

1.1 **Senator Latz from the Committee on Judiciary and Public Safety, to which was**
 1.2 **re-referred**

1.3 **S.F. No. 2909:** A bill for an act relating to state government; amending certain judiciary,
 1.4 public safety, corrections, human rights, firearm, and 911 Emergency Communication
 1.5 System statutory policy provisions; providing for reports; authorizing rulemaking;
 1.6 appropriating money for judiciary, courts, civil legal services, Guardian ad Litem Board,
 1.7 Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, human
 1.8 rights, sentencing guidelines, public safety, emergency management, criminal apprehension,
 1.9 fire marshal, firefighters, Office of Justice programs, Peace Officer Standards and Training
 1.10 Board, Private Detective Board, corrections, incarceration and release, probation, juveniles,
 1.11 and Ombudsperson for Corrections; amending Minnesota Statutes 2022, sections 13.072,
 1.12 subdivision 1; 13.825, subdivision 3; 13.871, subdivisions 8, 14; 13A.02, subdivisions 1,
 1.13 2; 144.6586, subdivision 2; 145.4712; 152.01, by adding a subdivision; 152.021, subdivisions
 1.14 1, 2; 152.022, subdivisions 1, 2; 152.023, subdivision 2; 152.18, subdivision 1; 181.981,
 1.15 subdivision 1; 214.10, subdivision 10; 241.01, subdivision 3a; 241.021, subdivision 1d;
 1.16 243.05, subdivision 1; 244.03; 244.05, subdivisions 1b, 2, 3, 4, 5, by adding a subdivision;
 1.17 244.101, subdivision 1; 244.19, subdivisions 1, 5; 244.195, subdivisions 1, 2, by adding
 1.18 subdivisions; 244.20; 244.21; 297I.06, subdivision 1; 299A.38; 299A.41, subdivisions 3,
 1.19 4, by adding a subdivision; 299A.52; 299A.642, subdivision 15; 299A.73, by adding a
 1.20 subdivision; 299C.10, subdivision 1; 299C.106, subdivision 3; 299C.11, subdivision 3;
 1.21 299C.111; 299C.17; 299C.53, subdivision 3; 299N.02, subdivision 3; 326.32, subdivision
 1.22 10; 326.3381, subdivision 3; 357.021, subdivision 2; 363A.06, subdivision 1; 401.01; 401.02;
 1.23 401.025, subdivision 1; 401.06; 401.09; 401.10; 401.11; 401.14, subdivision 3; 401.16;
 1.24 403.02, subdivisions 7, 9a, 11b, 16a, 17, 17c, 18, 19, 19a, 20, 20a, 21, by adding subdivisions;
 1.25 403.025; 403.03, subdivision 2; 403.05; 403.06; 403.07; 403.08; 403.09, subdivision 2;
 1.26 403.10, subdivisions 2, 3; 403.11; 403.113; 403.15, subdivisions 1, 2, 3, 4, 5, 6, by adding
 1.27 a subdivision; 609.05, by adding a subdivision; 609.106, subdivision 2, by adding a
 1.28 subdivision; 609.14, subdivision 1, by adding a subdivision; 609.2231, subdivision 4;
 1.29 609.2233; 609.3455, subdivisions 2, 5; 609.35; 609.52, subdivision 3; 609.527, subdivision
 1.30 1, by adding a subdivision; 609.582, subdivisions 3, 4; 609.595, subdivisions 1a, 2; 609.749,
 1.31 subdivision 3; 609A.01; 609A.02, subdivision 3; 609A.03, subdivisions 5, 7a, 9; 611.23;
 1.32 611A.03, subdivision 1; 611A.211, subdivision 1; 611A.31, subdivisions 2, 3, by adding a
 1.33 subdivision; 611A.32; 626.15; 626.5531, subdivision 1; 626.843, by adding a subdivision;
 1.34 626.8451, subdivision 1; 626.8469, subdivision 1; 626.8473, subdivision 3; 638.01; 641.15,
 1.35 subdivision 2; 641.155; Laws 2021, First Special Session chapter 11, article 1, section 15,
 1.36 subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 243; 244;
 1.37 299A; 299C; 401; 609; 609A; 626; 638; repealing Minnesota Statutes 2022, sections 244.18;
 1.38 244.19, subdivisions 6, 7, 8; 244.22; 244.24; 244.30; 299C.80, subdivision 7; 403.02,
 1.39 subdivision 13; 403.09, subdivision 3; 638.02; 638.03; 638.04; 638.05; 638.06; 638.07;
 1.40 638.075; 638.08.

1.41 Reports the same back with the recommendation that the bill be amended as follows:

1.42 Page 2, line 24, delete "77,372,000" and insert "78,014,000"

1.43 Page 3, line 10, delete "reverts" and insert " Cancels"

1.44 Page 3, line 11, delete "28,072,000" and insert "28,714,000"

1.45 Page 3, line 12, delete "\$29,899,000" and insert "\$30,345,000"

1.46 Page 5, line 8, delete everything after "appropriation" and insert "is available until June
 1.47 30, 2027."

1.48 Page 5, delete lines 9 to 11

- 2.1 Page 8, line 18, delete everything after the period and insert "This appropriation is
2.2 available until June 30, 2027."
- 2.3 Page 8, delete line 19
- 2.4 Page 10, line 6, delete "reverts" and insert "cancels"
- 2.5 Page 11, line 18, after the period, insert "The base appropriation for this account is
2.6 \$12,182,000 in fiscal year 2026 and \$12,082,000 in fiscal year 2027."
- 2.7 Page 15, line 1, delete "for deposit into" and insert "transferred to"
- 2.8 Page 23, after line 8, insert:
- 2.9 "(e) Firearm Storage Cost Reimbursement
- 2.10 \$250,000 each year is to implement Senate
2.11 File No. 1117. If this provision or a
2.12 substantially similar one is not enacted in the
2.13 2023 legislative session, this appropriation
2.14 cancels to the general fund."
- 2.15 Page 25, line 28, delete "purpose" and insert "appropriation"
- 2.16 Page 26, lines 8, 11, 15, and 18, delete "purpose" and insert "appropriation"
- 2.17 Page 27, line 6, delete "\$1,000,000" and insert "\$750,000"
- 2.18 Page 27, delete lines 10 to 14
- 2.19 Page 27, line 15, delete "(i)" and insert "(h)"
- 2.20 Page 27, line 21, delete "(j)" and insert "(i)"
- 2.21 Page 27, line 27, delete "(k)" and insert "(j)"
- 2.22 Page 27, line 32, delete "(l)" and insert "(k)"
- 2.23 Page 28, line 5, delete "(m)" and insert "(l)"
- 2.24 Page 28, line 28, delete "activity" and insert "appropriation"
- 2.25 Page 29, lines 15, 19, and 27, delete "purpose" and insert "appropriation"
- 2.26 Page 32, lines 15 and 21, delete "purpose" and insert "appropriation"
- 2.27 Page 34, line 26, after the period, insert "Any balance in the account on June 30, 2028,
2.28 cancels to the general fund."

3.1 Page 35, line 32, after the period, insert "Any balance in the account on June 30, 2028,
3.2 cancels to the general fund."

3.3 Page 36, line 14, after "(c)" insert "Up to"

3.4 Page 36, after line 24, insert:

3.5 "Sec. 27. **FINANCIAL REVIEW OF NONPROFIT GRANT RECIPIENTS.**

3.6 **Subdivision 1. Financial information required; determination of ability to**
3.7 **perform.** Before an agency awards a competitive, legislatively-named, single source, or
3.8 sole source grant to a nonprofit organization with money appropriated in this act, the agency
3.9 must assess the risk that a grantee cannot or would not perform the required duties. In making
3.10 this assessment, the agency must review the following information:

3.11 (1) the grantee's history of performing duties similar to those required by the grant,
3.12 whether the size of the grant requires the grantee to perform services at a significantly
3.13 increased scale, and whether the size of the grant will require significant changes to the
3.14 operation of the grantee's organization;

3.15 (2) the applicant's Form 990 or Form 990-EZ filed with the Internal Revenue Service
3.16 in each of the prior three years. If the applicant has not been in existence long enough or is
3.17 not required to file Form 990 or Form 990-EZ, the applicant must demonstrate to the grantor's
3.18 satisfaction that the applicant is exempt and must instead submit the applicant's most recent
3.19 board-reviewed financial statements and documentation of internal controls;

3.20 (3) evidence of registration and good standing with the secretary of state under Minnesota
3.21 Statutes, chapter 317A, or other applicable law;

3.22 (4) if the applicant's total annual revenue exceeds \$750,000, the applicant's most recent
3.23 financial audit performed by an independent third party in accordance with generally accepted
3.24 accounting principles; and

3.25 (5) certification, provided by the applicant, that none of its principals have been convicted
3.26 of a financial crime.

3.27 **Subd. 2. Additional measures for some grantees.** The agency may require additional
3.28 information and must provide enhanced oversight for grants to nonprofit organizations that
3.29 have not previously received state or federal grants for similar amounts or similar duties
3.30 and so have not yet demonstrated the ability to perform the duties required under the grant
3.31 on the scale required.

4.1 Subd. 3. **Assistance from administration.** An agency without adequate resources or
4.2 experience to perform obligations under this section may contract with the commissioner
4.3 of administration to perform the agency's duties under this section.

4.4 Subd. 4. **Agency authority to not award grant.** If an agency determines that there is
4.5 an appreciable risk that a grantee receiving a competitive, single source, or sole source grant
4.6 cannot or would not perform the required duties under the grant agreement, the agency must
4.7 notify the grantee and the commissioner of administration and give the grantee an opportunity
4.8 to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns
4.9 within 45 days, the agency must not award the grant.

4.10 Subd. 5. **Legislatively-named grantees.** If an agency determines that there is an
4.11 appreciable risk that a grantee receiving a legislatively-named grant cannot or would not
4.12 perform the required duties under the grant agreement, the agency must notify the grantee,
4.13 the commissioner of administration, and the chair and ranking minority members of Ways
4.14 and Means Committee in the house of representatives, the chairs and ranking minority
4.15 members of the Finance Committee in the senate, and the chairs and ranking minority
4.16 members of the committees in the house of representatives and the senate with primary
4.17 jurisdiction over the bill in which the money for the grant was appropriated. The agency
4.18 must give the grantee an opportunity to respond to the agency's concerns. If the grantee
4.19 does not satisfy the agency's concerns within 45 days, the agency must delay award of the
4.20 grant until adjournment of the next regular or special legislative session.

4.21 Subd. 6. **Subgrants.** If a grantee will disburse the money received from the grant to
4.22 other organizations to perform duties required under the grant agreement, the agency must
4.23 be a party to agreements between the grantee and a subgrantee. Before entering agreements
4.24 for subgrants, the agency must perform the financial review required under this section with
4.25 respect to the subgrantees.

4.26 Subd. 7. **Effect.** The requirements of this section are in addition to other requirements
4.27 imposed by law, the commissioner of administration under Minnesota Statutes, sections
4.28 16B.97 to 16B.98, or agency grant policy."

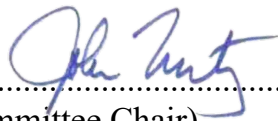
4.29 Page 36, line 24, after the period, insert "Any balance in the account on June 30, 2028,
4.30 cancel to the general fund."

4.31 Page 101, line 17, delete "2024" and insert "2025"

4.32 Page 101, delete lines 26 and 27 and insert:

5.1 "(c) Within 90 days of the Ramsey County District Court receiving the preliminary
 5.2 application, the reviewing judge shall determine whether, in the discretion of that judge,
 5.3 there is a reasonable probability that the application is entitled to relief under this section."

5.5 And when so amended the bill do pass. Amendments adopted. Report adopted.

5.6 
 5.7
 (Committee Chair)

5.8 April 12, 2023.....
 5.9 (Date of Committee recommendation)