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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 7

01/16/2025

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

- 1.1A bill for an act
- 1.2relating to public safety; providing that data held by law enforcement agencies
- 1.3regarding the person or entity that posted bail are public; requiring notice to the
- 1.4agency having custody of the arrested or detained person when bail or a bond is
- 1.5posted; establishing mandatory minimum sentences for certain sex trafficking
- 1.6offenses; requiring persons subject to stays of adjudication in criminal sexual
- 1.7conduct cases to register as predatory offenders; requiring the Minnesota Sentencing
- 1.8Guidelines Commission to maintain a publicly searchable database; requiring
- 1.9legislative approval of proposed changes to the Sentencing Guidelines; requiring
- 1.10county attorneys to record and report the reason for dismissing charges; requiring
- 1.11the Minnesota Sentencing Guidelines Commission to report information on
- 1.12dismissals to the legislature; requiring county attorneys to post information on
- 1.13dismissals to a publicly accessible website; creating liability and vicarious liability
- 1.14for trespass to critical infrastructure; creating a crime for recruiting or educating
- 1.15individuals to trespass on or damage critical infrastructure; enhancing the penalty
- 1.16for assaulting a police officer; establishing the crime of fleeing in a motor vehicle
- 1.17and failing to obey certain traffic laws; prohibiting being in a stolen motor vehicle;
- 1.18increasing penalties for obstructing trunk highway, airport, or transit traffic;
- 1.19eliminating the requirement that a vehicle be unoccupied when law enforcement
- 1.20attach a tracking device; authorizing the expanded use of tracking devices for
- 1.21fleeing motor vehicles; imposing criminal penalties; appropriating money; amending
- 1.22Minnesota Statutes 2024, sections 13.82, subdivision 2; 243.166, subdivision 1b;
- 1.23244.09, subdivision 11, by adding subdivisions; 609.2231, subdivision 1; 609.322,
- 1.24subdivision 1; 609.487, by adding a subdivision; 609.52, by adding a subdivision;
- 1.25609.594, subdivision 2; 609.6055, subdivision 2; 609.74; 609.855, subdivision 2;
- 1.26626A.35, subdivision 2b, by adding a subdivision; 629.53; 629.67; 629.70;
- 1.27proposing coding for new law in Minnesota Statutes, chapters 388; 604.
- 1.28BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.29Section 1. Minnesota Statutes 2024, section 13.82, subdivision 2, is amended to read:
- 1.30Subd. 2. **Arrest data.** The following data created or collected by law enforcement
- 1.31agencies which document any actions taken by them to cite, arrest, incarcerate or otherwise

- 2.1 substantially deprive an adult individual of liberty shall be public at all times in the  
2.2 originating agency:
- 2.3 (a) time, date and place of the action;
- 2.4 (b) any resistance encountered by the agency;
- 2.5 (c) any pursuit engaged in by the agency;
- 2.6 (d) whether any weapons were used by the agency or other individual;
- 2.7 (e) the charge, arrest or search warrants, or other legal basis for the action;
- 2.8 (f) the identities of the agencies, units within the agencies and individual persons taking  
2.9 the action;
- 2.10 (g) whether and where the individual is being held in custody or is being incarcerated  
2.11 by the agency;
- 2.12 (h) the date, time and legal basis for any transfer of custody and the identity of the agency  
2.13 or person who received custody;
- 2.14 (i) the date, time and legal basis for any release from custody or incarceration, including,  
2.15 to the extent known, the identity of any person or entity who posted bail or a bond to secure  
2.16 the release of the individual who was held in custody for a crime against a person listed in  
2.17 section 611A.031 or a crime of violence as defined in section 629.725;
- 2.18 (j) the name, age, sex and last known address of an adult person or the age and sex of  
2.19 any juvenile person cited, arrested, incarcerated or otherwise substantially deprived of  
2.20 liberty;
- 2.21 (k) whether the agency employed a portable recording system, automated license plate  
2.22 reader, wiretaps or other eavesdropping techniques, unless the release of this specific data  
2.23 would jeopardize an ongoing investigation;
- 2.24 (l) the manner in which the agencies received the information that led to the arrest and  
2.25 the names of individuals who supplied the information unless the identities of those  
2.26 individuals qualify for protection under subdivision 17; and
- 2.27 (m) response or incident report number.

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

2.29 Sec. 2. Minnesota Statutes 2024, section 243.166, subdivision 1b, is amended to read:

2.30 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, paragraph (a), clause (2);

(ii) kidnapping under section 609.25;

(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3, paragraph (b); or 609.3453;

(iv) indecent exposure under section 617.23, subdivision 3; or

(v) surreptitious intrusion under the circumstances described in section 609.746, subdivision 1, paragraph (h);

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision 1, paragraph (b);

(ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in the sex trafficking of a minor in violation of section 609.322;

(iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

(iv) soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1);

(v) using a minor in a sexual performance in violation of section 617.246; or

(vi) possessing or disseminating a pornographic work involving a minor in violation of section 617.247;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was charged with or petitioned for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to an offense or involving similar circumstances to an offense described in clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances.

4.1 (b) A person also shall register under this section if:

4.2 (1) the person was charged with or petitioned for an offense in another state similar to  
4.3 an offense or involving similar circumstances to an offense described in paragraph (a),  
4.4 clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another  
4.5 offense arising out of the same set of circumstances;

4.6 (2) the person enters this state to reside, work, or attend school, or enters this state and  
4.7 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during  
4.8 any calendar year; and

4.9 (3) ten years have not elapsed since the person was released from confinement or, if the  
4.10 person was not confined, since the person was convicted of or adjudicated delinquent for  
4.11 the offense that triggers registration, unless the person is subject to a longer registration  
4.12 period under the laws of another state in which the person has been convicted or adjudicated,  
4.13 or is subject to lifetime registration.

4.14 If a person described in this paragraph is subject to a longer registration period in another  
4.15 state or is subject to lifetime registration, the person shall register for that time period  
4.16 regardless of when the person was released from confinement, convicted, or adjudicated  
4.17 delinquent.

4.18 (c) A person also shall register under this section if the person was committed pursuant  
4.19 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter  
4.20 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the  
4.21 United States, regardless of whether the person was convicted of any offense.

4.22 (d) A person also shall register under this section if:

4.23 (1) the person was charged with or petitioned for a felony violation or attempt to violate  
4.24 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or  
4.25 the United States, or the person was charged with or petitioned for a violation of any of the  
4.26 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United  
4.27 States;

4.28 (2) the person was found not guilty by reason of mental illness or mental deficiency  
4.29 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in  
4.30 states with a guilty but mentally ill verdict; and

4.31 (3) the person was committed pursuant to a court commitment order under section  
4.32 253B.18 or a similar law of another state or the United States.

(e) A person also shall register under this section if the person received a stay of adjudication under section 609.095, paragraph (b), for a charge of violating section 243.166; 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; 609.3453; 617.246; or 617.247, unless the offender is a juvenile and the court finds, on the record, that there is good cause to waive the registration requirement.

Sec. 3. Minnesota Statutes 2024, section 244.09, is amended by adding a subdivision to read:

Subd. 6a. **Publicly searchable database.** (a) The commission shall maintain a public website with a searchable database that provides the public with information on criminal sentences stayed or imposed by the courts. The website must not include information that is not public data, as defined in section 13.02, subdivision 8a.

(b) The website required under paragraph (a) must contain all the information transmitted from the sentencing court to the commission including information in the sentencing worksheet transmitted pursuant to section 609.115, subdivision 2a, and the sentencing order and departure report, if any, sent pursuant to rule 27.03 of the Rules of Criminal Procedure. Data received by the commission must be entered into separate fields in the database.

(c) The searchable database must allow a user of the website to:

(1) search by individual fields, including but not limited to:

(i) case number;

(ii) defendant name;

(iii) date of offense;

(iv) the judicial district where the sentence was stayed or imposed;

(v) the county where the sentence was stayed or imposed;

(vi) the year in which the sentence was stayed or imposed;

(vii) the judge who stayed or imposed the sentence;

(viii) the crime for which the sentence was stayed or imposed;

(ix) the defendant's criminal history score;

(x) the severity level of the offense for which a sentence was stayed or imposed;

(xi) executed sentences, including the length of sentence imposed and executed;

6.1 (xii) stayed sentences, including the length of probation ordered and, if applicable, the  
6.2 length of sentence imposed but not executed;

6.3 (xiii) whether the sentence was a departure from the Sentencing Guidelines and, if so,  
6.4 whether it was an aggravated durational, aggravated dispositional, mitigated durational,  
6.5 mitigated dispositional, or hybrid departure; and

6.6 (xiv) whether a departure from the Sentencing Guidelines was ordered with prosecutor  
6.7 agreement;

6.8 (2) perform a search using at least two fields;

6.9 (3) sort by each field;

6.10 (4) obtain information grouped or aggregated by each field, where groups or subtotals  
6.11 are feasible; and

6.12 (5) allow the user to download the data into a user-controlled database.

6.13 Sec. 4. Minnesota Statutes 2024, section 244.09, subdivision 11, is amended to read:

6.14 Subd. 11. **Modification.** The commission shall meet as necessary for the purpose of  
6.15 modifying and improving the guidelines. Any modification which amends the Sentencing  
6.16 Guidelines grid, including severity levels and criminal history scores, or which would result  
6.17 in the reduction of any sentence or in the early release of any inmate, with the exception of  
6.18 a modification mandated or authorized by the legislature or relating to a crime created or  
6.19 amended by the legislature in the preceding session, shall be submitted to the legislature by  
6.20 January 15 of any year in which the commission wishes to make the change and shall be  
6.21 effective on August 1 of that year, ~~unless~~ if the legislature by law provides otherwise adopts  
6.22 or amends the modification. All other modifications shall take effect according to the  
6.23 procedural rules of the commission. On or before January 15 of each year, the commission  
6.24 shall submit a written report to the committees of the senate and the house of representatives  
6.25 with jurisdiction over criminal justice policy that describes the commission's activities over  
6.26 the previous year and identifies and explains all modifications made during the preceding  
6.27 12 months and all proposed modifications that are being submitted to the legislature that  
6.28 year.

7.1 Sec. 5. Minnesota Statutes 2024, section 244.09, is amended by adding a subdivision to  
7.2 read:

7.3 Subd. 16. **Report on dismissals with agreement of the prosecutor.** The Sentencing  
7.4 Guidelines Commission shall include in its annual report to the legislature a summary and  
7.5 analysis of reports received from county attorneys under section 388.052.

7.6 **EFFECTIVE DATE.** This section is effective August 1, 2025.

7.7 Sec. 6. **[388.052] REPORT ON CRIMINAL CHARGES AND CASES DISMISSED.**

7.8 (a) In each case where the defendant is charged with a felony, a county attorney who  
7.9 dismisses any part of a criminal action pursuant to rule 30.01 of the Rules of Criminal  
7.10 Procedure shall record the following information in writing:

7.11 (1) the name of the defendant;

7.12 (2) the date of the offense;

7.13 (3) all crimes charged;

7.14 (4) any charges that were dismissed;

7.15 (5) whether the victim, if any, supports the dismissal;

7.16 (6) the date of dismissal; and

7.17 (7) any reason for the dismissal.

7.18 (b) The county attorney shall forward the information recorded under paragraph (a) to  
7.19 the Sentencing Guidelines Commission upon forms prescribed by the commission and must  
7.20 publish the information on the county attorney's publicly accessible website. Information  
7.21 forwarded to the Sentencing Guidelines Commission and posted on the county attorney's  
7.22 website must not include identifying information of a victim.

7.23 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to dismissals  
7.24 occurring on or after that date.

7.25 Sec. 7. **[604.135] CRITICAL INFRASTRUCTURE; VICARIOUS LIABILITY.**

7.26 (a) A person who is arrested for or convicted of a violation of section 609.594 or 609.6055  
7.27 may be held liable for any damages to personal or real property while trespassing or causing  
7.28 damage to the physical property of a critical public service facility, utility, or pipeline.

7.29 (b) A person or entity that recruits, trains, aids, advises, hires, counsels, or conspires  
7.30 with or otherwise procures another to trespass as described in paragraph (a) may also be



8.1 held vicariously liable for any damages to personal or real property committed by the  
8.2 individual arrested or convicted under section 609.594 or 609.6055.

8.3 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
8.4 committed on or after that date.

8.5 Sec. 8. Minnesota Statutes 2024, section 609.2231, subdivision 1, is amended to read:

8.6 Subdivision 1. **Peace officers.** (a) As used in this subdivision, "peace officer" means a  
8.7 person who is licensed under section 626.845, subdivision 1, and effecting a lawful arrest  
8.8 or executing any other duty imposed by law.

8.9 (b) Whoever physically assaults a peace officer is guilty of a ~~gross misdemeanor~~ felony  
8.10 and may be sentenced to imprisonment for not more than two years or to payment of a fine  
8.11 of not more than \$4,000, or both.

8.12 (c) Whoever commits either of the following acts against a peace officer is guilty of a  
8.13 felony and may be sentenced to imprisonment for not more than three years or to payment  
8.14 of a fine of not more than \$6,000, or both: (1) physically assaults the officer if the assault  
8.15 inflicts demonstrable bodily harm; or (2) intentionally throws or otherwise transfers bodily  
8.16 fluids or feces at or onto the officer.

8.17 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
8.18 committed on or after that date.

8.19 Sec. 9. Minnesota Statutes 2024, section 609.322, subdivision 1, is amended to read:

8.20 Subdivision 1. **Solicitation, inducement, and promotion of prostitution; sex trafficking**  
8.21 **in the first degree.** (a) Whoever, while acting other than as a prostitute or patron,  
8.22 intentionally does any of the following may be sentenced to imprisonment for not more  
8.23 than 25 years or to payment of a fine of not more than \$50,000, or both:

8.24 (1) solicits or induces an individual under the age of 18 years to practice prostitution;

8.25 (2) promotes the prostitution of an individual under the age of 18 years;

8.26 (3) receives profit, knowing or having reason to know that it is derived from the  
8.27 prostitution, or the promotion of the prostitution, of an individual under the age of 18 years;  
8.28 or

8.29 (4) engages in the sex trafficking of an individual under the age of 18 years.



(b) Whoever violates paragraph (a) or subdivision 1a may be sentenced to imprisonment for not more than 30 years or to payment of a fine of not more than \$60,000, or both, if one or more of the following aggravating factors are present:

(1) the offender has committed a prior qualified human trafficking-related offense;

(2) the offense involved a sex trafficking victim who suffered bodily harm during the commission of the offense;

(3) the time period that a sex trafficking victim was held in debt bondage or forced or coerced labor or services exceeded 180 days; or

(4) the offense involved more than one sex trafficking victim.

(c) Unless a longer mandatory minimum sentence is otherwise required by law or the Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall presume that an executed sentence of 120 months must be imposed on an offender convicted of violating this section under the conditions described in paragraph (a), and an executed sentence of 144 months must be imposed on an offender convicted of violating this section under the conditions described in paragraph (b). Sentencing a person in a manner other than that described in this paragraph is a departure from the Sentencing Guidelines.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2024, section 609.487, is amended by adding a subdivision to read:

Subd. 3a. **Fleeing officer; failure to obey signs.** Whoever flees or attempts to flee by means of a motor vehicle a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or should reasonably know the same to be a peace officer, and who in the course of fleeing in a motor vehicle does any of the following is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000 or both:

(1) fails to obey signs, signals, or markings in violation of section 169.06, subdivision 4, 4a, 4b, 5, 6, 7, or 8; or

(2) fails to keep on the proper side of the road in violation of section 169.18.

**EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes committed on or after that date.

10.1 Sec. 11. Minnesota Statutes 2024, section 609.52, is amended by adding a subdivision to  
10.2 read:

10.3 Subd. 2a. **Illegal presence in a stolen motor vehicle.** (a) A person who enters into or  
10.4 is found in a motor vehicle that the person knows or has reason to know was taken or stolen  
10.5 in violation of subdivision 2 is guilty of a misdemeanor.

10.6 (b) A person who violates paragraph (a) after being previously convicted or adjudicated  
10.7 delinquent for violating paragraph (a) is guilty of a gross misdemeanor.

10.8 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
10.9 committed on or after that date.

10.10 Sec. 12. Minnesota Statutes 2024, section 609.594, subdivision 2, is amended to read:

10.11 Subd. 2. **Prohibited conduct; penalty.** (a) Whoever causes damage to the physical  
10.12 property of a critical public service facility, utility, or pipeline with the intent to significantly  
10.13 disrupt the operation of or the provision of services by the facility, utility, or pipeline and  
10.14 without the consent of one authorized to give consent, is guilty of a felony and may be  
10.15 sentenced to imprisonment for not more than ten years or to payment of a fine of not more  
10.16 than \$20,000, or both.

10.17 (b) Whoever intentionally recruits, trains, aids, advises, hires, counsels, or conspires  
10.18 with or otherwise procures another to commit a violation of paragraph (a) is guilty of a  
10.19 felony and may be sentenced to imprisonment for not more than ten years or to payment of  
10.20 a fine of not more than \$20,000, or both, if a violation is committed and the person fails to  
10.21 make a reasonable effort to prevent the violation.

10.22 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
10.23 committed on or after that date.

10.24 Sec. 13. Minnesota Statutes 2024, section 609.6055, subdivision 2, is amended to read:

10.25 Subd. 2. **Prohibited conduct; penalty.** (a) Whoever enters or is found upon property  
10.26 containing a critical public service facility, utility, or pipeline, without claim of right or  
10.27 consent of one who has the right to give consent to be on the property, is guilty of a gross  
10.28 misdemeanor, if:

10.29 (1) the person refuses to depart from the property on the demand of one who has the  
10.30 right to give consent;

11.1 (2) within the past six months, the person had been told by one who had the right to give  
11.2 consent to leave the property and not to return, unless a person with the right to give consent  
11.3 has given the person permission to return; or

11.4 (3) the property is posted.

11.5 (b) Whoever enters an underground structure that (1) contains a utility line or pipeline  
11.6 and (2) is not open to the public for pedestrian use, without claim of right or consent of one  
11.7 who has the right to give consent to be in the underground structure, is guilty of a gross  
11.8 misdemeanor. The underground structure does not need to be posted for this paragraph to  
11.9 apply.

11.10 (c) Whoever intentionally recruits, trains, aids, advises, hires, counsels, or conspires  
11.11 with or otherwise procures another to commit a violation of paragraph (a) is guilty of a  
11.12 gross misdemeanor if a violation is committed and the person fails to make a reasonable  
11.13 effort to prevent the violation.

11.14 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
11.15 committed on or after that date.

11.16 Sec. 14. Minnesota Statutes 2024, section 609.74, is amended to read:

11.17 **609.74 PUBLIC NUISANCE.**

11.18 (a) Whoever by an act or failure to perform a legal duty intentionally does any of the  
11.19 following is guilty of maintaining a public nuisance, which is a misdemeanor:

11.20 (1) maintains or permits a condition which unreasonably annoys, injures or endangers  
11.21 the safety, health, morals, comfort, or repose of any considerable number of members of  
11.22 the public; or

11.23 (2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous  
11.24 for passage, any public highway or right-of-way, or waters used by the public; or

11.25 (3) is guilty of any other act or omission declared by law to be a public nuisance and for  
11.26 which no sentence is specifically provided.

11.27 (b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is  
11.28 entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the  
11.29 boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt  
11.30 traffic. This paragraph does not apply to the actions of law enforcement or other emergency  
11.31 responders, road or airport authorities, or utility officials, or their agents, employees, or  
11.32 contractors when carrying out duties imposed by law or contract. For purposes of this

12.1 paragraph, "airport" means an airport that has a control tower and airline service, and  
12.2 "freeway" means any section of a divided highway where the only access and egress for  
12.3 vehicular traffic is from entrance and exit ramps.

12.4 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
12.5 committed on or after that date.

12.6 Sec. 15. Minnesota Statutes 2024, section 609.855, subdivision 2, is amended to read:

12.7 Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally  
12.8 commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the  
12.9 operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime  
12.10 and may be sentenced as provided in paragraph (c).

12.11 (b) An act ~~that is~~ committed on a transit vehicle that distracts the driver from the safe  
12.12 operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers  
12.13 passengers is a violation of this subdivision if an authorized transit representative has clearly  
12.14 warned the person once to stop the act.

12.15 (c) A person who violates this subdivision may be sentenced as follows:

12.16 (1) to imprisonment for not more than three years or to payment of a fine of not more  
12.17 than \$5,000, or both, if the violation was accompanied by force or violence or a  
12.18 communication of a threat of force or violence; or

12.19 (2) to imprisonment for not more than ~~90~~ 364 days or to payment of a fine of not more  
12.20 than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence or  
12.21 a communication of a threat of force or violence.

12.22 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes  
12.23 committed on or after that date.

12.24 Sec. 16. Minnesota Statutes 2024, section 626A.35, subdivision 2b, is amended to read:

12.25 Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1  
12.26 does not apply to the use of a mobile tracking device on a stolen motor vehicle when:

12.27 (1) the consent of the owner of the vehicle has been obtained; or

12.28 (2) the owner of the motor vehicle has reported to law enforcement that the vehicle is  
12.29 stolen, ~~and the vehicle is occupied when the tracking device is installed.~~

12.30 (b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the  
12.31 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached

13.1 the tracking device to the vehicle must remove the device, disable the device, or obtain a  
13.2 search warrant granting approval to continue to use the device in the investigation.

13.3 (c) A peace officer employed by the agency that attached a tracking device to a stolen  
13.4 motor vehicle must remove the tracking device if the vehicle is recovered and returned to  
13.5 the owner.

13.6 (d) Any tracking device evidence collected after the motor vehicle is returned to the  
13.7 owner is inadmissible.

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

13.14 Sec. 17. Minnesota Statutes 2024, section 626A.35, is amended by adding a subdivision  
13.15 to read:

13.16 Subd. 2c. **Exception; fleeing motor vehicles.** The prohibition under subdivision 1 does  
13.17 not apply to the use of a mobile tracking device on a fleeing motor vehicle. For purposes  
13.18 of this subdivision, "flee" has the meaning given in section 609.487, subdivision 1.

13.19 Sec. 18. Minnesota Statutes 2024, section 629.53, is amended to read:

13.20 **629.53 PROVIDING RELEASE ON BAIL; COMMITMENT.**

13.21 A person charged with a criminal offense may be released with or without bail in  
13.22 accordance with rule 6.02 of the Rules of Criminal Procedure. Money bail is the property  
13.23 of the accused, whether deposited by that person or by a third person on the accused's behalf.  
13.24 When money bail is accepted by a judge, that judge shall order it to be deposited with the  
13.25 court administrator and shall notify the agency having custody of the arrested or detained  
13.26 person or the agency's designee that money bail has been posted, the amount posted, and,  
13.27 if the arrested or detained person is being held in custody for a crime against a person listed  
13.28 in section 611A.031 or a crime of violence as defined in section 629.725, the identity of the  
13.29 person or entity that posted the bail. The court administrator shall retain it until the final  
13.30 disposition of the case and the final order of the court disposing of the case. Upon release,  
13.31 the amount released must be paid to the accused personally or upon that person's written  
13.32 order. In case of conviction, the judge may order the money bail deposit to be applied to

14.1 any fine or restitution imposed on the defendant by the court and, if the fine or restitution  
14.2 is less than the deposit, order the balance to be paid to the defendant. Money bail deposited  
14.3 with the court or any officer of it is exempt from garnishment or levy under attachment or  
14.4 execution.

14.5 Sec. 19. Minnesota Statutes 2024, section 629.67, is amended to read:

14.6 **629.67 SURETIES ON BOND, RECOGNIZANCE, OR UNDERTAKING;**  
14.7 **AFFIDAVITS REQUIRED.**

14.8 (a) A personal surety upon any bond, recognizance, or undertaking given to secure the  
14.9 appearance of a defendant in a criminal case shall make an affidavit, to be attached to the  
14.10 bond, recognizance, or undertaking, stating:

14.11 (1) the surety's full name;

14.12 (2) the surety's residence and post office address;

14.13 (3) whether or not the affiant is surety upon any other bond, recognizance, or undertaking  
14.14 in any criminal case, and, if so, stating the name of the principal, the amount of each  
14.15 obligation, and the court in which the obligation was given; and

14.16 (4) the legal description of all real property owned by the surety and specifying as to  
14.17 each parcel of property its fair market value, what liens or encumbrances, if any, exist on  
14.18 it, and whether or not the property is the surety's homestead or is otherwise exempt from  
14.19 execution. The court may require the surety to disclose all or some of the surety's personal  
14.20 property by affidavit as required for real property.

14.21 (b) The court may, in its discretion, by written order endorsed on the bond, recognizance,  
14.22 or undertaking, dispense with the affidavit disclosing the surety's real or personal property,  
14.23 or any part of it, if the court is satisfied that the surety is worth the amount necessary to act  
14.24 as surety on the bond, recognizance or undertaking to secure the defendant in a criminal  
14.25 case and is not a professional or habitual bonding agent in criminal cases.

14.26 (c) The court shall provide the agency having custody of a defendant in a criminal case  
14.27 who is charged with a crime against a person listed in section 611A.031 or a crime of  
14.28 violence as defined in section 629.725 with a copy of the affidavit identified in paragraph  
14.29 (a).

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

15.1 Sec. 20. Minnesota Statutes 2024, section 629.70, is amended to read:

15.2 **629.70 AUTHORIZED CORPORATE BONDS AND RECOGNIZANCES.**

15.3 A defendant required to give a bond, recognizance, or undertaking to secure an appearance  
15.4 in a criminal case may choose to give a surety bond, recognizance, or undertaking executed  
15.5 by a corporation authorized by law to execute bonds, recognizances, or undertakings.  
15.6 However, the amount of the bond, recognizance, or undertaking as fixed by the court must  
15.7 be the same regardless of the kind of bond, recognizance, or undertaking given. When a  
15.8 corporation authorized by law to execute bonds, recognizances, or undertakings has given  
15.9 a surety bond, recognizance, or undertaking on behalf of a defendant charged with a crime  
15.10 against a person listed in section 611A.031 or a crime of violence as defined in section  
15.11 629.725, the court shall notify the agency having custody of the defendant or the agency's  
15.12 designee that a surety bond, recognizance, or undertaking has been given; the amount of  
15.13 the surety bond, recognizance, or undertaking; and the identity of the person or entity that  
15.14 posted the surety bond, recognizance, or undertaking.

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

15.16 Sec. 21. **SEARCHABLE PUBLIC DATABASE; APPROPRIATION.**

15.17 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general  
15.18 fund to the Minnesota Sentencing Guidelines Commission to develop and maintain a publicly  
15.19 searchable database pursuant to Minnesota Statutes, section 244.09, subdivision 6a. The  
15.20 base for this appropriation is \$..... in fiscal year 2028 and thereafter.