secured party in  
7.2 possession of collateral or control of collateral under section 336.7-106, 336.9-104,  
7.3 336.9-105, 336.9-106, or 336.9-107 has the rights and duties provided in section 336.9-207.

7.4 (c) **Rights cumulative; simultaneous exercise.** The rights under subsections (a) and  
7.5 (b) are cumulative and may be exercised simultaneously.

7.6 (d) **Rights of debtor and obligor.** Except as otherwise provided in subsection (g) and  
7.7 section 336.9-605, after default, a debtor and an obligor have the rights provided in this part  
7.8 and by agreement of the parties.

7.9 (e) **Lien of levy after judgment.** If a secured party has reduced its claim to judgment,  
7.10 the lien of any levy that may be made upon the collateral by virtue of an execution based  
7.11 upon the judgment relates back to the earliest of:

7.12 (1) the date of perfection of the security interest or agricultural lien in the collateral;

7.13 (2) the date of filing a financing statement covering the collateral; or

7.14 (3) any date specified in a statute under which the agricultural lien was created.

7.15 (f) **Execution sale.** A sale pursuant to an execution is a foreclosure of the security interest  
7.16 or agricultural lien by judicial procedure within the meaning of this section. A secured party  
7.17 may purchase at the sale and thereafter hold the collateral free of any other requirements  
7.18 of this article.

7.19 (g) **Consignor or buyer of certain rights to payment.** Except as otherwise provided  
7.20 in section 336.9-607 (c), this part imposes no duties upon a secured party that is a consignor  
7.21 or is a buyer of accounts, chattel paper, payment intangibles, or promissory notes.

7.22 (h) **Security interest in collateral that is agricultural property; enforcement.** A  
7.23 person may not begin to enforce a security interest in collateral that is agricultural property  
7.24 subject to sections 583.20 to 583.32 that has secured a debt of more than the amount provided  
7.25 in section 583.24, subdivision 5, unless: a mediation notice under subsection (i) is served  
7.26 on the debtor after a condition of default has occurred in the security agreement and a copy  
7.27 served on the director of the ~~agricultural~~ Minnesota extension service; and the debtor and  
7.28 creditor have completed mediation under sections 583.20 to 583.32; or as otherwise allowed  
7.29 under sections 583.20 to 583.32.

7.30 (i) **Mediation notice.** A mediation notice under subsection (h) must contain the following  
7.31 notice with the blanks properly filled in.

7.32 "TO: ...(Name of Debtor)..."

8.1 YOU HAVE DEFAULTED ON THE ...(Debt in Default)... SECURED BY  
 8.2 AGRICULTURAL PROPERTY DESCRIBED AS ...(Reasonable Description of Agricultural  
 8.3 Property Collateral). THE AMOUNT OF THE OUTSTANDING DEBT IS ...(Amount of  
 8.4 Debt)...

8.5 AS A SECURED PARTY, ...(Name of Secured Party)... INTENDS TO ENFORCE  
 8.6 THE SECURITY AGREEMENT AGAINST THE AGRICULTURAL PROPERTY  
 8.7 DESCRIBED ABOVE BY REPOSSESSING, FORECLOSING ON, OR OBTAINING A  
 8.8 COURT JUDGMENT AGAINST THE PROPERTY.

8.9 YOU HAVE THE RIGHT TO HAVE THE DEBT REVIEWED FOR MEDIATION.  
 8.10 IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL BE  
 8.11 MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT  
 8.12 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
 8.13 ENFORCES THE DEBT.

8.14 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 8.15 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 8.16 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU TO  
 8.17 PREPARE FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN  
 8.18 MEDIATION, IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM  
 8.19 FINANCE AND OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION  
 8.20 OFFICE AS SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT  
 8.21 AN AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

8.22 TO HAVE THE DEBT REVIEWED FOR MEDIATION YOU MUST FILE A  
 8.23 MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14 DAYS AFTER YOU  
 8.24 RECEIVE THIS NOTICE. THE MEDIATION REQUEST FORM IS AVAILABLE ~~AT~~  
 8.25 ~~ANY COUNTY RECORDER'S OR COUNTY EXTENSION OFFICE~~ FROM THE  
 8.26 DIRECTOR OF THE MINNESOTA EXTENSION SERVICE.

8.27 FROM: ...(Name and Address of Secured Party)..."

8.28 Sec. 8. Minnesota Statutes 2022, section 504B.301, is amended to read:

8.29 **504B.301 EVICTION ACTION FOR UNLAWFUL DETENTION.**

8.30 A person may be evicted if the person has unlawfully or forcibly occupied or taken  
 8.31 possession of real property or unlawfully detains or retains possession of real property.

8.32 ~~A seizure under section 609.5317, subdivision 1, for which there is not a defense under~~  
 8.33 ~~section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.~~

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

9.2 Sec. 9. Minnesota Statutes 2022, section 508.52, is amended to read:

9.3 **508.52 CONVEYANCE; CANCELLATION OF OLD AND ISSUANCE OF NEW**  
9.4 **CERTIFICATE.**

9.5 An owner of registered land who desires to convey the land, or a portion thereof, in fee,  
9.6 shall execute a deed of conveyance, and record the deed with the registrar. The deed of  
9.7 conveyance shall be recorded and endorsed with the number and place of registration of  
9.8 the certificate of title. Before canceling the outstanding certificate of title the registrar shall  
9.9 show by memorial thereon the registration of the deed on the basis of which it is canceled.  
9.10 The encumbrances, claims, or interests adverse to the title of the registered owner shall be  
9.11 stated upon the new certificate, except so far as they may be simultaneously released or  
9.12 discharged. The registrar shall not carry forward as a memorial on the new certificate of  
9.13 title any memorials of a transfer on death deed if the grantors of the transfer on death deed  
9.14 retain no fee interest in the land covered by the new certificate. The certificate of title shall  
9.15 be marked "Canceled" by the registrar, who shall enter in the register a new certificate of  
9.16 title to the grantee and prepare ~~and deliver to the grantee a copy of the~~ new certificate of  
9.17 title. The registrar, upon request, shall deliver to the grantee a copy of the new certificate  
9.18 of title. If a deed in fee is for a portion of the land described in a certificate of title, the  
9.19 memorial of the deed entered by the registrar shall include the legal description contained  
9.20 in the deed and the registrar shall enter a new certificate of title to the grantee for the portion  
9.21 of the land conveyed and, except as otherwise provided in this section, issue a residue  
9.22 certificate of title to the grantor for the portion of the land not conveyed. The registrar shall  
9.23 prepare and, upon request, deliver to each of the parties a copy of their respective certificates  
9.24 of title. In lieu of canceling the grantor's certificate of title and issuing a residue certificate  
9.25 to the grantor for the portion of the land not conveyed, the registrar may if the grantor's  
9.26 deed does not divide a parcel of unplatted land, and in the absence of a request to the contrary  
9.27 by the registered owner, mark by the land description on the certificate of title "Part of land  
9.28 conveyed, see memorials." The fee for a residue certificate of title shall be paid to the  
9.29 registrar only when the grantor's certificate of title is canceled after the conveyance by the  
9.30 grantor of a portion of the land described in the grantor's certificate of title. When two or  
9.31 more successive conveyances of the same property are filed for registration on the same  
9.32 day the registrar may enter a certificate in favor of the grantee or grantees in the last of the  
9.33 successive conveyances, and the memorial of the previous deed or deeds entered on the  
9.34 prior certificate of title shall have the same force and effect as though the prior certificate  
9.35 of title had been entered in favor of the grantee or grantees in the earlier deed or deeds in

10.1 the successive conveyances. The fees for the registration of the earlier deed or deeds shall  
10.2 be the same as the fees prescribed for the entry of memorials. The registrar of titles, with  
10.3 the consent of the transferee, may mark "See memorials for new owner(s)" by the names  
10.4 of the registered owners on the certificate of title and also add to the memorial of the  
10.5 transferring conveyance a statement that the memorial shall serve in lieu of a new certificate  
10.6 of title in favor of the grantee or grantees therein noted and may refrain from canceling the  
10.7 certificate of title until the time it is canceled by a subsequent transfer, and the memorial  
10.8 showing such transfer of title shall have the same effect as the entry of a new certificate of  
10.9 title for the land described in the certificate of title; the fee for the registration of a conveyance  
10.10 without cancellation of the certificate of title shall be the same as the fee prescribed for the  
10.11 entry of a memorial.

10.12 Sec. 10. Minnesota Statutes 2022, section 517.08, subdivision 1a, is amended to read:

10.13 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the  
10.14 parties upon a form provided for the purpose and shall contain the following information:

10.15 (1) the full names of the parties and the sex of each party;

10.16 (2) their post office addresses and county and state of residence;

10.17 (3) their full ages;

10.18 (4) if either party has previously been married, the party's married name, and the date,  
10.19 place and court in which the civil marriage was dissolved or annulled or the date and place  
10.20 of death of the former spouse;

10.21 (5) whether the parties are related to each other, and, if so, their relationship;

10.22 (6) the address of the parties after the civil marriage is entered into to which the local  
10.23 registrar shall send a certified copy of the civil marriage certificate;

10.24 (7) the full names the parties will have after the civil marriage is entered into and the  
10.25 parties' Social Security numbers. The Social Security numbers must be collected for the  
10.26 application but must not appear on the civil marriage license. If a party listed on a civil  
10.27 marriage application does not have a Social Security number, the party must certify on the  
10.28 application, or a supplement to the application, that the party does not have a Social Security  
10.29 number;

10.30 (8) if one ~~or both of the parties~~ party to the civil marriage license has a felony conviction  
10.31 under Minnesota law or the law of another state or federal jurisdiction, the ~~parties shall~~  
10.32 ~~provide to the county proof of service upon the prosecuting authority and, if applicable, the~~

11.1 ~~attorney general, as required by party~~ may not change the party's name through the marriage  
11.2 application process and must follow the process in section 259.13 to change the party's  
11.3 name; and

11.4 (9) notice that a party who has a felony conviction under Minnesota law or the law of  
11.5 another state or federal jurisdiction may not use a different name after a civil marriage  
11.6 except as authorized by section 259.13, and that doing so is a gross misdemeanor.

11.7 Sec. 11. Minnesota Statutes 2022, section 517.08, subdivision 1b, is amended to read:

11.8 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall  
11.9 examine upon oath the parties applying for a license relative to the legality of the  
11.10 contemplated civil marriage. Both parties must present proof of age to the local registrar.  
11.11 If one party is unable to appear in person, the party appearing may complete the absent  
11.12 applicant's information. The local registrar shall provide a copy of the civil marriage  
11.13 application to the party who is unable to appear, who must verify the accuracy of the  
11.14 appearing party's information in a notarized statement. The verification statement must be  
11.15 accompanied by a copy of proof of age of the party. The civil marriage license must not be  
11.16 released until the verification statement and proof of age has been received by the local  
11.17 registrar. If the local registrar is satisfied that there is no legal impediment to it, including  
11.18 the restriction contained in section 259.13, the local registrar shall issue the license,  
11.19 containing the full names of the parties before and after the civil marriage, and county and  
11.20 state of residence, with the county seal attached, and make a record of the date of issuance.  
11.21 The license shall be valid for a period of six months. Except as provided in paragraph (b),  
11.22 the local registrar shall collect from the applicant a fee of \$115 for administering the oath,  
11.23 issuing, recording, and filing all papers required, and preparing and transmitting to the state  
11.24 registrar of vital records the reports of civil marriage required by this section. If the license  
11.25 should not be used within the period of six months due to illness or other extenuating  
11.26 circumstances, it may be surrendered to the local registrar for cancellation, and in that case  
11.27 a new license shall issue upon request of the parties of the original license without fee. A  
11.28 local registrar who knowingly issues or signs a civil marriage license in any manner other  
11.29 than as provided in this section shall pay to the parties aggrieved an amount not to exceed  
11.30 \$1,000.

11.31 (b) The civil marriage license fee for parties who have completed at least 12 hours of  
11.32 premarital education is \$40. In order to qualify for the reduced license fee, the parties must  
11.33 submit at the time of applying for the civil marriage license a statement that is signed, dated,  
11.34 and notarized or marked with a church seal from the person who provided the premarital

12.1 education on their letterhead confirming that it was received. The premarital education must  
 12.2 be provided by a licensed or ordained minister or the minister's designee, a person authorized  
 12.3 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage  
 12.4 and family therapy under section 148B.33. The education must include the use of a premarital  
 12.5 inventory and the teaching of communication and conflict management skills.

12.6 (c) The statement from the person who provided the premarital education under paragraph  
 12.7 (b) must be in the following form:

12.8 "I, ..... (name of educator), confirm that ..... (names of both  
 12.9 parties) received at least 12 hours of premarital education that included the use of a premarital  
 12.10 inventory and the teaching of communication and conflict management skills. I am a licensed  
 12.11 or ordained minister, a person authorized to solemnize civil marriages under Minnesota  
 12.12 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under  
 12.13 Minnesota Statutes, section 148B.33."

12.14 The names of the parties in the educator's statement must be identical to the legal names  
 12.15 of the parties as they appear in the civil marriage license application. Notwithstanding  
 12.16 section 138.17, the educator's statement must be retained for seven years, after which time  
 12.17 it may be destroyed.

12.18 ~~(d) If section 259.13 applies to the request for a civil marriage license, the local registrar~~  
 12.19 ~~shall grant the civil marriage license without the requested name change. Alternatively, the~~  
 12.20 ~~local registrar may delay the granting of the civil marriage license until the party with the~~  
 12.21 ~~conviction:~~

12.22 ~~(1) certifies under oath that 30 days have passed since service of the notice for a name~~  
 12.23 ~~change upon the prosecuting authority and, if applicable, the attorney general and no~~  
 12.24 ~~objection has been filed under section 259.13; or~~

12.25 ~~(2) provides a certified copy of the court order granting it. The parties seeking the civil~~  
 12.26 ~~marriage license shall have the right to choose to have the license granted without the name~~  
 12.27 ~~change or to delay its granting pending further action on the name change request.~~

12.28 Sec. 12. Minnesota Statutes 2022, section 518.191, subdivision 1, is amended to read:

12.29 Subdivision 1. **Abbreviated judgment and decree.** If real estate is described in a  
 12.30 judgment and decree of dissolution, the court ~~may~~ shall direct either of the parties or their  
 12.31 legal counsel to prepare and submit to the court a proposed summary real estate disposition  
 12.32 judgment. Upon approval by the court and filing of the summary real estate disposition

13.1 judgment with the court administrator, the court administrator shall provide to any party  
 13.2 upon request certified copies of the summary real estate disposition judgment.

13.3 Sec. 13. Minnesota Statutes 2022, section 518.191, subdivision 3, is amended to read:

13.4 Subd. 3. **Court order.** An order or provision in a judgment and decree that provides  
 13.5 that the judgment and decree must be recorded in the office of the county recorder or filed  
 13.6 in the office of the registrar of titles means, if a summary real estate disposition judgment  
 13.7 has been approved by the court, that the summary real estate disposition judgment, rather  
 13.8 than the judgment and decree, must be recorded in the office of the county recorder or filed  
 13.9 in the office of the registrar of titles. The recorder or registrar of titles is not responsible for  
 13.10 determining if a summary real estate disposition judgment has been approved by the court.

13.11 Sec. 14. Minnesota Statutes 2022, section 550.365, subdivision 2, is amended to read:

13.12 Subd. 2. **Contents.** A mediation notice must contain the following notice with the blanks  
 13.13 properly filled in.

13.14 "TO: ....(Name of Judgment Debtor)....

13.15 A JUDGMENT WAS ORDERED AGAINST YOU BY ....(Name of Court).... ON  
 13.16 ....(Date of Judgment).

13.17 AS A JUDGMENT CREDITOR, ....(Name of Judgment Creditor).... INTENDS TO  
 13.18 TAKE ACTION AGAINST THE AGRICULTURAL PROPERTY DESCRIBED  
 13.19 AS....(Description of Agricultural Property).... TO SATISFY THE JUDGMENT IN THE  
 13.20 AMOUNT OF ....(Amount of Debt)....

13.21 YOU HAVE THE RIGHT TO HAVE THE DEBT REVIEWED FOR MEDIATION.  
 13.22 IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL BE  
 13.23 MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT  
 13.24 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
 13.25 ENFORCES THE DEBT.

13.26 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 13.27 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 13.28 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
 13.29 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
 13.30 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
 13.31 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS

14.1 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
14.2 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

14.3 TO HAVE THE DEBT REVIEWED FOR MEDIATION YOU MUST FILE A  
14.4 MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14 DAYS AFTER YOU  
14.5 RECEIVE THIS NOTICE. THE MEDIATION REQUEST FORM IS AVAILABLE ~~AT~~  
14.6 ~~ANY COUNTY RECORDER'S OR COUNTY EXTENSION OFFICE~~ FROM THE  
14.7 DIRECTOR OF THE MINNESOTA EXTENSION SERVICE.

14.8 FROM: ....(Name and Address of Judgment Creditor)...."

14.9 Sec. 15. Minnesota Statutes 2022, section 559.209, subdivision 2, is amended to read:

14.10 Subd. 2. **Contents.** A mediation notice must contain the following notice with the blanks  
14.11 properly filled in.

14.12 "TO: ....(Name of Contract for Deed Purchaser)....

14.13 YOU HAVE DEFAULTED ON THE CONTRACT FOR DEED OF THE  
14.14 AGRICULTURAL PROPERTY DESCRIBED AS ....(Size and Reasonable Location of  
14.15 Property, Not Legal Description). THE AMOUNT OF THE OUTSTANDING DEBT IS  
14.16 ....(Amount of Debt)....

14.17 AS THE CONTRACT FOR DEED VENDOR, ....(Contract for Deed Vendor)....  
14.18 INTENDS TO TERMINATE THE CONTRACT AND TAKE BACK THE PROPERTY.

14.19 YOU HAVE THE RIGHT TO HAVE THE CONTRACT FOR DEED DEBT  
14.20 REVIEWED FOR MEDIATION. IF YOU REQUEST MEDIATION, A DEBT THAT IS  
14.21 IN DEFAULT WILL BE MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST  
14.22 MEDIATION, THIS DEBT WILL NOT BE SUBJECT TO FUTURE MEDIATION IF  
14.23 THE CONTRACT FOR DEED VENDOR BEGINS REMEDIES TO ENFORCE THE  
14.24 DEBT.

14.25 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
14.26 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
14.27 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
14.28 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
14.29 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
14.30 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS  
14.31 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
14.32 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

15.1 TO HAVE THE CONTRACT FOR DEED DEBT REVIEWED FOR MEDIATION  
15.2 YOU MUST FILE A MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14  
15.3 DAYS AFTER YOU RECEIVE THE NOTICE. THE MEDIATION REQUEST FORM  
15.4 IS AVAILABLE ~~AT ANY COUNTY EXTENSION OFFICE~~ FROM THE DIRECTOR  
15.5 OF THE MINNESOTA EXTENSION SERVICE.

15.6 FROM: ....(Name and Address of Contract for Deed Vendor)...."

15.7 Sec. 16. Minnesota Statutes 2022, section 573.01, is amended to read:

15.8 **573.01 SURVIVAL OF CAUSES.**

15.9 A cause of action arising out of an injury to the person ~~dies with the person of the party~~  
15.10 ~~in whose favor it exists, except as provided in~~ survives the death of any party in accordance  
15.11 with section 573.02. All other causes of action by one against another, whether arising on  
15.12 contract or not, survive to the personal representatives of the former and against those of  
15.13 the latter.

15.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
15.15 applies to causes of action pending on or commenced on or after that date.

15.16 Sec. 17. Minnesota Statutes 2022, section 573.02, subdivision 1, is amended to read:

15.17 Subdivision 1. **Death action.** When death is caused by the wrongful act or omission of  
15.18 any person or corporation, the trustee appointed as provided in subdivision 3 may maintain  
15.19 an action therefor if the decedent might have maintained an action, had the decedent lived,  
15.20 for an injury caused by the wrongful act or omission. An action to recover damages for a  
15.21 death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital  
15.22 or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall  
15.23 be commenced within three years of the date of death, but in no event shall be commenced  
15.24 beyond the time set forth in section 541.076. An action to recover damages for a death  
15.25 caused by an intentional act constituting murder may be commenced at any time after the  
15.26 death of the decedent. Any other action under this section may be commenced within three  
15.27 years after the date of death provided that the action must be commenced within six years  
15.28 after the act or omission. The recovery in the action is the amount the jury deems fair and  
15.29 ~~just in reference to~~ for all damages suffered by the decedent resulting from the injury prior  
15.30 to the decedent's death and the pecuniary loss resulting from the death, and shall be for the  
15.31 exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary  
15.32 loss severally suffered by the death. The court then determines the proportionate pecuniary  
15.33 loss of the persons entitled to the recovery and orders distribution accordingly. Funeral

16.1 expenses and any demand for the support of the decedent allowed by the court having  
 16.2 jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as  
 16.3 provided in section 549.20.

16.4 If an action for the injury was commenced by the decedent and not finally determined  
 16.5 while living, it may be continued by the trustee for recovery of all damages for the exclusive  
 16.6 benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally  
 16.7 suffered by the death. The court on motion shall make an order allowing the continuance  
 16.8 and directing pleadings to be made and issues framed as in actions begun under this section.

16.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 16.10 applies to causes of action pending on or commenced on or after that date.

16.11 Sec. 18. Minnesota Statutes 2022, section 573.02, subdivision 2, is amended to read:

16.12 Subd. 2. **Injury action.** When injury is caused to a person by the wrongful act or omission  
 16.13 of any person or corporation and the person thereafter dies from a cause unrelated to those  
 16.14 injuries, the trustee appointed in subdivision 3 may maintain an action for ~~special damages~~  
 16.15 all damages arising out of such injury if the decedent might have maintained an action  
 16.16 therefor had the decedent lived. An action under this subdivision may be commenced within  
 16.17 three years after the date of death provided that the action must be commenced within six  
 16.18 years after the act or omission.

16.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 16.20 applies to causes of action pending on or commenced on or after that date.

16.21 Sec. 19. Minnesota Statutes 2022, section 582.039, subdivision 2, is amended to read:

16.22 Subd. 2. **Contents.** A mediation notice must contain the following notice with the blanks  
 16.23 properly filled in.

16.24 "TO: ....(Name of Record Owner)....

16.25 YOU HAVE DEFAULTED ON THE MORTGAGE OF THE AGRICULTURAL  
 16.26 PROPERTY DESCRIBED AS ....(Size and Reasonable Location, Not Legal Description).  
 16.27 THE AMOUNT OF THE OUTSTANDING DEBT ON THIS PROPERTY IS ....(Amount  
 16.28 of Debt)....

16.29 AS HOLDER OF THE MORTGAGE, ....(Name of Holder of Mortgage).... INTENDS  
 16.30 TO FORECLOSE ON THE PROPERTY DESCRIBED ABOVE.

17.1 YOU HAVE THE RIGHT TO HAVE THE MORTGAGE DEBT REVIEWED FOR  
 17.2 MEDIATION. IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL  
 17.3 BE MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT  
 17.4 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
 17.5 ENFORCES THE DEBT.

17.6 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 17.7 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 17.8 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
 17.9 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
 17.10 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
 17.11 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS  
 17.12 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
 17.13 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

17.14 TO HAVE THE MORTGAGE DEBT REVIEWED FOR MEDIATION YOU MUST  
 17.15 FILE A MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14 DAYS AFTER  
 17.16 YOU RECEIVE THIS NOTICE. THE MEDIATION REQUEST FORM IS AVAILABLE  
 17.17 ~~AT ANY COUNTY RECORDER'S OR COUNTY EXTENSION OFFICE~~ FROM THE  
 17.18 DIRECTOR OF THE MINNESOTA EXTENSION SERVICE.

17.19 FROM: ....(Name and Address of Holder of Mortgage)...."

17.20 Sec. 20. Minnesota Statutes 2022, section 583.25, is amended to read:

17.21 **583.25 VOLUNTARY MEDIATION PROCEEDINGS.**

17.22 A debtor that owns agricultural property or a creditor of the debtor may request mediation  
 17.23 of the indebtedness by a farm mediator by applying to the director. The director shall ~~make~~  
 17.24 provide voluntary mediation application forms ~~available at the county recorder's and county~~  
 17.25 ~~extension office in each county~~ when requested. The director must evaluate each request  
 17.26 and may direct a mediator to meet with the debtor and creditor to assist in mediation.

17.27 Sec. 21. Minnesota Statutes 2022, section 583.26, subdivision 2, is amended to read:

17.28 Subd. 2. **Mediation request.** (a) A debtor must file a mediation request form with the  
 17.29 director by 14 days after receiving a mediation notice. The debtor must state all known  
 17.30 creditors with debts secured for agricultural property and must authorize the director to  
 17.31 obtain the debtor's credit report from one or more credit reporting agencies. The mediation  
 17.32 request form must include an instruction that the debtor must state all known creditors with

18.1 debts secured by agricultural property and unsecured creditors that are necessary for the  
 18.2 farm operation of the debtor. It is the debtor's discretion as to which unsecured creditors  
 18.3 are necessary for the farm operation but the mediation request form must notify the debtor  
 18.4 that omission of a significant unsecured creditor could result in a bad-faith determination  
 18.5 pursuant to section 583.27, subdivisions 1, paragraph (a), clause (2), and 2. The mediation  
 18.6 request must state the date that the notice was served on the debtor. The director shall ~~make~~  
 18.7 provide mediation request forms ~~available in the county recorder's and county extension~~  
 18.8 ~~office of each county~~ when requested.

18.9 (b) Except as provided in section 583.24, subdivision 4, paragraph (a), clause (3), a  
 18.10 debtor who fails to file a timely mediation request waives the right to mediation for that  
 18.11 debt under the Farmer-Lender Mediation Act. The director shall notify the creditor who  
 18.12 served the mediation notice stating that the creditor may proceed against the agricultural  
 18.13 property because the debtor has failed to file a mediation request.

18.14 (c) If a debtor has not received a mediation notice and is subject to a proceeding of a  
 18.15 creditor enforcing a debt against agricultural property under chapter 580 or 581 or sections  
 18.16 336.9-601 to 336.9-628, terminating a contract for deed to purchase agricultural property  
 18.17 under section 559.21, or garnishing, levying on, executing on, seizing, or attaching  
 18.18 agricultural property, the debtor may file a mediation request with the director. The mediation  
 18.19 request form must indicate that the debtor has not received a mediation notice.

18.20 Sec. 22. Minnesota Statutes 2022, section 600.23, is amended to read:

18.21 **~~600.23 RECORDERS AND COURT ADMINISTRATORS.~~**

18.22 Subdivision 1. **Deposit of papers.** Every county recorder, upon being paid the legal fees  
 18.23 therefor, ~~shall~~ may receive and deposit in the office any instruments or papers which ~~shall~~  
 18.24 ~~be~~ are offered for that purpose and, if ~~required~~ requested, shall give to the person depositing  
 18.25 the same a receipt therefor.

18.26 Subd. 2. **Endorsed and filed.** Any such instruments or papers so received shall be filed  
 18.27 by the officer receiving the same, and so endorsed as to indicate their general nature, the  
 18.28 names of the parties thereto, and time when received, and shall be deposited and kept by  
 18.29 the officer and successors in office in the same manner as the officer's official papers, but  
 18.30 in a place separate therefrom.

18.31 Subd. 3. **Withdrawal.** Papers and instruments so deposited shall not be made public or  
 18.32 withdrawn from the office except upon the written order of the person depositing the same,

19.1 or the person's executors or administrators, or on the order of some court for the purpose  
19.2 of being read in the court, and then to be returned to the office.

19.3 Subd. 3a. **Retention and disposal.** Papers and instruments deposited for safekeeping  
19.4 shall be retained, at a minimum, until the earlier of:

19.5 (1) the county recorder learns of the depositor's death, at which time the county recorder  
19.6 may deliver the paper or instrument to the appropriate court, or deliver the paper or instrument  
19.7 to the depositor's executors or administrators; or

19.8 (2) 20 years following the deposit of the paper or instrument, at which time the county  
19.9 recorder shall dispose of the paper or instrument pursuant to its county's retention policy.

19.10 **Subd. 4. Certificate that instrument cannot be found.** The certificate of any officer  
19.11 to whom the legal custody of any instrument belongs, stating that the officer has made  
19.12 diligent search for such instrument and that it cannot be found, shall be prima facie evidence  
19.13 of the fact so certified to in all cases, matters, and proceedings.

19.14 Sec. 23. Minnesota Statutes 2022, section 609.5314, subdivision 3, is amended to read:

19.15 **Subd. 3. Judicial determination.** (a) Within 60 days following service of a notice of  
19.16 seizure and forfeiture under this section, a claimant may file a demand for a judicial  
19.17 determination of the forfeiture. The demand must be in the form of a civil complaint and  
19.18 must be filed with the court administrator in the county in which the seizure occurred,  
19.19 together with proof of service of a copy of the complaint on the prosecuting authority for  
19.20 that county. The claimant may serve the complaint on the prosecuting authority by certified  
19.21 mail or any means permitted by court rules. If the value of the seized property is \$15,000  
19.22 or less, the claimant may file an action in conciliation court for recovery of the seized  
19.23 property. A copy of the conciliation court statement of claim may be served personally or  
19.24 as permitted by the Rules of Conciliation Court Procedure on the prosecuting authority  
19.25 having jurisdiction over the forfeiture within 60 days following service of the notice of  
19.26 seizure and forfeiture under this subdivision. The claimant does not have to pay the court  
19.27 filing fee. No responsive pleading is required of the prosecuting authority and no court fees  
19.28 may be charged for the prosecuting authority's appearance in the matter. The district court  
19.29 administrator shall schedule the hearing as soon as practicable after, and in any event no  
19.30 later than 90 days following, the conclusion of the criminal prosecution. The proceedings  
19.31 are governed by the Rules of Civil Procedure and, where applicable, by the Rules of  
19.32 Conciliation Court Procedure.

20.1 (b) The complaint must be captioned in the name of the claimant as plaintiff and the  
20.2 seized property as defendant, and must state with specificity the grounds on which the  
20.3 claimant alleges the property was improperly seized and the plaintiff's interest in the property  
20.4 seized. Notwithstanding any law to the contrary, an action for the return of property seized  
20.5 under this section may not be maintained by or on behalf of any person who has been served  
20.6 with a notice of seizure and forfeiture unless the person has complied with this subdivision.

20.7 (c) If the claimant makes a timely demand for judicial determination under this  
20.8 subdivision, the appropriate agency must conduct the forfeiture under section 609.531,  
20.9 subdivision 6a. The limitations and defenses set forth in section 609.5311, subdivision 3,  
20.10 apply to the judicial determination.

20.11 (d) If a demand for judicial determination of an administrative forfeiture is filed under  
20.12 this subdivision and the court orders the return of the seized property, the court may order  
20.13 sanctions under section 549.211. If the court orders payment of these costs, they must be  
20.14 paid from forfeited money or proceeds from the sale of forfeited property from the appropriate  
20.15 law enforcement and prosecuting agencies in the same proportion as they would be distributed  
20.16 under section 609.5315, subdivision 5.

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

20.18 Sec. 24. Minnesota Statutes 2022, section 611.215, subdivision 1, is amended to read:

20.19 Subdivision 1. **Structure; membership.** (a) The State Board of Public Defense is a part  
20.20 of, but is not subject to the administrative control of, the judicial branch of government.  
20.21 The State Board of Public Defense shall consist of ~~seven~~ nine members including:

20.22 (1) four attorneys admitted to the practice of law, well acquainted with the defense of  
20.23 persons accused of crime, but not employed as prosecutors, appointed by the supreme court,  
20.24 of which one must be a retired or former public defender within the past five years; and

20.25 (2) ~~three~~ five public members appointed by the governor.

20.26 The appointing authorities may not appoint a person who is a judge to be a member of  
20.27 the State Board of Public Defense, other than as a member of the ad hoc Board of Public  
20.28 Defense.

20.29 (b) All members shall demonstrate an interest in maintaining a high quality, independent  
20.30 defense system for those who are unable to obtain adequate representation. Appointments  
20.31 to the board shall include qualified women and members of minority groups. At least three  
20.32 members of the board shall be from judicial districts other than the First, Second, Fourth,  
20.33 and Tenth Judicial Districts. The terms, compensation, and removal of members shall be

21.1 as provided in section 15.0575. The chair shall be elected by the members from among the  
21.2 membership for a term of two years.

21.3 (c) In addition, the State Board of Public Defense shall consist of a nine-member ad hoc  
21.4 board when considering the appointment of district public defenders under section 611.26,  
21.5 subdivision 2. The terms of chief district public defenders currently serving shall terminate  
21.6 in accordance with the staggered term schedule set forth in section 611.26, subdivision 2.

21.7 (d) Meetings of the board are subject to chapter 13D.

21.8 Sec. 25. **REPEALER.**

21.9 (a) Minnesota Statutes 2022, sections 346.02; and 582.14, are repealed.

21.10 (b) Minnesota Statutes 2022, section 504B.305, is repealed.

21.11 **EFFECTIVE DATE.** Paragraph (b) is effective the day following final enactment.

## 21.12 **ARTICLE 2**

### 21.13 **CONSTRUCTION CONTRACTS**

21.14 Section 1. Minnesota Statutes 2022, section 15.71, is amended by adding a subdivision  
21.15 to read:

21.16 **Subd. 1a. Indemnification agreement.** "Indemnification agreement" means an agreement  
21.17 by the promisor to indemnify, defend, or hold harmless the promisee against liability or  
21.18 claims of liability for damages arising out of bodily injury to persons or out of physical  
21.19 damage to tangible or real property.

21.20 Sec. 2. Minnesota Statutes 2022, section 15.71, is amended by adding a subdivision to  
21.21 read:

21.22 **Subd. 1b. Promisee.** "Promisee" includes that party's independent contractors, agents,  
21.23 employees, or indemnitees.

21.24 Sec. 3. Minnesota Statutes 2022, section 15.72, is amended by adding a subdivision to  
21.25 read:

21.26 **Subd. 3. Unenforceability of certain agreements.** (a) An indemnification agreement  
21.27 contained in, or executed in connection with, a contract for a public improvement is  
21.28 unenforceable except to the extent that:

22.1 (1) the underlying injury or damage is attributable to the negligent or otherwise wrongful  
22.2 act or omission, including breach of a specific contractual duty, of the promisor or the  
22.3 promisor's independent contractors, agents, employees, or delegates; or

22.4 (2) an owner, a responsible party, or a governmental entity agrees to indemnify a  
22.5 contractor directly or through another contractor with respect to strict liability under  
22.6 environmental laws.

22.7 (b) A provision in a public building or construction contract that requires a party to  
22.8 provide insurance coverage to one or more other parties, including third parties, for the  
22.9 negligence or intentional acts or omissions of any of those other parties, including third  
22.10 parties, is against public policy and is void and unenforceable.

22.11 (c) Paragraph (b) does not affect the validity of a provision that requires a party to provide  
22.12 or obtain workers' compensation insurance, construction performance or payment bonds,  
22.13 builder's risk policies, or owner or contractor-controlled insurance programs or policies.

22.14 (d) Paragraph (b) does not affect the validity of a provision that requires the promisor  
22.15 to provide or obtain insurance coverage for the promisee's vicarious liability, or liability  
22.16 imposed by warranty, arising out of the acts or omissions of the promisor.

22.17 (e) Paragraph (b) does not apply to building and construction contracts for work within  
22.18 50 feet of public or private railroads or railroads regulated by the Federal Railroad  
22.19 Administration.

22.20 Sec. 4. Minnesota Statutes 2022, section 337.01, subdivision 3, is amended to read:

22.21 Subd. 3. **Indemnification agreement.** "Indemnification agreement" means an agreement  
22.22 by the promisor to indemnify, defend, or hold harmless the promisee against liability or  
22.23 claims of liability for damages arising out of bodily injury to persons or out of physical  
22.24 damage to tangible or real property.

22.25 Sec. 5. Minnesota Statutes 2022, section 337.05, subdivision 1, is amended to read:

22.26 Subdivision 1. **Agreements valid.** (a) Except as otherwise provided in paragraph (b),  
22.27 sections 337.01 to 337.05 do not affect the validity of agreements whereby a promisor agrees  
22.28 to provide specific insurance coverage for the benefit of others.

22.29 (b) A provision that requires a party to provide insurance coverage to one or more other  
22.30 parties, including third parties, for the negligence or intentional acts or omissions of any of  
22.31 those other parties, including third parties, is against public policy and is void and  
22.32 unenforceable.

23.1 (c) Paragraph (b) does not affect the validity of a provision that requires a party to provide  
 23.2 or obtain workers' compensation insurance, construction performance or payment bonds,  
 23.3 ~~or project-specific insurance, including, without limitation,~~ builder's risk policies, or owner  
 23.4 or contractor-controlled insurance programs or policies.

23.5 (d) Paragraph (b) does not affect the validity of a provision that requires the promisor  
 23.6 to provide or obtain insurance coverage for the promisee's vicarious liability, or liability  
 23.7 imposed by warranty, arising out of the acts or omissions of the promisor.

23.8 (e) Paragraph (b) does not apply to building and construction contracts for work within  
 23.9 50 feet of public or private railroads, or railroads regulated by the Federal Railroad  
 23.10 Administration.

23.11 Sec. 6. **EFFECTIVE DATE.**

23.12 Sections 1 to 5 are effective the day following final enactment and apply to agreements  
 23.13 entered into on or after that date.

### 23.14 ARTICLE 3

### 23.15 CIVIL RIGHTS LAW

23.16 Section 1. Minnesota Statutes 2022, section 82B.195, subdivision 3, is amended to read:

23.17 Subd. 3. **Additional requirements.** In addition to the requirements of subdivisions 1  
 23.18 and 2, an appraiser must:

23.19 (1) not knowingly make any of the following unacceptable appraisal practices:

23.20 (i) include inaccurate or misleading factual data about the subject neighborhood, site,  
 23.21 improvements, or comparable sales;

23.22 (ii) fail to comment on negative factors with respect to the subject neighborhood, subject  
 23.23 property, or proximity of the subject property to adverse influences;

23.24 (iii) unless otherwise disclosed in the appraisal report, use comparables in the valuation  
 23.25 process that the appraiser has not at least personally inspected from the exterior by driving  
 23.26 by them;

23.27 (iv) select and use inappropriate comparable sales or fail to use comparables that are  
 23.28 physically and by location the most similar to the subject property;

23.29 (v) use data, particularly comparable sales data, that was provided by parties who have  
 23.30 a financial interest in the sale or financing of the subject property without the appraiser's  
 23.31 verification of the information from a disinterested source. For example, it would be

24.1 inappropriate for an appraiser to use comparable sales provided by the builder of the subject  
24.2 property or a real estate broker who is handling the sale of the subject property, unless the  
24.3 appraiser verifies the accuracy of the data provided through another source. If a signed HUD  
24.4 Settlement Statement is used for this verification, the appraiser must also verify the sale  
24.5 data with the buyer or county records. The appraiser must also make an independent  
24.6 investigation to determine that the comparable sales provided were the best ones available;

24.7 (vi) use adjustments to the comparable sales that do not reflect the market's reaction to  
24.8 the differences between the subject property and the comparables, or fail to make adjustments  
24.9 when they are clearly indicated;

24.10 (vii) develop a valuation conclusion that is based either partially or completely on factors  
24.11 identified in chapter 363A, including race, color, creed, religion, sex, gender identity, marital  
24.12 status, status with regard to public assistance, disability, sexual orientation, familial status  
24.13 of the owner or occupants of nearby property, or national origin of either the prospective  
24.14 owners or occupants of the properties in the vicinity of the subject property; or

24.15 (viii) develop a valuation conclusion that is not supported by available market data;

24.16 (2) provide a resume, current within six months of the date it is provided, to anyone who  
24.17 employs the appraiser, indicating all professional degrees and licenses held by the appraiser;  
24.18 and

24.19 (3) reject any request by the person who has employed the appraiser that is in conflict  
24.20 with the requirements of Minnesota law or this chapter and withdraw from the appraisal  
24.21 assignment if the employing party persists in the request.

24.22 Sec. 2. Minnesota Statutes 2022, section 245I.12, subdivision 1, is amended to read:

24.23 Subdivision 1. **Client rights.** A license holder must ensure that all clients have the  
24.24 following rights:

24.25 (1) the rights listed in the health care bill of rights in section 144.651;

24.26 (2) the right to be free from discrimination based on age, race, color, creed, religion,  
24.27 national origin, sex, gender identity, marital status, disability, sexual orientation, and status  
24.28 with regard to public assistance. The license holder must follow all applicable state and  
24.29 federal laws including the Minnesota Human Rights Act, chapter 363A; and

24.30 (3) the right to be informed prior to a photograph or audio or video recording being made  
24.31 of the client. The client has the right to refuse to allow any recording or photograph of the  
24.32 client that is not for the purposes of identification or supervision by the license holder.

25.1 Sec. 3. Minnesota Statutes 2022, section 363A.02, subdivision 1, is amended to read:

25.2 Subdivision 1. **Freedom from discrimination.** (a) It is the public policy of this state to  
25.3 secure for persons in this state, freedom from discrimination:

25.4 (1) in employment because of race, color, creed, religion, national origin, sex, gender  
25.5 identity, marital status, disability, status with regard to public assistance, sexual orientation,  
25.6 familial status, and age;

25.7 (2) in housing and real property because of race, color, creed, religion, national origin,  
25.8 sex, gender identity, marital status, disability, status with regard to public assistance, sexual  
25.9 orientation, and familial status;

25.10 (3) in public accommodations because of race, color, creed, religion, national origin,  
25.11 sex, gender identity, sexual orientation, and disability;

25.12 (4) in public services because of race, color, creed, religion, national origin, sex, gender  
25.13 identity, marital status, disability, sexual orientation, and status with regard to public  
25.14 assistance; and

25.15 (5) in education because of race, color, creed, religion, national origin, sex, gender  
25.16 identity, marital status, disability, status with regard to public assistance, sexual orientation,  
25.17 and age.

25.18 (b) Such discrimination threatens the rights and privileges of the inhabitants of this state  
25.19 and menaces the institutions and foundations of democracy. It is also the public policy of  
25.20 this state to protect all persons from wholly unfounded charges of discrimination. Nothing  
25.21 in this chapter shall be interpreted as restricting the implementation of positive action  
25.22 programs to combat discrimination.

25.23 Sec. 4. Minnesota Statutes 2022, section 363A.03, subdivision 23, is amended to read:

25.24 Subd. 23. **Local commission.** "Local commission" means an agency of a city, county,  
25.25 or group of counties created pursuant to law, resolution of a county board, city charter, or  
25.26 municipal ordinance for the purpose of dealing with discrimination on the basis of race,  
25.27 color, creed, religion, national origin, sex, gender identity, age, disability, marital status,  
25.28 status with regard to public assistance, sexual orientation, or familial status.

25.29 Sec. 5. Minnesota Statutes 2022, section 363A.03, subdivision 44, is amended to read:

25.30 Subd. 44. **Sexual orientation.** "Sexual orientation" means having or being perceived as  
25.31 having an emotional, physical, or sexual attachment to another person without regard to the

26.1 sex of that person or having or being perceived as having an orientation for such attachment;  
26.2 ~~or having or being perceived as having a self-image or identity not traditionally associated~~  
26.3 ~~with one's biological maleness or femaleness. "Sexual orientation" does not include a physical~~  
26.4 ~~or sexual attachment to children by an adult.~~

26.5 Sec. 6. Minnesota Statutes 2022, section 363A.03, is amended by adding a subdivision to  
26.6 read:

26.7 Subd. 50. **Gender identity.** "Gender identity" means a person's inherent sense of being  
26.8 a man, woman, both, or neither. A person's gender identity may or may not correspond to  
26.9 their assigned sex at birth or to their primary or secondary sex characteristics. A person's  
26.10 gender identity is not necessarily visible to others.

26.11 Sec. 7. Minnesota Statutes 2022, section 363A.04, is amended to read:

26.12 **363A.04 CONSTRUCTION AND EXCLUSIVITY.**

26.13 The provisions of this chapter shall be construed liberally for the accomplishment of the  
26.14 purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the  
26.15 provisions of the civil rights law or of any other law of this state relating to discrimination  
26.16 because of race, creed, color, religion, sex, gender identity, age, disability, marital status,  
26.17 status with regard to public assistance, national origin, sexual orientation, or familial status;  
26.18 but, as to acts declared unfair by sections 363A.08 to 363A.19, and 363A.28, subdivision  
26.19 10, the procedure herein provided shall, while pending, be exclusive.

26.20 Sec. 8. Minnesota Statutes 2022, section 363A.06, subdivision 1, is amended to read:

26.21 Subdivision 1. **Formulation of policies.** (a) The commissioner shall formulate policies  
26.22 to effectuate the purposes of this chapter and shall do the following:

26.23 (1) exercise leadership under the direction of the governor in the development of human  
26.24 rights policies and programs, and make recommendations to the governor and the legislature  
26.25 for their consideration and implementation;

26.26 (2) establish and maintain a principal office in St. Paul, and any other necessary branch  
26.27 offices at any location within the state;

26.28 (3) meet and function at any place within the state;

26.29 (4) employ attorneys, clerks, and other employees and agents as the commissioner may  
26.30 deem necessary and prescribe their duties;

- 27.1 (5) to the extent permitted by federal law and regulation, utilize the records of the  
27.2 Department of Employment and Economic Development of the state when necessary to  
27.3 effectuate the purposes of this chapter;
- 27.4 (6) obtain upon request and utilize the services of all state governmental departments  
27.5 and agencies;
- 27.6 (7) adopt suitable rules for effectuating the purposes of this chapter;
- 27.7 (8) issue complaints, receive and investigate charges alleging unfair discriminatory  
27.8 practices, and determine whether or not probable cause exists for hearing;
- 27.9 (9) subpoena witnesses, administer oaths, take testimony, and require the production for  
27.10 examination of any books or papers relative to any matter under investigation or in question  
27.11 as the commissioner deems appropriate to carry out the purposes of this chapter;
- 27.12 (10) attempt, by means of education, conference, conciliation, and persuasion to eliminate  
27.13 unfair discriminatory practices as being contrary to the public policy of the state;
- 27.14 (11) develop and conduct programs of formal and informal education designed to  
27.15 eliminate discrimination and intergroup conflict by use of educational techniques and  
27.16 programs the commissioner deems necessary;
- 27.17 (12) make a written report of the activities of the commissioner to the governor each  
27.18 year;
- 27.19 (13) accept gifts, bequests, grants, or other payments public and private to help finance  
27.20 the activities of the department;
- 27.21 (14) create such local and statewide advisory committees as will in the commissioner's  
27.22 judgment aid in effectuating the purposes of the Department of Human Rights;
- 27.23 (15) develop such programs as will aid in determining the compliance throughout the  
27.24 state with the provisions of this chapter, and in the furtherance of such duties, conduct  
27.25 research and study discriminatory practices based upon race, color, creed, religion, national  
27.26 origin, sex, gender identity, age, disability, marital status, status with regard to public  
27.27 assistance, familial status, sexual orientation, or other factors and develop accurate data on  
27.28 the nature and extent of discrimination and other matters as they may affect housing,  
27.29 employment, public accommodations, schools, and other areas of public life;
- 27.30 (16) develop and disseminate technical assistance to persons subject to the provisions  
27.31 of this chapter, and to agencies and officers of governmental and private agencies;

28.1 (17) provide staff services to such advisory committees as may be created in aid of the  
28.2 functions of the Department of Human Rights;

28.3 (18) make grants in aid to the extent that appropriations are made available for that  
28.4 purpose in aid of carrying out duties and responsibilities; and

28.5 (19) cooperate and consult with the commissioner of labor and industry regarding the  
28.6 investigation of violations of, and resolution of complaints regarding section 363A.08,  
28.7 subdivision 7.

28.8 In performing these duties, the commissioner shall give priority to those duties in clauses  
28.9 (8), (9), and (10) and to the duties in section 363A.36.

28.10 (b) All gifts, bequests, grants, or other payments, public and private, accepted under  
28.11 paragraph (a), clause (13), must be deposited in the state treasury and credited to a special  
28.12 account. Money in the account is appropriated to the commissioner of human rights to help  
28.13 finance activities of the department.

28.14 Sec. 9. Minnesota Statutes 2022, section 363A.07, subdivision 2, is amended to read:

28.15 Subd. 2. **Referral from commissioner.** The commissioner, whether or not a charge has  
28.16 been filed under this chapter, may refer a matter involving discrimination because of race,  
28.17 color, religion, sex, gender identity, creed, disability, marital status, status with regard to  
28.18 public assistance, national origin, age, sexual orientation, or familial status to a local  
28.19 commission for study and report.

28.20 Upon referral by the commissioner, the local commission shall make a report and make  
28.21 recommendations to the commissioner and take other appropriate action within the scope  
28.22 of its powers.

28.23 Sec. 10. Minnesota Statutes 2022, section 363A.08, subdivision 1, is amended to read:

28.24 Subdivision 1. **Labor organization.** Except when based on a bona fide occupational  
28.25 qualification, it is an unfair employment practice for a labor organization, because of race,  
28.26 color, creed, religion, national origin, sex, gender identity, marital status, status with regard  
28.27 to public assistance, familial status, disability, sexual orientation, or age:

28.28 (1) to deny full and equal membership rights to a person seeking membership or to a  
28.29 member;

28.30 (2) to expel a member from membership;

29.1 (3) to discriminate against a person seeking membership or a member with respect to  
29.2 hiring, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or  
29.3 privileges of employment; or

29.4 (4) to fail to classify properly, or refer for employment or otherwise to discriminate  
29.5 against a person or member.

29.6 Sec. 11. Minnesota Statutes 2022, section 363A.08, subdivision 2, is amended to read:

29.7 Subd. 2. **Employer.** Except when based on a bona fide occupational qualification, it is  
29.8 an unfair employment practice for an employer, because of race, color, creed, religion,  
29.9 national origin, sex, gender identity, marital status, status with regard to public assistance,  
29.10 familial status, membership or activity in a local commission, disability, sexual orientation,  
29.11 or age to:

29.12 (1) refuse to hire or to maintain a system of employment which unreasonably excludes  
29.13 a person seeking employment; or

29.14 (2) discharge an employee; or

29.15 (3) discriminate against a person with respect to hiring, tenure, compensation, terms,  
29.16 upgrading, conditions, facilities, or privileges of employment.

29.17 Sec. 12. Minnesota Statutes 2022, section 363A.08, subdivision 3, is amended to read:

29.18 Subd. 3. **Employment agency.** Except when based on a bona fide occupational  
29.19 qualification, it is an unfair employment practice for an employment agency, because of  
29.20 race, color, creed, religion, national origin, sex, gender identity, marital status, status with  
29.21 regard to public assistance, familial status, disability, sexual orientation, or age to:

29.22 (1) refuse or fail to accept, register, classify properly, or refer for employment or  
29.23 otherwise to discriminate against a person; or

29.24 (2) comply with a request from an employer for referral of applicants for employment  
29.25 if the request indicates directly or indirectly that the employer fails to comply with the  
29.26 provisions of this chapter.

29.27 Sec. 13. Minnesota Statutes 2022, section 363A.08, subdivision 4, is amended to read:

29.28 Subd. 4. **Employer, employment agency, or labor organization.** (a) Except when  
29.29 based on a bona fide occupational qualification, it is an unfair employment practice for an  
29.30 employer, employment agency, or labor organization, before a person is employed by an  
29.31 employer or admitted to membership in a labor organization, to:

30.1 (1) require or request the person to furnish information that pertains to race, color, creed,  
30.2 religion, national origin, sex, gender identity, marital status, status with regard to public  
30.3 assistance, familial status, disability, sexual orientation, or age; or, subject to section 363A.20,  
30.4 to require or request a person to undergo physical examination; unless for the sole and  
30.5 exclusive purpose of national security, information pertaining to national origin is required  
30.6 by the United States, this state or a political subdivision or agency of the United States or  
30.7 this state, or for the sole and exclusive purpose of compliance with the Public Contracts  
30.8 Act or any rule, regulation, or laws of the United States or of this state requiring the  
30.9 information or examination. A law enforcement agency may, after notifying an applicant  
30.10 for a peace officer or part-time peace officer position that the law enforcement agency is  
30.11 commencing the background investigation on the applicant, request the applicant's date of  
30.12 birth, gender, and race on a separate form for the sole and exclusive purpose of conducting  
30.13 a criminal history check, a driver's license check, and fingerprint criminal history inquiry.  
30.14 The form shall include a statement indicating why the data is being collected and what its  
30.15 limited use will be. No document which has date of birth, gender, or race information will  
30.16 be included in the information given to or available to any person who is involved in selecting  
30.17 the person or persons employed other than the background investigator. No person may act  
30.18 both as background investigator and be involved in the selection of an employee except that  
30.19 the background investigator's report about background may be used in that selection as long  
30.20 as no direct or indirect references are made to the applicant's race, age, or gender; or

30.21 (2) seek and obtain for purposes of making a job decision, information from any source  
30.22 that pertains to the person's race, color, creed, religion, national origin, sex, gender identity,  
30.23 marital status, status with regard to public assistance, familial status, disability, sexual  
30.24 orientation, or age, unless for the sole and exclusive purpose of compliance with the Public  
30.25 Contracts Act or any rule, regulation, or laws of the United States or of this state requiring  
30.26 the information; or

30.27 (3) cause to be printed or published a notice or advertisement that relates to employment  
30.28 or membership and discloses a preference, limitation, specification, or discrimination based  
30.29 on race, color, creed, religion, national origin, sex, gender identity, marital status, status  
30.30 with regard to public assistance, familial status, disability, sexual orientation, or age.

30.31 (b) Any individual who is required to provide information that is prohibited by this  
30.32 subdivision is an aggrieved party under sections 363A.06, subdivision 4, and 363A.28,  
30.33 subdivisions 1 to 9.

31.1 Sec. 14. Minnesota Statutes 2022, section 363A.08, is amended by adding a subdivision  
31.2 to read:

31.3 Subd. 8. **Inquiries into pay history prohibited.** (a) "Pay history" as used in this  
31.4 subdivision means any prior or current wage, salary, earnings, benefits, or any other  
31.5 compensation about an applicant for employment.

31.6 (b) An employer, employment agency, or labor organization shall not inquire into,  
31.7 consider, or require disclosure from any source the pay history of an applicant for  
31.8 employment for the purpose of determining wages, salary, earnings, benefits, or other  
31.9 compensation for that applicant. The general prohibition against inquiring into the pay  
31.10 history of an applicant does not apply if the job applicant's pay history is a matter of public  
31.11 record under federal or state law, unless the employer, employment agency, or labor  
31.12 organization sought access to those public records with the intent of obtaining pay history  
31.13 of the applicant for the purpose of determining wages, salary, earnings, benefits, or other  
31.14 compensation for that applicant.

31.15 (c) Nothing in this subdivision shall prevent an applicant for employment from voluntarily  
31.16 and without asking, encouraging, or prompting disclosing pay history for the purposes of  
31.17 negotiating wages, salary, benefits, or other compensation. If an applicant for employment  
31.18 voluntarily and without asking, encouraging, or prompting discloses pay history to a  
31.19 prospective employer, employment agency, or labor organization, nothing in this subdivision  
31.20 shall prohibit that employer, employment agency, or labor organization from considering  
31.21 or acting on that voluntarily disclosed salary history information to support a wage or salary  
31.22 higher than initially offered by the employer, employment agency, or labor organization.

31.23 (d) Nothing in this subdivision limits, prohibits, or prevents a person from bringing a  
31.24 charge, grievance, or any other cause of action alleging wage discrimination because of  
31.25 race, color, creed, religion, national origin, sex, gender identity, marital status, status with  
31.26 regard to public assistance, familial status, membership or activity in a local commission,  
31.27 disability, sexual orientation, or age, as otherwise provided in this chapter.

31.28 (e) Nothing in this subdivision shall be construed to prevent an employer from:

31.29 (1) providing information about the wages, benefits, compensation, or salary offered in  
31.30 relation to a position; or

31.31 (2) inquiring about or otherwise engaging in discussions with an applicant about the  
31.32 applicant's expectations or requests with respect to wages, salary, benefits, or other  
31.33 compensation.

32.1 **EFFECTIVE DATE.** This section is effective January 1, 2024. For employment covered  
32.2 by collective bargaining agreements, this section is not effective until the date of  
32.3 implementation of the applicable collective bargaining agreement that is after January 1,  
32.4 2024.

32.5 Sec. 15. Minnesota Statutes 2022, section 363A.09, subdivision 1, is amended to read:

32.6 Subdivision 1. **Real property interest; action by owner, lessee, and others.** It is an  
32.7 unfair discriminatory practice for an owner, lessee, sublessee, assignee, or managing agent  
32.8 of, or other person having the right to sell, rent or lease any real property, or any agent of  
32.9 any of these:

32.10 (1) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or  
32.11 group of persons any real property because of race, color, creed, religion, national origin,  
32.12 sex, gender identity, marital status, status with regard to public assistance, disability, sexual  
32.13 orientation, or familial status; or

32.14 (2) to discriminate against any person or group of persons because of race, color, creed,  
32.15 religion, national origin, sex, gender identity, marital status, status with regard to public  
32.16 assistance, disability, sexual orientation, or familial status in the terms, conditions or  
32.17 privileges of the sale, rental or lease of any real property or in the furnishing of facilities or  
32.18 services in connection therewith, except that nothing in this clause shall be construed to  
32.19 prohibit the adoption of reasonable rules intended to protect the safety of minors in their  
32.20 use of the real property or any facilities or services furnished in connection therewith; or

32.21 (3) in any transaction involving real property, to print, circulate or post or cause to be  
32.22 printed, circulated, or posted any advertisement or sign, or use any form of application for  
32.23 the purchase, rental or lease of real property, or make any record or inquiry in connection  
32.24 with the prospective purchase, rental, or lease of real property which expresses, directly or  
32.25 indirectly, any limitation, specification, or discrimination as to race, color, creed, religion,  
32.26 national origin, sex, gender identity, marital status, status with regard to public assistance,  
32.27 disability, sexual orientation, or familial status, or any intent to make any such limitation,  
32.28 specification, or discrimination except that nothing in this clause shall be construed to  
32.29 prohibit the advertisement of a dwelling unit as available to adults-only if the person placing  
32.30 the advertisement reasonably believes that the provisions of this section prohibiting  
32.31 discrimination because of familial status do not apply to the dwelling unit.

33.1 Sec. 16. Minnesota Statutes 2022, section 363A.09, subdivision 2, is amended to read:

33.2 Subd. 2. **Real property interest; action by brokers, agents, and others.** It is an unfair  
33.3 discriminatory practice for a real estate broker, real estate salesperson, or employee, or agent  
33.4 thereof:

33.5 (1) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property  
33.6 to any person or group of persons or to negotiate for the sale, rental, or lease of any real  
33.7 property to any person or group of persons because of race, color, creed, religion, national  
33.8 origin, sex, gender identity, marital status, status with regard to public assistance, disability,  
33.9 sexual orientation, or familial status or represent that real property is not available for  
33.10 inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold  
33.11 any real property or any facilities of real property to or from any person or group of persons  
33.12 because of race, color, creed, religion, national origin, sex, gender identity, marital status,  
33.13 status with regard to public assistance, disability, sexual orientation, or familial status; or

33.14 (2) to discriminate against any person because of race, color, creed, religion, national  
33.15 origin, sex, gender identity, marital status, status with regard to public assistance, disability,  
33.16 sexual orientation, or familial status in the terms, conditions or privileges of the sale, rental  
33.17 or lease of real property or in the furnishing of facilities or services in connection therewith;  
33.18 or

33.19 (3) to print, circulate, or post or cause to be printed, circulated, or posted any  
33.20 advertisement or sign, or use any form of application for the purchase, rental, or lease of  
33.21 any real property or make any record or inquiry in connection with the prospective purchase,  
33.22 rental or lease of any real property, which expresses directly or indirectly, any limitation,  
33.23 specification or discrimination as to race, color, creed, religion, national origin, sex, gender  
33.24 identity, marital status, status with regard to public assistance, disability, sexual orientation,  
33.25 or familial status or any intent to make any such limitation, specification, or discrimination  
33.26 except that nothing in this clause shall be construed to prohibit the advertisement of a  
33.27 dwelling unit as available to adults-only if the person placing the advertisement reasonably  
33.28 believes that the provisions of this section prohibiting discrimination because of familial  
33.29 status do not apply to the dwelling unit.

33.30 Sec. 17. Minnesota Statutes 2022, section 363A.09, subdivision 3, is amended to read:

33.31 Subd. 3. **Real property interest; action by financial institution.** It is an unfair  
33.32 discriminatory practice for a person, bank, banking organization, mortgage company,  
33.33 insurance company, or other financial institution or lender to whom application is made for

34.1 financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair  
34.2 or maintenance of any real property or any agent or employee thereof:

34.3 (1) to discriminate against any person or group of persons because of race, color, creed,  
34.4 religion, national origin, sex, gender identity, marital status, status with regard to public  
34.5 assistance, disability, sexual orientation, or familial status of the person or group of persons  
34.6 or of the prospective occupants or tenants of the real property in the granting, withholding,  
34.7 extending, modifying or renewing, or in the rates, terms, conditions, or privileges of the  
34.8 financial assistance or in the extension of services in connection therewith; or

34.9 (2) to use any form of application for the financial assistance or make any record or  
34.10 inquiry in connection with applications for the financial assistance which expresses, directly  
34.11 or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion,  
34.12 national origin, sex, gender identity, marital status, status with regard to public assistance,  
34.13 disability, sexual orientation, or familial status or any intent to make any such limitation,  
34.14 specification, or discrimination; or

34.15 (3) to discriminate against any person or group of persons who desire to purchase, lease,  
34.16 acquire, construct, rehabilitate, repair, or maintain real property in a specific urban or rural  
34.17 area or any part thereof solely because of the social, economic, or environmental conditions  
34.18 of the area in the granting, withholding, extending, modifying, or renewing, or in the rates,  
34.19 terms, conditions, or privileges of the financial assistance or in the extension of services in  
34.20 connection therewith.

34.21 Sec. 18. Minnesota Statutes 2022, section 363A.09, subdivision 4, is amended to read:

34.22 Subd. 4. **Real property transaction.** It is an unfair discriminatory practice for any real  
34.23 estate broker or real estate salesperson, for the purpose of inducing a real property transaction  
34.24 from which the person, the person's firm, or any of its members may benefit financially, to  
34.25 represent that a change has occurred or will or may occur in the composition with respect  
34.26 to race, creed, color, national origin, sex, gender identity, marital status, status with regard  
34.27 to public assistance, sexual orientation, or disability of the owners or occupants in the block,  
34.28 neighborhood, or area in which the real property is located, and to represent, directly or  
34.29 indirectly, that this change will or may result in undesirable consequences in the block,  
34.30 neighborhood, or area in which the real property is located, including but not limited to the  
34.31 lowering of property values, an increase in criminal or antisocial behavior, or a decline in  
34.32 the quality of schools or other public facilities.

35.1 Sec. 19. Minnesota Statutes 2022, section 363A.11, subdivision 1, is amended to read:

35.2 Subdivision 1. **Full and equal enjoyment of public accommodations.** (a) It is an unfair  
35.3 discriminatory practice:

35.4 (1) to deny any person the full and equal enjoyment of the goods, services, facilities,  
35.5 privileges, advantages, and accommodations of a place of public accommodation because  
35.6 of race, color, creed, religion, disability, national origin, marital status, sexual orientation,  
35.7 ~~or~~ sex, or gender identity, or for a taxicab company to discriminate in the access to, full  
35.8 utilization of, or benefit from service because of a person's disability; or

35.9 (2) for a place of public accommodation not to make reasonable accommodation to the  
35.10 known physical, sensory, or mental disability of a disabled person. In determining whether  
35.11 an accommodation is reasonable, the factors to be considered may include:

35.12 (i) the frequency and predictability with which members of the public will be served by  
35.13 the accommodation at that location;

35.14 (ii) the size of the business or organization at that location with respect to physical size,  
35.15 annual gross revenues, and the number of employees;

35.16 (iii) the extent to which disabled persons will be further served from the accommodation;

35.17 (iv) the type of operation;

35.18 (v) the nature and amount of both direct costs and legitimate indirect costs of making  
35.19 the accommodation and the reasonableness for that location to finance the accommodation;  
35.20 and

35.21 (vi) the extent to which any persons may be adversely affected by the accommodation.

35.22 (b) State or local building codes control where applicable. Violations of state or local  
35.23 building codes are not violations of this chapter and must be enforced under normal building  
35.24 code procedures.

35.25 Sec. 20. Minnesota Statutes 2022, section 363A.11, subdivision 2, is amended to read:

35.26 Subd. 2. **General prohibitions.** This subdivision lists general prohibitions against  
35.27 discrimination on the basis of disability. For purposes of this subdivision, "individual" or  
35.28 "class of individuals" refers to the clients or customers of the covered public accommodation  
35.29 that enter into the contractual, licensing, or other arrangement.

35.30 (1) It is discriminatory to:

36.1 (i) subject an individual or class of individuals on the basis of a disability of that  
36.2 individual or class, directly or through contractual, licensing, or other arrangements, to a  
36.3 denial of the opportunity of the individual or class to participate in or benefit from the goods,  
36.4 services, facilities, privileges, advantages, or accommodations of an entity;

36.5 (ii) afford an individual or class of individuals on the basis of the disability of that  
36.6 individual or class, directly or through contractual, licensing, or other arrangements, with  
36.7 the opportunity to participate in or benefit from the goods, services, facilities, privileges,  
36.8 advantages, or accommodations that are not equal to those afforded to other individuals;  
36.9 **and**

36.10 (iii) provide an individual or class of individuals, on the basis of a disability of that  
36.11 individual or class, directly or through contractual, licensing, or other arrangements, with  
36.12 goods, services, facilities, privileges, advantages, or accommodations that are different or  
36.13 separate from those provided to other individuals, unless the action is necessary to provide  
36.14 the individual or class of individuals with goods, services, facilities, privileges, advantages,  
36.15 or accommodations, or other opportunities that are as effective as those provided to others;  
36.16 and

36.17 (iv) not provide a deaf or hard-of-hearing individual or class of deaf or hard-of-hearing  
36.18 individuals with closed-captioned television when television services are provided to other  
36.19 individuals.

36.20 (2) Goods, services, facilities, privileges, advantages, and accommodations must be  
36.21 afforded to an individual with a disability in the most integrated setting appropriate to the  
36.22 needs of the individual.

36.23 (3) Notwithstanding the existence of separate or different programs or activities provided  
36.24 in accordance with sections 363A.08 to 363A.19, and 363A.28, subdivision 10, the individual  
36.25 with a disability may not be denied the opportunity to participate in the programs or activities  
36.26 that are not separate or different.

36.27 (4) An individual or entity may not, directly or through contractual or other arrangements,  
36.28 use standards or criteria and methods of administration:

36.29 (i) that have the effect of discriminating on the basis of disability; or

36.30 (ii) that perpetuate the discrimination of others who are subject to common administrative  
36.31 control.

36.32 **EFFECTIVE DATE.** This section is effective August 1, 2024, for all places of public  
36.33 accommodation.

37.1 Sec. 21. Minnesota Statutes 2022, section 363A.12, subdivision 1, is amended to read:

37.2 Subdivision 1. **Access to public service.** It is an unfair discriminatory practice to  
37.3 discriminate against any person in the access to, admission to, full utilization of or benefit  
37.4 from any public service because of race, color, creed, religion, national origin, disability,  
37.5 sex, gender identity, sexual orientation, or status with regard to public assistance or to fail  
37.6 to ensure physical and program access for disabled persons unless the public service can  
37.7 demonstrate that providing the access would impose an undue hardship on its operation. In  
37.8 determining whether providing physical and program access would impose an undue  
37.9 hardship, factors to be considered include:

37.10 (1) the type and purpose of the public service's operation;

37.11 (2) the nature and cost of the needed accommodation;

37.12 (3) documented good faith efforts to explore less restrictive or less expensive alternatives;

37.13 and

37.14 (4) the extent of consultation with knowledgeable disabled persons and organizations.

37.15 Physical and program access must be accomplished within six months of June 7, 1983,  
37.16 except for needed architectural modifications, which must be made within two years of June  
37.17 7, 1983.

37.18 Sec. 22. Minnesota Statutes 2022, section 363A.13, subdivision 1, is amended to read:

37.19 Subdivision 1. **Utilization; benefit or services.** It is an unfair discriminatory practice  
37.20 to discriminate in any manner in the full utilization of or benefit from any educational  
37.21 institution, or the services rendered thereby to any person because of race, color, creed,  
37.22 religion, national origin, sex, gender identity, age, marital status, status with regard to public  
37.23 assistance, sexual orientation, or disability, or to fail to ensure physical and program access  
37.24 for disabled persons. For purposes of this subdivision, program access includes but is not  
37.25 limited to providing taped texts, interpreters or other methods of making orally delivered  
37.26 materials available, readers in libraries, adapted classroom equipment, and similar auxiliary  
37.27 aids or services. Program access does not include providing attendants, individually  
37.28 prescribed devices, readers for personal use or study, or other devices or services of a  
37.29 personal nature.

37.30 Sec. 23. Minnesota Statutes 2022, section 363A.13, subdivision 2, is amended to read:

37.31 Subd. 2. **Exclude, expel, or selection.** It is an unfair discriminatory practice to exclude,  
37.32 expel, or otherwise discriminate against a person seeking admission as a student, or a person

38.1 enrolled as a student because of race, color, creed, religion, national origin, sex, gender  
38.2 identity, age, marital status, status with regard to public assistance, sexual orientation, or  
38.3 disability.

38.4 Sec. 24. Minnesota Statutes 2022, section 363A.13, subdivision 3, is amended to read:

38.5 Subd. 3. **Admission form or inquiry.** It is an unfair discriminatory practice to make or  
38.6 use a written or oral inquiry, or form of application for admission that elicits or attempts to  
38.7 elicit information, or to make or keep a record, concerning the creed, religion, gender identity,  
38.8 sexual orientation, or disability of a person seeking admission, except as permitted by rules  
38.9 of the department.

38.10 Sec. 25. Minnesota Statutes 2022, section 363A.13, subdivision 4, is amended to read:

38.11 Subd. 4. **Purpose for information and record.** It is an unfair discriminatory practice  
38.12 to make or use a written or oral inquiry or form of application that elicits or attempts to  
38.13 elicit information, or to keep a record concerning the race, color, national origin, sex, gender  
38.14 identity, sexual orientation, age, or marital status of a person seeking admission, unless the  
38.15 information is collected for purposes of evaluating the effectiveness of recruitment,  
38.16 admissions, and other educational policies, and is maintained separately from the application.

38.17 Sec. 26. Minnesota Statutes 2022, section 363A.15, is amended to read:

38.18 **363A.15 REPRISALS.**

38.19 It is an unfair discriminatory practice for any individual who participated in the alleged  
38.20 discrimination as a perpetrator, employer, labor organization, employment agency, public  
38.21 accommodation, public service, educational institution, or owner, lessor, lessee, sublessee,  
38.22 assignee or managing agent of any real property, or any real estate broker, real estate  
38.23 salesperson, or employee or agent thereof to intentionally engage in any reprisal against  
38.24 any person because that person:

38.25 (1) opposed a practice forbidden under this chapter or has filed a charge, testified,  
38.26 assisted, or participated in any manner in an investigation, proceeding, or hearing under  
38.27 this chapter; or

38.28 (2) associated with a person or group of persons who are disabled or who are of different  
38.29 race, color, creed, religion, gender identity, sexual orientation, or national origin.

38.30 A reprisal includes, but is not limited to, any form of intimidation, retaliation, or  
38.31 harassment. It is a reprisal for an employer to do any of the following with respect to an

39.1 individual because that individual has engaged in the activities listed in clause (1) or (2):  
39.2 refuse to hire the individual; depart from any customary employment practice; transfer or  
39.3 assign the individual to a lesser position in terms of wages, hours, job classification, job  
39.4 security, or other employment status; or inform another employer that the individual has  
39.5 engaged in the activities listed in clause (1) or (2).

39.6 Sec. 27. Minnesota Statutes 2022, section 363A.16, subdivision 1, is amended to read:

39.7 Subdivision 1. **Personal or commercial credit.** It is an unfair discriminatory practice  
39.8 to discriminate in the extension of personal or commercial credit to a person, or in the  
39.9 requirements for obtaining credit, because of race, color, creed, religion, disability, national  
39.10 origin, sex, gender identity, sexual orientation, or marital status, or due to the receipt of  
39.11 federal, state, or local public assistance including medical assistance.

39.12 Sec. 28. Minnesota Statutes 2022, section 363A.17, is amended to read:

39.13 **363A.17 BUSINESS DISCRIMINATION.**

39.14 It is an unfair discriminatory practice for a person engaged in a trade or business or in  
39.15 the provision of a service:

39.16 (1) to refuse to do business with or provide a service to a woman based on her use of  
39.17 her current or former surname; or

39.18 (2) to impose, as a condition of doing business with or providing a service to a woman,  
39.19 that a woman use her current surname rather than a former surname; or

39.20 (3) to intentionally refuse to do business with, to refuse to contract with, or to discriminate  
39.21 in the basic terms, conditions, or performance of the contract because of a person's race,  
39.22 national origin, color, sex, gender identity, sexual orientation, or disability, unless the alleged  
39.23 refusal or discrimination is because of a legitimate business purpose.

39.24 Nothing in this section shall prohibit positive action plans.

39.25 Sec. 29. Minnesota Statutes 2022, section 363A.21, subdivision 1, is amended to read:

39.26 Subdivision 1. **Housing.** The provisions of section 363A.09 shall not apply to:

39.27 (1) rooms in a temporary or permanent residence home run by a nonprofit organization,  
39.28 if the discrimination is by sex; or

39.29 (2) the rental by a resident owner or occupier of a one-family accommodation of a room  
39.30 or rooms in the accommodation to another person or persons if the discrimination is by sex,

40.1 gender identity, marital status, status with regard to public assistance, sexual orientation,  
 40.2 or disability. Except as provided elsewhere in this chapter or other state or federal law, no  
 40.3 person or group of persons selling, renting, or leasing property is required to modify the  
 40.4 property in any way, or exercise a higher degree of care for a person having a disability  
 40.5 than for a person who does not have a disability; nor shall this chapter be construed to relieve  
 40.6 any person or persons of any obligations generally imposed on all persons regardless of any  
 40.7 disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid  
 40.8 distinctions based on the inability to fulfill the terms and conditions, including financial  
 40.9 obligations of the lease, agreement, or contract; ~~or,~~

40.10 ~~(3) the rental by a resident owner of a unit in a dwelling containing not more than two~~  
 40.11 ~~units, if the discrimination is on the basis of sexual orientation.~~

40.12 Sec. 30. **REPEALER.**

40.13 Minnesota Statutes 2022, sections 363A.20, subdivision 3; and 363A.27, are repealed.

## 40.14 **ARTICLE 4**

### 40.15 **DATA**

40.16 Section 1. Minnesota Statutes 2022, section 13.072, subdivision 1, is amended to read:

40.17 Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the  
 40.18 commissioner may give a written opinion on any question relating to public access to  
 40.19 government data, rights of subjects of data, or classification of data under this chapter or  
 40.20 other Minnesota statutes governing government data practices. Upon request of any person  
 40.21 who disagrees with a determination regarding data practices made by a government entity,  
 40.22 the commissioner may give a written opinion regarding the person's rights as a subject of  
 40.23 government data or right to have access to government data.

40.24 (b) Upon request of a body subject to chapter 13D, the commissioner may give a written  
 40.25 opinion on any question relating to the body's duties under chapter 13D. Upon request of a  
 40.26 person who disagrees with the manner in which members of a governing body perform their  
 40.27 duties under chapter 13D, the commissioner may give a written opinion on compliance with  
 40.28 chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must~~  
 40.29 ~~pay the commissioner a fee of \$200. Money received by the commissioner under this~~  
 40.30 ~~paragraph is appropriated to the commissioner for the purposes of this section.~~

40.31 (c) If the commissioner determines that no opinion will be issued, the commissioner  
 40.32 shall give the government entity or body subject to chapter 13D or person requesting the

41.1 opinion notice of the decision not to issue the opinion within five business days of receipt  
41.2 of the request. Notice must be in writing. For notice by mail, the decision not to issue an  
41.3 opinion is effective when placed with the United States Postal Service or with the central  
41.4 mail system of the state of Minnesota. If this notice is not given, the commissioner shall  
41.5 issue an opinion within ~~20~~ 50 days of receipt of the request.

41.6 (d) ~~For good cause and upon written notice to the person requesting the opinion, the~~  
41.7 ~~commissioner may extend this deadline for one additional 30-day period. The notice must~~  
41.8 ~~state the reason for extending the deadline.~~ The government entity or the members of a body  
41.9 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons  
41.10 for its decision regarding the data or how they perform their duties under chapter 13D. The  
41.11 commissioner or the government entity or body subject to chapter 13D may choose to give  
41.12 notice to the subject of the data concerning the dispute regarding the data or compliance  
41.13 with chapter 13D.

41.14 (e) This section does not apply to a determination made by the commissioner of health  
41.15 under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

41.16 (f) A written, numbered, and published opinion issued by the attorney general shall take  
41.17 precedence over an opinion issued by the commissioner under this section.

41.18 **Sec. 2. [13.204] POLITICAL SUBDIVISIONS LICENSING DATA.**

41.19 (a) The following data submitted to a political subdivision by a person seeking to obtain  
41.20 a license are classified as private data on individuals or nonpublic data:

41.21 (1) a tax return, as defined by section 270B.01, subdivision 2; and

41.22 (2) a bank account statement.

41.23 (b) Notwithstanding section 138.17, data collected by a political subdivision as part of  
41.24 a license application and classified under paragraph (a) must be destroyed no later than 90  
41.25 days after a final decision on the license application.

41.26 **EFFECTIVE DATE.** This section is effective the day following final enactment. Data  
41.27 which a political subdivision collected or created before the effective date of this act, and  
41.28 which would otherwise be subject to the destruction requirement, must be destroyed no  
41.29 later than 90 days following final enactment.

42.1 Sec. 3. Minnesota Statutes 2022, section 13.32, subdivision 3, is amended to read:

42.2 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision  
42.3 5, educational data is private data on individuals and shall not be disclosed except as follows:

42.4 (a) pursuant to section 13.05;

42.5 (b) pursuant to a valid court order;

42.6 (c) pursuant to a statute specifically authorizing access to the private data;

42.7 (d) to disclose information in health, including mental health, and safety emergencies  
42.8 pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I), and Code  
42.9 of Federal Regulations, title 34, section 99.36;

42.10 (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1),  
42.11 (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations,  
42.12 title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39;

42.13 (f) to appropriate health authorities to the extent necessary to administer immunization  
42.14 programs and for bona fide epidemiologic investigations which the commissioner of health  
42.15 determines are necessary to prevent disease or disability to individuals in the public  
42.16 educational agency or institution in which the investigation is being conducted;

42.17 (g) when disclosure is required for institutions that participate in a program under title  
42.18 IV of the Higher Education Act, United States Code, title 20, section 1092;

42.19 (h) to the appropriate school district officials to the extent necessary under subdivision  
42.20 6, annually to indicate the extent and content of remedial instruction, including the results  
42.21 of assessment testing and academic performance at a postsecondary institution during the  
42.22 previous academic year by a student who graduated from a Minnesota school district within  
42.23 two years before receiving the remedial instruction;

42.24 (i) to appropriate authorities as provided in United States Code, title 20, section  
42.25 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the  
42.26 system to effectively serve, prior to adjudication, the student whose records are released;  
42.27 provided that the authorities to whom the data are released submit a written request for the  
42.28 data that certifies that the data will not be disclosed to any other person except as authorized  
42.29 by law without the written consent of the parent of the student and the request and a record  
42.30 of the release are maintained in the student's file;

43.1 (j) to volunteers who are determined to have a legitimate educational interest in the data  
43.2 and who are conducting activities and events sponsored by or endorsed by the educational  
43.3 agency or institution for students or former students;

43.4 (k) to provide student recruiting information, from educational data held by colleges  
43.5 and universities, as required by and subject to Code of Federal Regulations, title 32, section  
43.6 216;

43.7 (l) to the juvenile justice system if information about the behavior of a student who poses  
43.8 a risk of harm is reasonably necessary to protect the health or safety of the student or other  
43.9 individuals;

43.10 (m) with respect to Social Security numbers of students in the adult basic education  
43.11 system, to Minnesota State Colleges and Universities and the Department of Employment  
43.12 and Economic Development for the purpose and in the manner described in section 124D.52,  
43.13 subdivision 7;

43.14 (n) to the commissioner of education for purposes of an assessment or investigation of  
43.15 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request  
43.16 by the commissioner of education, data that are relevant to a report of maltreatment and are  
43.17 from charter school and school district investigations of alleged maltreatment of a student  
43.18 must be disclosed to the commissioner, including, but not limited to, the following:

43.19 (1) information regarding the student alleged to have been maltreated;

43.20 (2) information regarding student and employee witnesses;

43.21 (3) information regarding the alleged perpetrator; and

43.22 (4) what corrective or protective action was taken, if any, by the school facility in response  
43.23 to a report of maltreatment by an employee or agent of the school or school district;

43.24 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge  
43.25 of a crime of violence or nonforcible sex offense to the extent authorized under United  
43.26 States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations,  
43.27 title 34, sections 99.31(a)(13) and (14);

43.28 (p) when the disclosure is information provided to the institution under United States  
43.29 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized  
43.30 under United States Code, title 20, section 1232g(b)(7); ~~or~~

43.31 (q) when the disclosure is to a parent of a student at an institution of postsecondary  
43.32 education regarding the student's violation of any federal, state, or local law or of any rule

44.1 or policy of the institution, governing the use or possession of alcohol or of a controlled  
44.2 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and  
44.3 Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has  
44.4 an information release form signed by the student authorizing disclosure to a parent. The  
44.5 institution must notify parents and students about the purpose and availability of the  
44.6 information release forms. At a minimum, the institution must distribute the information  
44.7 release forms at parent and student orientation meetings;

44.8 (r) a student's name, home address, telephone number, email address, or other personal  
44.9 contact information may be disclosed to a public library for purposes of issuing a library  
44.10 card to the student; or

44.11 (s) with Tribal Nations about Tribally enrolled or descendant students to the extent  
44.12 necessary for the Tribal Nation and school district or charter school to support the educational  
44.13 attainment of the student.

44.14 Sec. 4. Minnesota Statutes 2022, section 13.32, subdivision 5, is amended to read:

44.15 Subd. 5. **Directory information.** ~~Information~~ (a) Educational data designated as directory  
44.16 information is public data on individuals to the extent required under federal law. Directory  
44.17 information must be designated pursuant to the provisions of:

44.18 (1) this subdivision; and

44.19 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title  
44.20 34, section 99.37, which ~~are~~ were in effect on January 3, 2012, ~~is public data on individuals,~~  
44.21 to the extent required under federal law.

44.22 (b) When conducting the directory information designation and notice process required  
44.23 by federal law, an educational agency or institution shall give parents and students notice  
44.24 of the right to refuse to let the agency or institution designate ~~any or all~~ specified data about  
44.25 the student as directory information. This notice may be given by any means reasonably  
44.26 likely to inform the parents and students of the right.

44.27 (c) An educational agency or institution may not designate a student's home address,  
44.28 telephone number, email address, or other personal contact information as directory  
44.29 information under this subdivision. This paragraph does not apply to a postsecondary  
44.30 institution.

44.31 (d) When requested, educational agencies or institutions must share personal student  
44.32 contact information and directory information, whether public or private, with the Minnesota  
44.33 Department of Education, as required for federal reporting purposes.

45.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.  
45.2 Beginning upon the effective date of this section, a student's personal contact information  
45.3 subject to this section must be treated by an educational agency or institution as private  
45.4 educational data under Minnesota Statutes, section 13.32, regardless of whether that contact  
45.5 information was previously designated as directory information under Minnesota Statutes,  
45.6 section 13.32, subdivision 5.

45.7 Sec. 5. Minnesota Statutes 2022, section 13.643, subdivision 6, is amended to read:

45.8 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data  
45.9 collected and maintained under section 35.155, the following data collected and maintained  
45.10 by the Board of Animal Health related to registration and identification of premises and  
45.11 animals under chapter 35, are classified as private or nonpublic:

45.12 (1) the names and addresses;

45.13 (2) the location of the premises where animals are kept; and

45.14 (3) the identification number of the premises or the animal.

45.15 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained  
45.16 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or  
45.17 nonpublic.

45.18 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)  
45.19 to any person, agency, or to the public if the board determines that the access will aid in the  
45.20 law enforcement process or the protection of public or animal health or safety.

## 45.21 **ARTICLE 5**

### 45.22 **NOTARIES PUBLIC**

45.23 Section 1. Minnesota Statutes 2022, section 357.17, is amended to read:

#### 45.24 **357.17 NOTARIES PUBLIC.**

45.25 (a) The maximum fees to be charged and collected by a notary public shall be as follows:

45.26 (1) for protest of nonpayment of note or bill of exchange or of nonacceptance of such  
45.27 bill; where protest is legally necessary, and copy thereof, \$5;

45.28 (2) for every other protest and copy, \$5;

45.29 (3) for making and serving every notice of nonpayment of note or nonacceptance of bill  
45.30 and copy thereof, \$5;

46.1 (4) for any affidavit or paper for which provision is not made herein, \$5 per folio, and  
46.2 \$1 per folio for copies;

46.3 (5) for each oath administered, \$5;

46.4 (6) for acknowledgments of deeds and for other services authorized by law, the legal  
46.5 fees allowed other officers for like services;

46.6 (7) for recording each instrument required by law to be recorded by the notary, \$5 per  
46.7 folio.

46.8 (b) A notary public may charge a fee for performing a marriage in excess of the fees in  
46.9 paragraph (a) if the notary is a member, director, or partner of an entity organized under  
46.10 the laws of this state.

46.11 Sec. 2. Minnesota Statutes 2022, section 359.04, is amended to read:

46.12 **359.04 POWERS.**

46.13 Every notary public so appointed, commissioned, and qualified shall have power  
46.14 throughout this state to administer all oaths required or authorized to be administered in  
46.15 this state; to take and certify all depositions to be used in any of the courts of this state; to  
46.16 take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and  
46.17 other instruments in writing or electronic records; to receive, make out, and record notarial  
46.18 protests; to perform civil marriages consistent with this chapter and chapter 517; and to  
46.19 perform online remote notarial acts in compliance with the requirements of sections 358.645  
46.20 and 358.646.

46.21 Sec. 3. **[359.115] CIVIL MARRIAGE OFFICIANT.**

46.22 (a) A notary public shall have the power to solemnize civil marriages throughout the  
46.23 state if the notary public has filed a copy of the notary public's notary credentials with the  
46.24 local registrar of a county in this state. When a local registrar records notary credentials for  
46.25 a notary public, the local registrar shall provide a certificate of filing to the notary whose  
46.26 credentials are recorded. A notary public shall endorse and record the county where the  
46.27 notary public's credentials are recorded upon each certificate of civil marriage granted by  
46.28 the notary.

46.29 (b) A past or current Minnesota elected official, who was elected to a local government  
46.30 office or to a state or federal government office, shall have the power to solemnize a civil  
46.31 marriage throughout the state if the elected official has filed a copy of the elected official's  
46.32 certificate of election with the local registrar of a county in this state. When a local registrar

47.1 records an elected official's credentials, the local registrar shall provide a certificate of filing  
47.2 that the elected official's credentials are recorded, and the elected official shall endorse and  
47.3 record the county where the elected official's credentials are recorded upon each certificate  
47.4 of civil marriage granted by the elected official.

47.5 Sec. 4. Minnesota Statutes 2022, section 517.04, is amended to read:

47.6 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

47.7 Civil marriages may be solemnized throughout the state by an individual who has attained  
47.8 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,  
47.9 a court administrator, a retired court administrator with the approval of the chief judge of  
47.10 the judicial district, a former court commissioner who is employed by the court system or  
47.11 is acting pursuant to an order of the chief judge of the commissioner's judicial district, a  
47.12 notary authorized by the Office of the Secretary of State, a past or current Minnesota elected  
47.13 official authorized by section 359.115, the residential school superintendent of the Minnesota  
47.14 State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or  
47.15 ordained minister of any religious denomination, or by any mode recognized in section  
47.16 517.18. For purposes of this section, a court of record includes the Office of Administrative  
47.17 Hearings under section 14.48.

47.18 **ARTICLE 6**

47.19 **HEALTH CARE MEDIATION**

47.20 Section 1. **[145.685] COMMUNICATION AND RESOLUTION AFTER A HEALTH**  
47.21 **CARE ADVERSE INCIDENT.**

47.22 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have  
47.23 the meanings given.

47.24 (b) "Health care adverse incident" means an objective and definable outcome arising  
47.25 from or related to patient care that results in the death or physical injury of a patient.

47.26 (c) "Health care provider" means a person who is licensed, certified, or registered, or  
47.27 otherwise permitted by state law, to administer health care in the ordinary course of business  
47.28 or in the practice of a profession and practices at a health facility.

47.29 (d) "Health facility" means a hospital or outpatient surgical center licensed under sections  
47.30 144.50 to 144.56; a medical, dental, or health care clinic; a diagnostic laboratory; or a  
47.31 birthing center licensed under section 144.615. The definition of health facility includes

48.1 any corporation, professional corporation, partnership, limited liability company, limited  
48.2 liability partnership, or other entity comprised of health facilities or health care providers.

48.3 (e) "Open discussion" means all communications that are made during an open discussion  
48.4 process under this section and includes memoranda, work product, documents, and other  
48.5 materials that are prepared for or submitted in the course of or in connection with  
48.6 communications made under this section. Open discussion does not include any  
48.7 communication, memoranda, work product, or other materials that would otherwise be  
48.8 subject to discovery and were not prepared specifically for use in an open discussion pursuant  
48.9 to this section.

48.10 (f) "Patient" means a person who receives health care from a health care provider. If the  
48.11 patient is under 18 years of age and is not an emancipated minor, the definition of patient  
48.12 includes the patient's legal guardian or parent. If the patient is deceased or incapacitated,  
48.13 the definition of patient includes the patient's legal representative.

48.14 Subd. 2. **Engaging in an open discussion.** (a) If a health care adverse incident occurs,  
48.15 a health care provider involved in the health care adverse incident, the health facility involved  
48.16 in the health care adverse incident, or both jointly may provide the patient with written  
48.17 notice of their desire to enter into an open discussion with the patient to discuss potential  
48.18 outcomes following a health care adverse incident in accordance with this section. A health  
48.19 facility may designate a person or class of persons who has the authority to provide the  
48.20 notice on behalf of the health facility. The patient involved in the health care adverse incident  
48.21 may provide oral notice to the health care provider, the health facility involved in the health  
48.22 care adverse incident, or both, of the patient's desire to enter into an open discussion with  
48.23 either the health care provider, or the health care provider and health facility jointly, to  
48.24 discuss potential outcomes following a health care adverse incident in accordance with this  
48.25 section.

48.26 (b) If a health care provider or health facility decides to enter into an open discussion  
48.27 as specified in this section, the written notice must be sent to the patient within 365 days  
48.28 from the date the health care provider or the health facility knew, or through the use of  
48.29 diligence should have known, of the health care adverse incident. The notice must include:

48.30 (1) the health care provider, health facility, or both jointly desire to pursue an open  
48.31 discussion in accordance with this section;

48.32 (2) the patient's right to receive a copy of the medical records related to the health care  
48.33 adverse incident and the patient's right to authorize the release of the patient's medical  
48.34 records related to the health care adverse incident to a third party;

49.1 (3) the patient's right to seek legal counsel and to have legal counsel present throughout  
49.2 the open discussion process;

49.3 (4) a copy of section 541.076 with notice that the time for a patient to bring a lawsuit is  
49.4 limited under section 541.076 and will not be extended by engaging in an open discussion  
49.5 under this section unless all parties agree in writing to an extension;

49.6 (5) that if the patient chooses to engage in an open discussion with the health care  
49.7 provider, health facility, or jointly with both, all communications made during the course  
49.8 of the open discussion process, including communications regarding the initiation of an  
49.9 open discussion are:

49.10 (i) privileged and confidential;

49.11 (ii) not subject to discovery, subpoena, or other means of legal compulsion for release;

49.12 and

49.13 (iii) not admissible as evidence in a proceeding arising directly out of the health care  
49.14 adverse incident, including a judicial, administrative, or arbitration proceeding; and

49.15 (6) that any communications, memoranda, work product, documents, or other material  
49.16 that are otherwise subject to discovery and not prepared specifically for use in an open  
49.17 discussion under this section are not confidential.

49.18 (c) If the patient agrees to engage in an open discussion with a health care provider,  
49.19 health facility, or jointly with both, the agreement must be in writing and must state that  
49.20 the patient has received the notice described in paragraph (b).

49.21 (d) Upon agreement to engage in an open discussion, the patient, health care provider,  
49.22 or health facility may include other persons in the open discussion process. All other persons  
49.23 included in the open discussion must be advised of the parameters of communications made  
49.24 during the open discussion process specified under paragraph (b), clauses (5) and (6).

49.25 (e) If a health care provider or health facility decides to engage in an open discussion,  
49.26 the health care provider or health facility may:

49.27 (1) investigate how the health care adverse incident occurred, including gathering  
49.28 information regarding the medical care or treatment and disclose the results of the  
49.29 investigation to the patient;

49.30 (2) openly communicate to the patient the steps the health care provider or health facility  
49.31 will take to prevent future occurrences of the health care adverse incident; and

50.1 (3) determine that no offer of compensation for the health care adverse incident is  
50.2 warranted or that an offer of compensation for the health care adverse incident is warranted.

50.3 (f) If a health care provider or health facility determines that no offer of compensation  
50.4 is warranted, the health care provider or health facility shall orally communicate that decision  
50.5 to the patient.

50.6 (g) If a health care provider or a health facility determines that an offer of compensation  
50.7 is warranted, the health care provider or health facility shall provide the patient with a written  
50.8 offer of compensation. If an offer of compensation is made under this paragraph, and the  
50.9 patient is not represented by legal counsel, the health care provider or health facility shall:

50.10 (1) advise the patient of the patient's right to seek legal counsel regarding the offer of  
50.11 compensation and encourage the patient to seek legal counsel; and

50.12 (2) provide notice to the patient that the patient may be legally required to repay medical  
50.13 and other expenses that were paid by a third party on the patient's behalf, including private  
50.14 health insurance, Medicaid, or Medicare, along with an itemized statement from the health  
50.15 provider showing all charges and third-party payments.

50.16 (h) Except for an offer of compensation made under paragraph (g), open discussions  
50.17 between the health care provider or health facility and the patient about compensation shall  
50.18 not be in writing.

50.19 **Subd. 3. Confidentiality of open discussions and offers of compensation.** (a) Open  
50.20 discussion communications made under this section, including offers of compensation made  
50.21 under subdivision 2:

50.22 (1) do not constitute an admission of liability;

50.23 (2) are privileged and confidential and shall not be disclosed;

50.24 (3) are not admissible as evidence in any subsequent judicial, administrative, or arbitration  
50.25 proceeding arising directly out of the health care adverse incident, except as provided in  
50.26 paragraph (b);

50.27 (4) are not subject to discovery, subpoena, or other means of legal compulsion for release;  
50.28 and

50.29 (5) shall not be disclosed by any party in any subsequent judicial, administrative, or  
50.30 arbitration proceeding arising directly out of the health care adverse incident.

50.31 (b) A party may move the court or other decision maker in a subsequent proceeding to  
50.32 adjudicate the matter to admit as evidence a communication made during an open discussion

51.1 that contradicts a statement made during the proceeding. The court or other decision maker  
51.2 shall allow a communication made during an open discussion that contradicts a statement  
51.3 made at a subsequent proceeding to adjudicate the matter into evidence only if the  
51.4 communication made during an open discussion is material to the claims presented in the  
51.5 subsequent proceeding.

51.6 (c) Communications, memoranda, work product, documents, and other materials that  
51.7 are otherwise subject to discovery and that were not prepared specifically for use in an open  
51.8 discussion under this section are not confidential.

51.9 (d) The limitation on disclosure imposed by this subdivision includes disclosure during  
51.10 any discovery conducted as part of a subsequent adjudicatory proceeding, and a court or  
51.11 other adjudicatory body shall not compel any person who engages in an open discussion  
51.12 under this section to disclose confidential communications or agreements made under this  
51.13 section.

51.14 (e) This subdivision does not affect any other law, rule, or requirement with respect to  
51.15 confidentiality.

51.16 Subd. 4. **Payment and resolution.** (a) If a patient accepts an offer of compensation  
51.17 made pursuant to this section, and payment of compensation is made to a patient as a result,  
51.18 the payment to the patient is not payment resulting from:

51.19 (1) a written claim or demand for payment;

51.20 (2) a final judgment, settlement, or arbitration award against a health care institution for  
51.21 medical malpractice purposes; or

51.22 (3) a malpractice claim settled or in which judgment is rendered against a health care  
51.23 professional for purposes of reporting by malpractice insurance companies under sections  
51.24 146A.03, 147.111, 147A.14, 148.102, 148.263, 148B.381, 148F.205, 150A.13, and 153.24.

51.25 (b) A health care provider or health facility may require, as a condition of an offer of  
51.26 compensation made pursuant to this section, a patient to execute all documents and obtain  
51.27 any necessary court approval to resolve a health care adverse incident. The parties shall  
51.28 negotiate the form of the documents to be executed and obtain court approval as necessary.

51.29 Subd. 5. **Sunset.** This section sunsets on June 30, 2031.

51.30 Subd. 6. **Applicability.** This section applies only to health care adverse incidents that  
51.31 occur on or after August 1, 2023.

**346.02 FINDER TO GIVE NOTICE; PENALTY.**

A person who finds an estray and knows who owns it shall notify the owner within seven days after finding the estray and request the owner to pay all reasonable charges and take such estray away. A finder who does not know who owns the estray shall within ten days file a notice with the town clerk. The clerk shall transmit a copy thereof to the county recorder, who shall record the same in a book designated "estrays book." The finder shall give posted notice of the finding of the estray in said town. The notice shall briefly describe the estray, giving its marks, natural and artificial, as nearly as practicable, naming the residence of the finder, and specifying the town, section, and time when taken up. For failure to give such notice, the finder shall be liable to the owner of the estray in double the amount of damages sustained by the owner thereby.

**363A.20 EXEMPTION BASED ON EMPLOYMENT.**

Subd. 3. **Nonpublic service organization.** The provisions of section 363A.08 shall not apply to a nonpublic service organization whose primary function is providing occasional services to minors, such as youth sports organizations, scouting organizations, boys' or girls' clubs, programs providing friends, counselors, or role models for minors, youth theater, dance, music or artistic organizations, agricultural organizations for minors, including 4-H clubs, and other youth organizations, with respect to qualifications of employees or volunteers based on sexual orientation.

**363A.27 CONSTRUCTION OF LAW.**

Nothing in this chapter shall be construed to:

- (1) mean the state of Minnesota condones homosexuality or bisexuality or any equivalent lifestyle;
- (2) authorize or permit the promotion of homosexuality or bisexuality in education institutions or require the teaching in education institutions of homosexuality or bisexuality as an acceptable lifestyle;
- (3) authorize or permit the use of numerical goals or quotas, or other types of affirmative action programs, with respect to homosexuality or bisexuality in the administration or enforcement of the provisions of this chapter; or
- (4) authorize the recognition of or the right of marriage between persons of the same sex.

**504B.305 NOTICE OF SEIZURE PROVISION.**

Landlords shall give written notice to tenants of the provision relating to seizures in section 504B.301. Failure to give such notice does not subject the landlord to criminal or civil liability and is not a defense under section 609.5317, subdivision 3.

**582.14 LIMITATION ON OLD FORECLOSURE ACTIONS.**

No action or proceeding to foreclose a real estate mortgage executed prior to November 1, 1909, shall be maintained after January 1, 1946, unless prior to said date the owner of said mortgage shall have filed in the office of the county recorder of the county in which is located the real estate covered thereby, a notice setting forth the name of the claimant, a description of said real estate and of said mortgage including the volume and page at which it is of record and a statement of the amount claimed to be due thereon. Such notices may be discharged in the same manner as notices of lis pendens, and, so discharged, shall, together with all information included therein, cease to constitute either actual or constructive notice.