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Senate

State of Minnesota

S.F. No. 3853 – Permitting emancipated minors to seek harassment restraining orders (as amended by SCS3853A-1)

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Under current law, a petition for a harassment restraining order to protect a minor must be brought by the minor’s parent, guardian, or conservator. **S.F. 3853** permits an emancipated minor to obtain a harassment restraining order if the minor demonstrates that they are emancipated, and the court finds that the order is in the best interests of the emancipated minor.

The bill provides that a minor demonstrates that they are emancipated when the minor shows: (1) that the minor is living separate and apart from their parents and managing their own financial affairs; and (2) through a written document or by conduct of the parties that all parents have relinquished control and authority over the minor.

Effective date. This bill is effective the day following final enactment.