

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2734

(SENATE AUTHORS: LATZ)

DATE	D-PG	OFFICIAL STATUS
03/08/2023	1435	Introduction and first reading
		Referred to Judiciary and Public Safety
03/22/2023		Comm report: To pass as amended
		Second reading

- 1.1 A bill for an act
- 1.2 relating to public safety; authorizing the expanded use of tracking devices during
- 1.3 stolen vehicle investigations; amending Minnesota Statutes 2022, section 626A.35,
- 1.4 by adding a subdivision.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2022, section 626A.35, is amended by adding a subdivision
- 1.7 to read:
- 1.8 Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1
- 1.9 does not apply to the use of a mobile tracking device on a stolen motor vehicle when:
- 1.10 (1) the consent of the owner of the vehicle has been obtained; or
- 1.11 (2) the owner of the motor vehicle has reported to law enforcement that the vehicle is
- 1.12 stolen, and the vehicle is occupied when the tracking device is installed.
- 1.13 (b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the
- 1.14 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
- 1.15 the tracking device to the vehicle must remove the device, disable the device, or obtain a
- 1.16 search warrant granting approval to continue to use the device in the investigation.
- 1.17 (c) A peace officer employed by the agency that attached a tracking device to a stolen
- 1.18 motor vehicle must remove the tracking device if the vehicle is recovered and returned to
- 1.19 the owner.
- 1.20 (d) Any tracking device evidence collected after the motor vehicle is returned to the
- 1.21 owner is inadmissible.

2.1 (e) By August 1, 2024, and each year thereafter, the chief law enforcement officer of an
2.2 agency that obtains a search warrant under paragraph (b) must provide notice to the
2.3 superintendent of the Bureau of Criminal Apprehension of the number of search warrants
2.4 the agency obtained under this subdivision in the preceding 12 months. The superintendent
2.5 must provide a summary of the data received pursuant to this paragraph in the bureau's
2.6 biennial report to the legislature required under section 299C.18.

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