

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

1.3 **S.F. No. 200:** A bill for an act relating to judiciary; eliminating the fee for uncertified  
 1.4 copies of instruments from civil or criminal proceedings; providing expedited attorney entry  
 1.5 to district courthouse buildings; providing attorneys secured access to court records;  
 1.6 amending Minnesota Statutes 2022, section 357.021, subdivision 2; proposing coding for  
 1.7 new law in Minnesota Statutes, chapter 484.

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

1.9 Delete everything after the enacting clause and insert:

1.10 **"ARTICLE 1**  
 1.11 **DATA PRIVACY**

1.12 Section 1. **[13.204] POLITICAL SUBDIVISIONS LICENSING DATA.**

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

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

1.16 (2) a bank account statement.

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

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment. Data  
 1.21 which a political subdivision collected or created before the effective date of this section,  
 1.22 and which would otherwise be subject to the destruction requirement in paragraph (b), must  
 1.23 be destroyed no later than 90 days following final enactment.

1.24 Sec. 2. Minnesota Statutes 2022, section 13.72, subdivision 19, is amended to read:

1.25 Subd. 19. **Transit customer data.** (a) The following data on applicants, users, and  
 1.26 customers of public transit are private data on individuals: (1) data collected by or through  
 1.27 a government entity's personalized web services or the Metropolitan Council's regional fare  
 1.28 collection system ~~are private data on individuals~~; and (2) data collected by telephone or  
 1.29 through a third-party software program for the purposes of booking and using public transit  
 1.30 services. As used in this subdivision, the following terms have the meanings given ~~them~~:

1.31 (1) "regional fare collection system" means the fare collection system created and  
 1.32 administered by the council that is used for collecting fares or providing fare cards or passes  
 1.33 for transit services which includes:

2.1 (i) regular route bus service within the metropolitan area and paratransit service, whether  
2.2 provided by the council or by other providers of regional transit service;

2.3 (ii) light rail transit service within the metropolitan area;

2.4 (iii) rideshare programs administered by the council;

2.5 (iv) special transportation services provided under section 473.386; and

2.6 (v) commuter rail service;

2.7 (2) "personalized web services" means services for which transit service applicants,  
2.8 users, and customers must establish a user account; ~~and~~

2.9 (3) "metropolitan area" means the area defined in section 473.121, subdivision 2-; and

2.10 (4) "third-party software program" means a software program that is proprietary to a  
2.11 third party, including a third-party software program commonly known as a mobile app,  
2.12 that collects and uses a public transit customer's name and other personally identifiable  
2.13 information, pick-up and drop-off locations, and other trip data for the purposes of booking  
2.14 and using public transit services.

2.15 (b) A government entity may disseminate data on user and customer transaction history  
2.16 and fare card use to government entities, organizations, school districts, educational  
2.17 institutions, and employers that subsidize or provide fare cards to their clients, students, or  
2.18 employees. "Data on user and customer transaction history and fare card use" means:

2.19 (1) the date a fare card was used;

2.20 (2) the time a fare card was used;

2.21 (3) the mode of travel;

2.22 (4) the type of fare product used; and

2.23 (5) information about the date, time, and type of fare product purchased.

2.24 Government entities, organizations, school districts, educational institutions, and employers  
2.25 may use customer transaction history and fare card use data only for purposes of measuring  
2.26 and promoting fare card use and evaluating the cost-effectiveness of their fare card programs.  
2.27 If a user or customer requests in writing that the council limit the disclosure of transaction  
2.28 history and fare card use, the council may disclose only the card balance and the date a card  
2.29 was last used.

3.1 (c) A government entity may disseminate transit service applicant, user, and customer  
 3.2 data to another government entity to prevent unlawful intrusion into government electronic  
 3.3 systems, or as otherwise provided by law.

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

3.5 Sec. 3. Minnesota Statutes 2022, section 13.72, is amended by adding a subdivision to  
 3.6 read:

3.7 Subd. 20. **Transit assistance program data.** (a) Data on applicants and users of  
 3.8 Metropolitan Council programs established under section 473.387, subdivision 4, are  
 3.9 classified as private data on individuals under section 13.02, subdivision 12.

3.10 (b) The council may disclose transit assistance program data to public or private agencies  
 3.11 or organizations for the purposes of administering and coordinating human services programs  
 3.12 and other support services for the applicants or users.

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

3.14 Sec. 4. **[13.991] JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

3.15 Personal information of all judicial officials collected, created, or maintained by a  
 3.16 government entity is private data on individuals. For purposes of this section, the terms  
 3.17 "personal information" and "judicial official" have the meanings given in section 480.40,  
 3.18 subdivision 1.

3.19 Sec. 5. Minnesota Statutes 2022, section 473.387, subdivision 4, is amended to read:

3.20 Subd. 4. **Transit disadvantaged.** The council shall establish a program and policies to  
 3.21 reduce transportation costs for persons who are, because of limited incomes, age, disability,  
 3.22 or other reasons, especially dependent on public transit for common mobility. Data on  
 3.23 applicants and users of council programs under this subdivision are classified as private  
 3.24 data on individuals under section 13.72, subdivision 20.

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

3.26 Sec. 6. **[480.40] PERSONAL INFORMATION; CONFIDENTIALITY.**

3.27 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
 3.28 the meanings given.

3.29 (b) "Judicial official" includes:

4.1 (1) every Minnesota district court judge, senior judge, and every judge of the Minnesota  
4.2 Court of Appeals and every active, senior, recalled, or retired federal judge who resides in  
4.3 Minnesota;

4.4 (2) each justice of the Minnesota Supreme Court; and

4.5 (3) all employees of the Minnesota judicial branch.

4.6 (c) "Personal information" means:

4.7 (1) the home address of a judicial official;

4.8 (2) the home address of the spouse, domestic partner, or children of a judicial official;

4.9 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

4.10 (4) the name of any child of a judicial official; and

4.11 (5) the name of any childcare facility or school that is attended by a child of a judicial  
4.12 official.

4.13 Subd. 2. **Confidentiality.** The personal information of all judicial officials maintained  
4.14 by a person, business, or association shall be confidential and no person, business, or  
4.15 association shall publicly post, display, or otherwise make publicly available on the Internet  
4.16 the personal information of any judicial official. Personal information shall be kept in a  
4.17 secure manner to prevent unauthorized access. Personal information may be disseminated  
4.18 pursuant to a specific authorization in law or with the written consent of the judicial official.

4.19 Sec. 7. **[484.94] ATTORNEY ACCESS TO COURT RECORDS.**

4.20 An attorney who is admitted and licensed to practice law in the state may apply for a  
4.21 Minnesota Government Access account to access electronic court records and documents  
4.22 stored in the Minnesota Court Information System for cases in state district courts. An  
4.23 attorney shall be able to view and print case documents and information without cost to the  
4.24 attorney.

4.25 Sec. 8. Minnesota Statutes 2022, section 609.5151, is amended to read:

4.26 **609.5151 DISSEMINATION OF PERSONAL INFORMATION ABOUT LAW**  
4.27 **ENFORCEMENT OR THE JUDICIARY PROHIBITED; PENALTY.**

4.28 Subdivision 1. **Definitions.** As used in this section:

4.29 (1) "family or household member" has the meaning given in section 518B.01, subdivision  
4.30 2;

5.1 (2) "judicial official" includes:

5.2 (i) every Minnesota district court judge, senior judge, and every judge of the Minnesota  
 5.3 Court of Appeals and every active, senior, recalled, or retired federal judge who resides in  
 5.4 Minnesota;

5.5 (ii) each justice of the Minnesota Supreme Court; and

5.6 (iii) all employees of the Minnesota judicial branch;

5.7 (3) "law enforcement official" means both peace officers as defined in section 626.84,  
 5.8 subdivision 1, and persons employed by a law enforcement agency; and

5.9 ~~(3)~~ (4) "personal information" means a home address, directions to a home, or  
 5.10 photographs of a home.

5.11 Subd. 2. **Crime described.** (a) It is a misdemeanor for a person to knowingly and without  
 5.12 consent make publicly available, including but not limited to through the Internet, personal  
 5.13 information about a law enforcement official or judicial official or an official's family or  
 5.14 household member, if:

5.15 (1) the dissemination poses an imminent and serious threat to the official's safety or the  
 5.16 safety of an official's family or household member; and

5.17 (2) the person making the information publicly available knows or reasonably should  
 5.18 know of the imminent and serious threat.

5.19 (b) A person is guilty of a gross misdemeanor if the person violates paragraph (a) and  
 5.20 a law enforcement official or judicial official or an official's family or household member  
 5.21 suffers great bodily harm or death as a result of the violation.

5.22 (c) A person who is convicted of a second or subsequent violation of this section is guilty  
 5.23 of a gross misdemeanor.

5.24 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 5.25 committed on or after that date.

5.26 **ARTICLE 2**

5.27 **CIVIL REMEDIES**

5.28 Section 1. Minnesota Statutes 2022, section 168B.07, subdivision 3, is amended to read:

5.29 Subd. 3. **Retrieval of contents; right to reclaim.** (a) For purposes of this subdivision:

6.1 (1) "contents" does not include any permanently affixed mechanical or nonmechanical  
6.2 automobile parts; automobile body parts; or automobile accessories, including audio or  
6.3 video players; and

6.4 (2) "relief based on need" includes, but is not limited to, receipt of MFIP and Diversionary  
6.5 Work Program, medical assistance, general assistance, emergency general assistance,  
6.6 Minnesota supplemental aid, MSA-emergency assistance, MinnesotaCare, Supplemental  
6.7 Security Income, energy assistance, emergency assistance, Supplemental Nutrition Assistance  
6.8 Program (SNAP) benefits, earned income tax credit, or Minnesota working family tax credit.

6.9 (b) A unit of government or impound lot operator ~~shall~~ must establish reasonable  
6.10 procedures for retrieval of vehicle contents, and may establish reasonable procedures to  
6.11 protect the safety and security of the impound lot and its personnel.

6.12 (c) At any time before the expiration of the waiting periods provided in section 168B.051,  
6.13 a registered owner of a vehicle who provides proof of identity that includes photographic  
6.14 identification and documentation from a government or nonprofit agency or legal aid office  
6.15 that the registered owner is homeless, receives relief based on need, or is eligible for legal  
6.16 aid services, has the unencumbered right to retrieve any and all contents without charge and  
6.17 regardless of whether the registered owner pays incurred charges or fees, transfers title, or  
6.18 reclaims the vehicle. A refusal by the impound lot operator to allow the registered owner  
6.19 to retrieve the vehicle contents after the owner provides valid documentation is a violation  
6.20 of this paragraph.

6.21 (d) An impound lot operator may make copies of the documents presented by the  
6.22 registered owner under paragraph (c), and the impound lot operator must return all of the  
6.23 original documents to the registered owner immediately after copying them.

6.24 Sec. 2. Minnesota Statutes 2022, section 168B.07, is amended by adding a subdivision to  
6.25 read:

6.26 Subd. 3a. **Retrieval of contents; identification, medicine, and medical equipment.** An  
6.27 impound lot operator must allow any registered vehicle owner to retrieve, or must retrieve  
6.28 for the vehicle owner, the following from the impounded vehicle: proof of identification;  
6.29 prescription medicine; and durable medical equipment, including but not limited to  
6.30 wheelchairs, prosthetics, canes, crutches, walkers, and external braces.

7.1 Sec. 3. Minnesota Statutes 2022, section 168B.07, is amended by adding a subdivision to  
7.2 read:

7.3 Subd. 3b. **Retrieval of contents; notice of denial.** (a) This subdivision applies to an  
7.4 impound lot operator (1) who operates a nonpublic impound lot, or (2) with which a unit  
7.5 of government exclusively contracts to operate an impound lot solely for public use under  
7.6 section 168B.09.

7.7 (b) An impound lot operator who denies a request of a registered vehicle owner to retrieve  
7.8 vehicle contents after the registered owner presents documentation pursuant to subdivision  
7.9 3, paragraph (c), must, at the time of denial, provide the registered owner with a written  
7.10 statement that identifies the specific reasons for the denial.

7.11 Sec. 4. Minnesota Statutes 2022, section 168B.07, is amended by adding a subdivision to  
7.12 read:

7.13 Subd. 3c. **Retrieval of contents; public notice.** (a) This subdivision applies to an  
7.14 impound lot operator (1) who operates a nonpublic impound lot, or (2) with which a unit  
7.15 of government exclusively contracts to operate an impound lot solely for public use under  
7.16 section 168B.09.

7.17 (b) An impound lot operator must post a conspicuous notice at its place of operation in  
7.18 the following form:

7.19 "If you receive government benefits, are currently homeless, or are eligible for legal aid  
7.20 services, you have the right to get the contents out of your car free of charge IF you provide:

7.21 (1) a photo ID (such as a driver's license, passport, or employer ID); AND

7.22 (2) documentation from a government or nonprofit agency or from a legal aid office that  
7.23 shows you get benefits from a government program based on your income, you are homeless,  
7.24 or you are eligible for legal aid services. Examples of this documentation include BUT ARE  
7.25 NOT LIMITED TO:

7.26 - an EBT card;

7.27 - a Medical Assistance or MinnesotaCare card;

7.28 - a Supplemental Nutrition Assistance Program (SNAP) card; and

7.29 - a letter, email, or other document from a government agency, nonprofit organization,  
7.30 or legal aid organization showing that you get benefits from a government program based  
7.31 on your income, you are homeless, or you are eligible for legal aid services."

8.1 Sec. 5. Minnesota Statutes 2022, section 168B.07, is amended by adding a subdivision to  
8.2 read:

8.3 Subd. 3d. **Retrieval of contents; remedy.** (a) This subdivision applies to an impound  
8.4 lot operator (1) who operates a nonpublic impound lot, or (2) with which a unit of government  
8.5 exclusively contracts to operate an impound lot solely for public use under section 168B.09.

8.6 (b) If an impound lot operator denies the registered owner the right to retrieve the vehicle  
8.7 contents in violation of subdivision 3, paragraph (c), an aggrieved registered vehicle owner  
8.8 has a cause of action against the impound lot operator as provided in this subdivision.

8.9 (c) If the vehicle and its contents remain in the possession of the impound lot operator  
8.10 and retrieval of the vehicle contents was denied in violation of subdivision 3, paragraph (c),  
8.11 an aggrieved registered vehicle owner is entitled to injunctive relief to retrieve the vehicle  
8.12 contents as well as reasonable attorney fees and costs.

8.13 (d) If an impound lot operator sells or disposes of the vehicle contents after the registered  
8.14 owner has provided the documentation required under subdivision 3, paragraph (c), an  
8.15 aggrieved registered vehicle owner is entitled to statutory damages in an amount of \$1,000  
8.16 and reasonable attorney fees and costs. An action brought pursuant to this paragraph must  
8.17 be brought within 12 months of when the vehicle was impounded.

8.18 Sec. 6. Minnesota Statutes 2022, section 325F.70, is amended by adding a subdivision to  
8.19 read:

8.20 Subd. 3. **Private enforcement.** (a) In addition to the remedies otherwise provided by  
8.21 law, a consumer injured by a violation of sections 325F.68 to 325F.70, in connection with  
8.22 a sale of merchandise for personal, family, household, or agricultural purposes, may bring  
8.23 a civil action and recover damages, together with costs and disbursements, including costs  
8.24 of investigation and reasonable attorney fees, and receive other equitable relief as determined  
8.25 by the court. An action brought under this section benefits the public.

8.26 (b) For the purposes of this subdivision:

8.27 (1) "consumer" means a natural person or family farmer;

8.28 (2) "family farmer" means a person or persons operating a family farm; and

8.29 (3) "family farm" has the meaning given in section 116B.02, subdivision 6.

8.30 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to causes  
8.31 of action commenced on or after that date.



9.1 Sec. 7. Minnesota Statutes 2022, section 573.01, is amended to read:

9.2 **573.01 SURVIVAL OF CAUSES.**

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

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

9.10 Sec. 8. Minnesota Statutes 2022, section 573.02, subdivision 1, is amended to read:

9.11 Subdivision 1. **Death action.** When death is caused by the wrongful act or omission of  
9.12 any person or corporation, the trustee appointed as provided in subdivision 3 may maintain  
9.13 an action therefor if the decedent might have maintained an action, had the decedent lived,  
9.14 for an injury caused by the wrongful act or omission. An action to recover damages for a  
9.15 death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital  
9.16 or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall  
9.17 be commenced within three years of the date of death, but in no event shall be commenced  
9.18 beyond the time set forth in section 541.076. An action to recover damages for a death  
9.19 caused by an intentional act constituting murder may be commenced at any time after the  
9.20 death of the decedent. Any other action under this section may be commenced within three  
9.21 years after the date of death provided that the action must be commenced within six years  
9.22 after the act or omission. The recovery in the action is the amount the jury deems fair and  
9.23 ~~just in reference to~~ for all damages suffered by the decedent resulting from the injury prior  
9.24 to the decedent's death and the pecuniary loss resulting from the death, and shall be for the  
9.25 exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary  
9.26 loss severally suffered by the death. The court then determines the proportionate pecuniary  
9.27 loss of the persons entitled to the recovery and orders distribution accordingly. Funeral  
9.28 expenses and any demand for the support of the decedent allowed by the court having  
9.29 jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as  
9.30 provided in section 549.20.

9.31 If an action for the injury was commenced by the decedent and not finally determined  
9.32 while living, it may be continued by the trustee for recovery of all damages for the exclusive  
9.33 benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally

10.1 suffered by the death. The court on motion shall make an order allowing the continuance  
 10.2 and directing pleadings to be made and issues framed as in actions begun under this section.

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

10.5 Sec. 9. Minnesota Statutes 2022, section 573.02, subdivision 2, is amended to read:

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

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

### 10.15 **ARTICLE 3**

### 10.16 **HUMAN RIGHTS**

10.17 Section 1. Minnesota Statutes 2022, section 363A.02, subdivision 1, is amended to read:

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

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

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

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

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

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

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

11.9 Sec. 2. Minnesota Statutes 2022, section 363A.03, subdivision 23, is amended to read:

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

11.15 Sec. 3. Minnesota Statutes 2022, section 363A.03, subdivision 44, is amended to read:

11.16 Subd. 44. **Sexual orientation.** "Sexual orientation" means having or being perceived as  
 11.17 having an emotional, physical, or sexual attachment to another person without regard to the  
 11.18 sex of that person or having or being perceived as having an orientation for such attachment;  
 11.19 ~~or having or being perceived as having a self-image or identity not traditionally associated~~  
 11.20 ~~with one's biological maleness or femaleness. "Sexual orientation" does not include a physical~~  
 11.21 ~~or sexual attachment to children by an adult.~~

11.22 Sec. 4. Minnesota Statutes 2022, section 363A.03, is amended by adding a subdivision to  
 11.23 read:

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

11.28 Sec. 5. Minnesota Statutes 2022, section 363A.04, is amended to read:

11.29 **363A.04 CONSTRUCTION AND EXCLUSIVITY.**

11.30 The provisions of this chapter shall be construed liberally for the accomplishment of the  
 11.31 purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the

12.1 provisions of the civil rights law or of any other law of this state relating to discrimination  
12.2 because of race, creed, color, religion, sex, age, disability, marital status, status with regard  
12.3 to public assistance, national origin, gender identity, sexual orientation, or familial status;  
12.4 but, as to acts declared unfair by sections 363A.08 to 363A.19, and 363A.28, subdivision  
12.5 10, the procedure herein provided shall, while pending, be exclusive.

12.6 Sec. 6. Minnesota Statutes 2022, section 363A.06, subdivision 1, is amended to read:

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

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

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

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

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

12.17 (5) to the extent permitted by federal law and regulation, utilize the records of the  
12.18 Department of Employment and Economic Development of the state when necessary to  
12.19 effectuate the purposes of this chapter;

12.20 (6) obtain upon request and utilize the services of all state governmental departments  
12.21 and agencies;

12.22 (7) adopt suitable rules for effectuating the purposes of this chapter;

12.23 (8) issue complaints, receive and investigate charges alleging unfair discriminatory  
12.24 practices, and determine whether or not probable cause exists for hearing;

12.25 (9) subpoena witnesses, administer oaths, take testimony, and require the production for  
12.26 examination of any books or papers relative to any matter under investigation or in question  
12.27 as the commissioner deems appropriate to carry out the purposes of this chapter;

12.28 (10) attempt, by means of education, conference, conciliation, and persuasion to eliminate  
12.29 unfair discriminatory practices as being contrary to the public policy of the state;

13.1 (11) develop and conduct programs of formal and informal education designed to  
13.2 eliminate discrimination and intergroup conflict by use of educational techniques and  
13.3 programs the commissioner deems necessary;

13.4 (12) make a written report of the activities of the commissioner to the governor each  
13.5 year;

13.6 (13) accept gifts, bequests, grants, or other payments public and private to help finance  
13.7 the activities of the department;

13.8 (14) create such local and statewide advisory committees as will in the commissioner's  
13.9 judgment aid in effectuating the purposes of the Department of Human Rights;

13.10 (15) develop such programs as will aid in determining the compliance throughout the  
13.11 state with the provisions of this chapter, and in the furtherance of such duties, conduct  
13.12 research and study discriminatory practices based upon race, color, creed, religion, national  
13.13 origin, sex, age, disability, marital status, status with regard to public assistance, familial  
13.14 status, gender identity, sexual orientation, or other factors and develop accurate data on the  
13.15 nature and extent of discrimination and other matters as they may affect housing,  
13.16 employment, public accommodations, schools, and other areas of public life;

13.17 (16) develop and disseminate technical assistance to persons subject to the provisions  
13.18 of this chapter, and to agencies and officers of governmental and private agencies;

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

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

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

13.26 In performing these duties, the commissioner shall give priority to those duties in clauses  
13.27 (8), (9), and (10) and to the duties in section 363A.36.

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

14.1 Sec. 7. Minnesota Statutes 2022, section 363A.07, subdivision 2, is amended to read:

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

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

14.10 Sec. 8. Minnesota Statutes 2022, section 363A.08, subdivision 1, is amended to read:

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

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

14.17 (2) to expel a member from membership;

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

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

14.23 Sec. 9. Minnesota Statutes 2022, section 363A.08, subdivision 2, is amended to read:

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

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

14.31 (2) discharge an employee; or

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

15.3 Sec. 10. Minnesota Statutes 2022, section 363A.08, subdivision 3, is amended to read:

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

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

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

15.13 Sec. 11. Minnesota Statutes 2022, section 363A.08, subdivision 4, is amended to read:

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

15.18 (1) require or request the person to furnish information that pertains to race, color, creed,  
15.19 religion, national origin, sex, marital status, status with regard to public assistance, familial  
15.20 status, disability, gender identity, sexual orientation, or age; or, subject to section 363A.20,  
15.21 to require or request a person to undergo physical examination; unless for the sole and  
15.22 exclusive purpose of national security, information pertaining to national origin is required  
15.23 by the United States, this state or a political subdivision or agency of the United States or  
15.24 this state, or for the sole and exclusive purpose of compliance with the Public Contracts  
15.25 Act or any rule, regulation, or laws of the United States or of this state requiring the  
15.26 information or examination. A law enforcement agency may, after notifying an applicant  
15.27 for a peace officer or part-time peace officer position that the law enforcement agency is  
15.28 commencing the background investigation on the applicant, request the applicant's date of  
15.29 birth, gender, and race on a separate form for the sole and exclusive purpose of conducting  
15.30 a criminal history check, a driver's license check, and fingerprint criminal history inquiry.  
15.31 The form shall include a statement indicating why the data is being collected and what its  
15.32 limited use will be. No document which has date of birth, gender, or race information will  
15.33 be included in the information given to or available to any person who is involved in selecting

16.1 the person or persons employed other than the background investigator. No person may act  
16.2 both as background investigator and be involved in the selection of an employee except that  
16.3 the background investigator's report about background may be used in that selection as long  
16.4 as no direct or indirect references are made to the applicant's race, age, or gender; or

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

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

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

16.18 Sec. 12. Minnesota Statutes 2022, section 363A.08, is amended by adding a subdivision  
16.19 to read:

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

16.23 (b) An employer, employment agency, or labor organization shall not inquire into,  
16.24 consider, or require disclosure from any source the pay history of an applicant for  
16.25 employment for the purpose of determining wages, salary, earnings, benefits, or other  
16.26 compensation for that applicant. The general prohibition against inquiring into the pay  
16.27 history of an applicant does not apply if the job applicant's pay history is a matter of public  
16.28 record under federal or state law, unless the employer, employment agency, or labor  
16.29 organization sought access to those public records with the intent of obtaining pay history  
16.30 of the applicant for the purpose of determining wages, salary, earnings, benefits, or other  
16.31 compensation for that applicant.

16.32 (c) Nothing in this subdivision shall prevent an applicant for employment from voluntarily  
16.33 and without asking, encouraging, or prompting disclosing pay history for the purposes of



17.1 negotiating wages, salary, benefits, or other compensation. If an applicant for employment  
 17.2 voluntarily and without asking, encouraging, or prompting discloses pay history to a  
 17.3 prospective employer, employment agency, or labor organization, nothing in this subdivision  
 17.4 shall prohibit that employer, employment agency, or labor organization from considering  
 17.5 or acting on that voluntarily disclosed salary history information to support a wage or salary  
 17.6 higher than initially offered by the employer, employment agency, or labor organization.

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

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

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

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

17.18 **EFFECTIVE DATE.** This section is effective January 1, 2024. For employment covered  
 17.19 by collective bargaining agreements, this section is not effective until the date of  
 17.20 implementation of the applicable collective bargaining agreement that is after January 1,  
 17.21 2024.

17.22 Sec. 13. Minnesota Statutes 2022, section 363A.09, subdivision 1, is amended to read:

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

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

17.31 (2) to discriminate against any person or group of persons because of race, color, creed,  
 17.32 religion, national origin, sex, marital status, status with regard to public assistance, disability,  
 17.33 gender identity, sexual orientation, or familial status in the terms, conditions or privileges

18.1 of the sale, rental or lease of any real property or in the furnishing of facilities or services  
18.2 in connection therewith, except that nothing in this clause shall be construed to prohibit the  
18.3 adoption of reasonable rules intended to protect the safety of minors in their use of the real  
18.4 property or any facilities or services furnished in connection therewith; or

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

18.16 Sec. 14. Minnesota Statutes 2022, section 363A.09, subdivision 2, is amended to read:

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

18.20 (1) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property  
18.21 to any person or group of persons or to negotiate for the sale, rental, or lease of any real  
18.22 property to any person or group of persons because of race, color, creed, religion, national  
18.23 origin, sex, marital status, status with regard to public assistance, disability, gender identity,  
18.24 sexual orientation, or familial status or represent that real property is not available for  
18.25 inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold  
18.26 any real property or any facilities of real property to or from any person or group of persons  
18.27 because of race, color, creed, religion, national origin, sex, marital status, status with regard  
18.28 to public assistance, disability, gender identity, sexual orientation, or familial status; or

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

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

19.12 Sec. 15. Minnesota Statutes 2022, section 363A.09, subdivision 3, is amended to read:

19.13 Subd. 3. **Real property interest; action by financial institution.** It is an unfair  
19.14 discriminatory practice for a person, bank, banking organization, mortgage company,  
19.15 insurance company, or other financial institution or lender to whom application is made for  
19.16 financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair  
19.17 or maintenance of any real property or any agent or employee thereof:

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

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

19.30 (3) to discriminate against any person or group of persons who desire to purchase, lease,  
19.31 acquire, construct, rehabilitate, repair, or maintain real property in a specific urban or rural  
19.32 area or any part thereof solely because of the social, economic, or environmental conditions  
19.33 of the area in the granting, withholding, extending, modifying, or renewing, or in the rates,

20.1 terms, conditions, or privileges of the financial assistance or in the extension of services in  
20.2 connection therewith.

20.3 Sec. 16. Minnesota Statutes 2022, section 363A.09, subdivision 4, is amended to read:

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

20.15 Sec. 17. Minnesota Statutes 2022, section 363A.11, subdivision 1, is amended to read:

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

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

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

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

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

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

20.31 (iv) the type of operation;

21.1 (v) the nature and amount of both direct costs and legitimate indirect costs of making  
 21.2 the accommodation and the reasonableness for that location to finance the accommodation;  
 21.3 and

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

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

21.8 Sec. 18. Minnesota Statutes 2022, section 363A.12, subdivision 1, is amended to read:

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

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

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

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

21.20 and

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

21.22 Physical and program access must be accomplished within six months of June 7, 1983,  
 21.23 except for needed architectural modifications, which must be made within two years of June  
 21.24 7, 1983.

21.25 Sec. 19. Minnesota Statutes 2022, section 363A.13, subdivision 1, is amended to read:

21.26 Subdivision 1. **Utilization; benefit or services.** It is an unfair discriminatory practice  
 21.27 to discriminate in any manner in the full utilization of or benefit from any educational  
 21.28 institution, or the services rendered thereby to any person because of race, color, creed,  
 21.29 religion, national origin, sex, age, marital status, status with regard to public assistance,  
 21.30 gender identity, sexual orientation, or disability, or to fail to ensure physical and program  
 21.31 access for disabled persons. For purposes of this subdivision, program access includes but

22.1 is not limited to providing taped texts, interpreters or other methods of making orally  
22.2 delivered materials available, readers in libraries, adapted classroom equipment, and similar  
22.3 auxiliary aids or services. Program access does not include providing attendants, individually  
22.4 prescribed devices, readers for personal use or study, or other devices or services of a  
22.5 personal nature.

22.6 Sec. 20. Minnesota Statutes 2022, section 363A.13, subdivision 2, is amended to read:

22.7 Subd. 2. **Exclude, expel, or selection.** It is an unfair discriminatory practice to exclude,  
22.8 expel, or otherwise discriminate against a person seeking admission as a student, or a person  
22.9 enrolled as a student because of race, color, creed, religion, national origin, sex, age, marital  
22.10 status, status with regard to public assistance, gender identity, sexual orientation, or disability.

22.11 Sec. 21. Minnesota Statutes 2022, section 363A.13, subdivision 3, is amended to read:

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

22.17 Sec. 22. Minnesota Statutes 2022, section 363A.13, subdivision 4, is amended to read:

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

22.24 Sec. 23. Minnesota Statutes 2022, section 363A.16, subdivision 1, is amended to read:

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

23.1 Sec. 24. Minnesota Statutes 2022, section 363A.17, is amended to read:

23.2 **363A.17 BUSINESS DISCRIMINATION.**

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

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

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

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

23.13 Nothing in this section shall prohibit positive action plans.

23.14 Sec. 25. Minnesota Statutes 2022, section 363A.21, subdivision 1, is amended to read:

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

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

23.18 (2) the rental by a resident owner or occupier of a one-family accommodation of a room  
23.19 or rooms in the accommodation to another person or persons if the discrimination is by sex,  
23.20 marital status, status with regard to public assistance, gender identity, sexual orientation,  
23.21 or disability. Except as provided elsewhere in this chapter or other state or federal law, no  
23.22 person or group of persons selling, renting, or leasing property is required to modify the  
23.23 property in any way, or exercise a higher degree of care for a person having a disability  
23.24 than for a person who does not have a disability; nor shall this chapter be construed to relieve  
23.25 any person or persons of any obligations generally imposed on all persons regardless of any  
23.26 disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid  
23.27 distinctions based on the inability to fulfill the terms and conditions, including financial  
23.28 obligations of the lease, agreement, or contract; ~~or.~~

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

24.1 Sec. 26. **REPEALER.**

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

24.3 **ARTICLE 4**

24.4 **CIVIL AND CRIMINAL PROCEDURE**

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

24.6 Subd. 8. **Administrative forfeiture procedure.** (a) A motor vehicle used to commit a  
24.7 designated offense or used in conduct resulting in a designated license revocation is subject  
24.8 to administrative forfeiture under this subdivision.

24.9 (b) Within 60 days from when a motor vehicle is seized under subdivision 2, or within  
24.10 a reasonable time after seizure, the appropriate agency shall serve the driver or operator of  
24.11 the vehicle with a notice of the seizure and intent to forfeit the vehicle. Additionally, when  
24.12 a motor vehicle is seized under subdivision 2, or within a reasonable time after that, all  
24.13 persons known to have an ownership, possessory, or security interest in the vehicle must  
24.14 be notified of the seizure and the intent to forfeit the vehicle. For those vehicles required to  
24.15 be registered under chapter 168, the notification to a person known to have a security interest  
24.16 in the vehicle is required only if the vehicle is registered under chapter 168 and the interest  
24.17 is listed on the vehicle's title. Upon motion by the appropriate agency or prosecuting  
24.18 authority, a court may extend the time period for sending notice for a period not to exceed  
24.19 90 days for good cause shown. Notice mailed by certified mail to the address shown in  
24.20 Department of Public Safety records is sufficient notice to the registered owner of the  
24.21 vehicle. For motor vehicles not required to be registered under chapter 168, notice mailed  
24.22 by certified mail to the address shown in the applicable filing or registration for the vehicle  
24.23 is sufficient notice to a person known to have an ownership, possessory, or security interest  
24.24 in the vehicle. Otherwise, notice may be given in the manner provided by law for service  
24.25 of a summons in a civil action.

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

24.27 (1) a description of the vehicle seized;

24.28 (2) the date of seizure; and

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

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



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

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

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

25.14 (e) Within 60 days following service of a notice of seizure and forfeiture under this  
25.15 subdivision, a claimant may file a demand for a judicial determination of the forfeiture. The  
25.16 demand must be in the form of a civil complaint and must be filed with the court  
25.17 administrator in the county in which the seizure occurred, together with proof of service of  
25.18 a copy of the complaint on the prosecuting authority having jurisdiction over the forfeiture.  
25.19 The claimant may serve the complaint by certified mail or any means permitted by court  
25.20 rules. If the value of the seized property is \$15,000 or less, the claimant may file an action  
25.21 in conciliation court for recovery of the seized vehicle. A copy of the conciliation court  
25.22 statement of claim ~~must~~ may be served personally or ~~by mail~~ as permitted by the Rules of  
25.23 Conciliation Court Procedure on the prosecuting authority having jurisdiction over the  
25.24 forfeiture within 60 days following service of the notice of seizure and forfeiture under this  
25.25 subdivision. The claimant does not have to pay the court filing fee.

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

25.31 (f) The complaint must be captioned in the name of the claimant as plaintiff and the  
25.32 seized vehicle as defendant, and must state with specificity the grounds on which the claimant  
25.33 alleges the vehicle was improperly seized, the claimant's interest in the vehicle seized, and  
25.34 any affirmative defenses the claimant may have. Notwithstanding any law to the contrary,

26.1 an action for the return of a vehicle seized under this section may not be maintained by or  
 26.2 on behalf of any person who has been served with a notice of seizure and forfeiture unless  
 26.3 the person has complied with this subdivision.

26.4 (g) If the claimant makes a timely demand for a judicial determination under this  
 26.5 subdivision, the forfeiture proceedings must be conducted as provided under subdivision  
 26.6 9.

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

26.8 Sec. 2. Minnesota Statutes 2022, section 504B.301, is amended to read:

26.9 **504B.301 EVICTION ACTION FOR UNLAWFUL DETENTION.**

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

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

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

26.15 Sec. 3. Minnesota Statutes 2022, section 590.01, subdivision 4, is amended to read:

26.16 Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than  
 26.17 two years after the later of:

26.18 (1) the entry of judgment of conviction or sentence if no direct appeal is filed; or

26.19 (2) an appellate court's disposition of petitioner's direct appeal.

26.20 (b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief  
 26.21 if:

26.22 (1) the petitioner establishes that a physical disability or mental disease precluded a  
 26.23 timely assertion of the claim;

26.24 (2) the petitioner alleges the existence of newly discovered evidence, including scientific  
 26.25 evidence, that provides the factual predicate for one or more claims for relief, if such evidence  
 26.26 could not have been ascertained by the exercise of due diligence by the petitioner or  
 26.27 petitioner's attorney within the two-year time period for filing a postconviction petition, ~~and~~  
 26.28 ~~the evidence~~ is not cumulative to evidence presented at trial, and is not for impeachment  
 26.29 purposes, ~~and establishes by a clear and convincing standard that the petitioner is innocent~~  
 26.30 ~~of the offense or offenses for which the petitioner was convicted;~~

27.1 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory  
27.2 law by either the United States Supreme Court or a Minnesota appellate court and the  
27.3 petitioner establishes that this interpretation is retroactively applicable to the petitioner's  
27.4 case;

27.5 (4) the petition is brought pursuant to subdivision 3; or

27.6 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous  
27.7 and is in the interests of justice.

27.8 (c) Any petition invoking an exception provided in paragraph (b) must be filed within  
27.9 two years of the date the claim arises.

27.10 **EFFECTIVE DATE.** This section is effective August 1, 2023.

27.11 Sec. 4. Minnesota Statutes 2022, section 609.5314, subdivision 3, is amended to read:

27.12 Subd. 3. **Judicial determination.** (a) Within 60 days following service of a notice of  
27.13 seizure and forfeiture under this section, a claimant may file a demand for a judicial  
27.14 determination of the forfeiture. The demand must be in the form of a civil complaint and  
27.15 must be filed with the court administrator in the county in which the seizure occurred,  
27.16 together with proof of service of a copy of the complaint on the prosecuting authority for  
27.17 that county. The claimant may serve the complaint on the prosecuting authority by certified  
27.18 mail or any means permitted by court rules. If the value of the seized property is \$15,000  
27.19 or less, the claimant may file an action in conciliation court for recovery of the seized  
27.20 property. A copy of the conciliation court statement of claim may be served personally or  
27.21 as permitted by the Rules of Conciliation Court Procedure on the prosecuting authority  
27.22 having jurisdiction over the forfeiture within 60 days following service of the notice of  
27.23 seizure and forfeiture under this subdivision. The claimant does not have to pay the court  
27.24 filing fee. No responsive pleading is required of the prosecuting authority and no court fees  
27.25 may be charged for the prosecuting authority's appearance in the matter. The district court  
27.26 administrator shall schedule the hearing as soon as practicable after, and in any event no  
27.27 later than 90 days following, the conclusion of the criminal prosecution. The proceedings  
27.28 are governed by the Rules of Civil Procedure and, where applicable, by the Rules of  
27.29 Conciliation Court Procedure.

27.30 (b) The complaint must be captioned in the name of the claimant as plaintiff and the  
27.31 seized property as defendant, and must state with specificity the grounds on which the  
27.32 claimant alleges the property was improperly seized and the plaintiff's interest in the property  
27.33 seized. Notwithstanding any law to the contrary, an action for the return of property seized

28.1 under this section may not be maintained by or on behalf of any person who has been served  
28.2 with a notice of seizure and forfeiture unless the person has complied with this subdivision.

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

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

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

28.14 Sec. 5. **[634.025] CONFESSION; INADMISSIBLE WHEN DECEPTION IS USED.**

28.15 Any admission, confession, or statement, whether written or oral, made by any person  
28.16 during a custodial interrogation by a law enforcement agency official, juvenile court official,  
28.17 or their agent, is involuntarily made and inadmissible in any proceeding if, during the  
28.18 interrogation, a law enforcement agency official or juvenile court official or their agent  
28.19 knowingly:

28.20 (1) communicated false facts about evidence;

28.21 (2) misrepresented the accuracy of facts; or

28.22 (3) communicated unauthorized statements regarding leniency.

28.23 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to admission,  
28.24 confession, or statement, whether written or oral, made on or after that date.

28.25 Sec. 6. **REPEALER.**

28.26 Minnesota Statutes 2022, section 504B.305, is repealed.

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

## ARTICLE 5

## MARRIAGE AND NAME CHANGE

Section 1. Minnesota Statutes 2022, section 259.11, is amended to read:

**259.11 ORDER; FILING COPIES.**

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

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

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

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

30.1 (2) a request for a name change in conjunction with a marriage dissolution under section  
30.2 518.27; or

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

30.4 Sec. 2. Minnesota Statutes 2022, section 259.13, subdivision 1, is amended to read:

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

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

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

30.13 ~~(3)~~ (2) a request for a name change in conjunction with a marriage dissolution under  
30.14 section 518.27; or

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

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

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

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

30.26 Sec. 3. [259.14] POSTDISSOLUTION NAME CHANGE.

30.27 (a) Unless section 259.13 applies, a person who has resided in this state for at least six  
30.28 months and obtained the person's most recent final marriage dissolution from a district court  
30.29 may apply to the district court in the county where the person resides to change the person's  
30.30 name to the legal name on the person's birth certificate. A person applying for a name change  
30.31 must submit a certified copy of the certificate of dissolution issued pursuant to section

31.1 518.148 and a certified copy of the person's birth certificate. A person applying for a name  
31.2 change who obtained a divorce in a state other than Minnesota must submit a certified copy  
31.3 of the certificate of dissolution or a certified copy of an equivalent court order ending the  
31.4 marriage and a certified copy of the person's birth certificate.

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

31.10 (c) Upon meeting the requirements of this section, the court shall grant the application  
31.11 for a name change unless the court finds that (1) the person has an intent to defraud or  
31.12 mislead the court; or (2) the name change is subject to section 259.13. The court shall notify  
31.13 the person applying for a name change that using a different surname without complying  
31.14 with section 259.13, if applicable, is a gross misdemeanor.

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

31.16 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

31.17 Civil marriages may be solemnized throughout the state by an individual who has attained  
31.18 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,  
31.19 a court administrator, a retired court administrator with the approval of the chief judge of  
31.20 the judicial district, a former court commissioner who is employed by the court system or  
31.21 is acting pursuant to an order of the chief judge of the commissioner's judicial district, the  
31.22 residential school superintendent of the Minnesota State Academy for the Deaf and the  
31.23 Minnesota State Academy for the Blind, a licensed or ordained minister of any religious  
31.24 denomination, an individual who registers as a civil marriage officiant with a local registrar  
31.25 in a county of this state, or by any mode recognized in section 517.18. For purposes of this  
31.26 section, a court of record includes the Office of Administrative Hearings under section  
31.27 14.48.

31.28 Sec. 5. Minnesota Statutes 2022, section 517.08, subdivision 1a, is amended to read:

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

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

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

- 32.1 (3) their full ages;
- 32.2 (4) if either party has previously been married, the party's married name, and the date,  
32.3 place and court in which the civil marriage was dissolved or annulled or the date and place  
32.4 of death of the former spouse;
- 32.5 (5) whether the parties are related to each other, and, if so, their relationship;
- 32.6 (6) the address of the parties after the civil marriage is entered into to which the local  
32.7 registrar shall send a certified copy of the civil marriage certificate;
- 32.8 (7) the full names the parties will have after the civil marriage is entered into and the  
32.9 parties' Social Security numbers. The Social Security numbers must be collected for the  
32.10 application but must not appear on the civil marriage license. If a party listed on a civil  
32.11 marriage application does not have a Social Security number, the party must certify on the  
32.12 application, or a supplement to the application, that the party does not have a Social Security  
32.13 number;
- 32.14 (8) if one ~~or both of the parties~~ party to the civil marriage license has a felony conviction  
32.15 under Minnesota law or the law of another state or federal jurisdiction, the ~~parties shall~~  
32.16 ~~provide to the county proof of service upon the prosecuting authority and, if applicable, the~~  
32.17 ~~attorney general, as required by~~ party may not change the party's name through the marriage  
32.18 application process and must follow the process in section 259.13 to change the party's  
32.19 name; and
- 32.20 (9) notice that a party who has a felony conviction under Minnesota law or the law of  
32.21 another state or federal jurisdiction may not use a different name after a civil marriage  
32.22 except as authorized by section 259.13, and that doing so is a gross misdemeanor.
- 32.23 Sec. 6. Minnesota Statutes 2022, section 517.08, subdivision 1b, is amended to read:
- 32.24 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall  
32.25 examine upon oath the parties applying for a license relative to the legality of the  
32.26 contemplated civil marriage. Both parties must present proof of age to the local registrar.  
32.27 If one party is unable to appear in person, the party appearing may complete the absent  
32.28 applicant's information. The local registrar shall provide a copy of the civil marriage  
32.29 application to the party who is unable to appear, who must verify the accuracy of the  
32.30 appearing party's information in a notarized statement. The verification statement must be  
32.31 accompanied by a copy of proof of age of the party. The civil marriage license must not be  
32.32 released until the verification statement and proof of age has been received by the local  
32.33 registrar. If the local registrar is satisfied that there is no legal impediment to it, including



33.1 the restriction contained in section 259.13, the local registrar shall issue the license,  
33.2 containing the full names of the parties before and after the civil marriage, and county and  
33.3 state of residence, with the county seal attached, and make a record of the date of issuance.  
33.4 The license shall be valid for a period of six months. Except as provided in paragraph (b),  
33.5 the local registrar shall collect from the applicant a fee of \$115 for administering the oath,  
33.6 issuing, recording, and filing all papers required, and preparing and transmitting to the state  
33.7 registrar of vital records the reports of civil marriage required by this section. If the license  
33.8 should not be used within the period of six months due to illness or other extenuating  
33.9 circumstances, it may be surrendered to the local registrar for cancellation, and in that case  
33.10 a new license shall issue upon request of the parties of the original license without fee. A  
33.11 local registrar who knowingly issues or signs a civil marriage license in any manner other  
33.12 than as provided in this section shall pay to the parties aggrieved an amount not to exceed  
33.13 \$1,000.

33.14 (b) The civil marriage license fee for parties who have completed at least 12 hours of  
33.15 premarital education is \$40. In order to qualify for the reduced license fee, the parties must  
33.16 submit at the time of applying for the civil marriage license a statement that is signed, dated,  
33.17 and notarized or marked with a church seal from the person who provided the premarital  
33.18 education on their letterhead confirming that it was received. The premarital education must  
33.19 be provided by a licensed or ordained minister or the minister's designee, a person authorized  
33.20 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage  
33.21 and family therapy under section 148B.33. The education must include the use of a premarital  
33.22 inventory and the teaching of communication and conflict management skills.

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

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

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

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

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

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

## 34.11 ARTICLE 6

### 34.12 REAL PROPERTY

34.13 Section 1. Minnesota Statutes 2022, section 336.9-601, is amended to read:

34.14 **336.9-601 RIGHTS AFTER DEFAULT; JUDICIAL ENFORCEMENT;**  
 34.15 **CONSIGNOR OR BUYER OF ACCOUNTS, CHATTEL PAPER, PAYMENT**  
 34.16 **INTANGIBLES, OR PROMISSORY NOTES.**

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

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

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

34.24 (b) **Rights and duties of secured party in possession or control.** A secured party in  
 34.25 possession of collateral or control of collateral under section 336.7-106, 336.9-104,  
 34.26 336.9-105, 336.9-106, or 336.9-107 has the rights and duties provided in section 336.9-207.

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

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

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

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

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

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

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

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

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

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

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

35.25 YOU HAVE DEFAULTED ON THE ...(Debt in Default)... SECURED BY  
35.26 AGRICULTURAL PROPERTY DESCRIBED AS ...(Reasonable Description of Agricultural  
35.27 Property Collateral). THE AMOUNT OF THE OUTSTANDING DEBT IS ...(Amount of  
35.28 Debt)...

35.29 AS A SECURED PARTY, ...(Name of Secured Party)... INTENDS TO ENFORCE  
35.30 THE SECURITY AGREEMENT AGAINST THE AGRICULTURAL PROPERTY  
35.31 DESCRIBED ABOVE BY REPOSSESSING, FORECLOSING ON, OR OBTAINING A  
35.32 COURT JUDGMENT AGAINST THE PROPERTY.

36.1 YOU HAVE THE RIGHT TO HAVE THE DEBT REVIEWED FOR MEDIATION.  
 36.2 IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL BE  
 36.3 MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT  
 36.4 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
 36.5 ENFORCES THE DEBT.

36.6 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 36.7 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 36.8 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU TO  
 36.9 PREPARE FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN  
 36.10 MEDIATION, IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM  
 36.11 FINANCE AND OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION  
 36.12 OFFICE AS SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT  
 36.13 AN AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

36.14 TO HAVE THE DEBT REVIEWED FOR MEDIATION YOU MUST FILE A  
 36.15 MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14 DAYS AFTER YOU  
 36.16 RECEIVE THIS NOTICE. THE MEDIATION REQUEST FORM IS AVAILABLE ~~AT~~  
 36.17 ~~ANY COUNTY RECORDER'S OR COUNTY EXTENSION OFFICE~~ FROM THE  
 36.18 DIRECTOR OF THE MINNESOTA EXTENSION SERVICE.

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

36.20 Sec. 2. Minnesota Statutes 2022, section 507.07, is amended to read:

36.21 **507.07 WARRANTY AND QUITCLAIM DEEDS; FORMS.**

36.22 Warranty and quitclaim deeds may be substantially in the following forms:

36.23 **WARRANTY DEED**

36.24 A.B., grantor, of (here insert the place of residence), for and in consideration of (here  
 36.25 insert the consideration), conveys and warrants to C.D., grantee, of (here insert the place  
 36.26 of residence), the following described real estate in the county of ....., in the  
 36.27 state of Minnesota: (here describe the premises).

36.28 Dated this ..... day of ....., .....

36.29 (Signature) .....

36.30 Every such instrument, duly executed as required by law, shall be a conveyance in fee  
 36.31 simple of the premises described to the grantee, the grantee's heirs and assigns, with  
 36.32 covenants on the part of the grantor, the grantor's heirs and personal representatives, that

37.1 the grantor is lawfully seized of the premises in fee simple and has good right to convey  
 37.2 the same; that the premises are free from all encumbrances; that the grantor warrants to the  
 37.3 grantee, the grantee's heirs and assigns, the quiet and peaceable possession thereof; and that  
 37.4 the grantor will defend the title thereto against all persons who may lawfully claim the same.  
 37.5 Such covenants shall be obligatory upon any grantor, the grantor's heirs and personal  
 37.6 representatives, as fully and with like effect as if written at length in such deed.

37.7 **QUITCLAIM DEED**

37.8 A.B., grantor, of (here insert the place of residence), for the consideration of (here insert  
 37.9 the consideration), conveys and quitclaims to C.D., the grantee, of (here insert the place of  
 37.10 residence), all interest in the following described real estate in the county of .....,  
 37.11 in the state of Minnesota: (here describe the premises).

37.12 Dated this ..... day of ....., .....

37.13 (Signature) .....

37.14 Every such instrument, duly executed, shall be a conveyance to the grantee, the grantee's  
 37.15 heirs and assigns, of all right, title, and interest of the grantor in the premises described, but  
 37.16 shall not extend to after acquired title, unless words expressing such intention be added.

37.17 Sec. 3. Minnesota Statutes 2022, section 508.52, is amended to read:

37.18 **508.52 CONVEYANCE; CANCELLATION OF OLD AND ISSUANCE OF NEW**  
 37.19 **CERTIFICATE.**

37.20 An owner of registered land who desires to convey the land, or a portion thereof, in fee,  
 37.21 shall execute a deed of conveyance, and record the deed with the registrar. The deed of  
 37.22 conveyance shall be recorded and endorsed with the number and place of registration of  
 37.23 the certificate of title. Before canceling the outstanding certificate of title the registrar shall  
 37.24 show by memorial thereon the registration of the deed on the basis of which it is canceled.  
 37.25 The encumbrances, claims, or interests adverse to the title of the registered owner shall be  
 37.26 stated upon the new certificate, except so far as they may be simultaneously released or  
 37.27 discharged. The registrar shall not carry forward as a memorial on the new certificate of  
 37.28 title any memorials of a transfer on death deed if the grantors of the transfer on death deed  
 37.29 retain no fee interest in the land covered by the new certificate. The certificate of title shall  
 37.30 be marked "Canceled" by the registrar, who shall enter in the register a new certificate of  
 37.31 title to the grantee and prepare ~~and deliver to the grantee a copy of the~~ new certificate of  
 37.32 title. The registrar, upon request, shall deliver to the grantee a copy of the new certificate  
 37.33 of title. If a deed in fee is for a portion of the land described in a certificate of title, the

38.1 memorial of the deed entered by the registrar shall include the legal description contained  
38.2 in the deed and the registrar shall enter a new certificate of title to the grantee for the portion  
38.3 of the land conveyed and, except as otherwise provided in this section, issue a residue  
38.4 certificate of title to the grantor for the portion of the land not conveyed. The registrar shall  
38.5 prepare and, upon request, deliver to each of the parties a copy of their respective certificates  
38.6 of title. In lieu of canceling the grantor's certificate of title and issuing a residue certificate  
38.7 to the grantor for the portion of the land not conveyed, the registrar may if the grantor's  
38.8 deed does not divide a parcel of unplatted land, and in the absence of a request to the contrary  
38.9 by the registered owner, mark by the land description on the certificate of title "Part of land  
38.10 conveyed, see memorials." The fee for a residue certificate of title shall be paid to the  
38.11 registrar only when the grantor's certificate of title is canceled after the conveyance by the  
38.12 grantor of a portion of the land described in the grantor's certificate of title. When two or  
38.13 more successive conveyances of the same property are filed for registration on the same  
38.14 day the registrar may enter a certificate in favor of the grantee or grantees in the last of the  
38.15 successive conveyances, and the memorial of the previous deed or deeds entered on the  
38.16 prior certificate of title shall have the same force and effect as though the prior certificate  
38.17 of title had been entered in favor of the grantee or grantees in the earlier deed or deeds in  
38.18 the successive conveyances. The fees for the registration of the earlier deed or deeds shall  
38.19 be the same as the fees prescribed for the entry of memorials. The registrar of titles, with  
38.20 the consent of the transferee, may mark "See memorials for new owner(s)" by the names  
38.21 of the registered owners on the certificate of title and also add to the memorial of the  
38.22 transferring conveyance a statement that the memorial shall serve in lieu of a new certificate  
38.23 of title in favor of the grantee or grantees therein noted and may refrain from canceling the  
38.24 certificate of title until the time it is canceled by a subsequent transfer, and the memorial  
38.25 showing such transfer of title shall have the same effect as the entry of a new certificate of  
38.26 title for the land described in the certificate of title; the fee for the registration of a conveyance  
38.27 without cancellation of the certificate of title shall be the same as the fee prescribed for the  
38.28 entry of a memorial.

38.29 Sec. 4. Minnesota Statutes 2022, section 518.191, subdivision 1, is amended to read:

38.30 Subdivision 1. **Abbreviated judgment and decree.** If real estate is described in a  
38.31 judgment and decree of dissolution, the court ~~may~~ shall direct either of the parties or their  
38.32 legal counsel to prepare and submit to the court a proposed summary real estate disposition  
38.33 judgment. Upon approval by the court and filing of the summary real estate disposition  
38.34 judgment with the court administrator, the court administrator shall provide to any party  
38.35 upon request certified copies of the summary real estate disposition judgment.

39.1 Sec. 5. Minnesota Statutes 2022, section 518.191, subdivision 3, is amended to read:

39.2 Subd. 3. **Court order.** An order or provision in a judgment and decree that provides  
39.3 that the judgment and decree must be recorded in the office of the county recorder or filed  
39.4 in the office of the registrar of titles means, if a summary real estate disposition judgment  
39.5 has been approved by the court, that the summary real estate disposition judgment, rather  
39.6 than the judgment and decree, must be recorded in the office of the county recorder or filed  
39.7 in the office of the registrar of titles. The recorder or registrar of titles is not responsible for  
39.8 determining if a summary real estate disposition judgment has been approved by the court.

39.9 Sec. 6. Minnesota Statutes 2022, section 541.023, subdivision 6, is amended to read:

39.10 Subd. 6. **Limitations; certain titles not affected.** This section shall not affect any rights  
39.11 of the federal government; nor increase the effect as notice, actual or constructive, of any  
39.12 instrument now of record; nor bar the rights of any person, partnership, state agency or  
39.13 department, or corporation in possession of real estate. This section shall not impair the  
39.14 record title or record interest, or title obtained by or through any congressional or legislative  
39.15 grant, of any railroad corporation or other public service corporation or any trustee or receiver  
39.16 thereof or of any educational or religious corporation in any real estate by reason of any  
39.17 failure to record further evidence of such title or interest even though the record thereof is  
39.18 now or hereafter more than 40 years old; nor shall this section require the recording of any  
39.19 notice as provided for in this section as to any undischarged mortgage or deed of trust  
39.20 executed by any such corporation or any trustee or receiver thereof or to any claim or action  
39.21 founded upon any such undischarged mortgage or deed of trust. The exceptions of this  
39.22 subdivision shall not include (1) reservations or exceptions of land for right-of-way or other  
39.23 railroad purposes contained in deeds of conveyance made by a railroad company or by  
39.24 trustees or receivers thereof, unless said reserved or excepted land shall have been put to  
39.25 railroad use within 40 years after the date of said deeds of conveyance, (2) nor any rights  
39.26 under any conditions subsequent or restrictions contained in any such deeds of conveyance.

39.27 Sec. 7. Minnesota Statutes 2022, section 550.365, subdivision 2, is amended to read:

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

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

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

40.1 AS A JUDGMENT CREDITOR, ....(Name of Judgment Creditor).... INTENDS TO  
 40.2 TAKE ACTION AGAINST THE AGRICULTURAL PROPERTY DESCRIBED  
 40.3 AS....(Description of Agricultural Property).... TO SATISFY THE JUDGMENT IN THE  
 40.4 AMOUNT OF ....(Amount of Debt)....

40.5 YOU HAVE THE RIGHT TO HAVE THE DEBT REVIEWED FOR MEDIATION.  
 40.6 IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL BE  
 40.7 MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT  
 40.8 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
 40.9 ENFORCES THE DEBT.

40.10 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 40.11 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 40.12 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
 40.13 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
 40.14 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
 40.15 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS  
 40.16 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
 40.17 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

40.18 TO HAVE THE DEBT REVIEWED FOR MEDIATION YOU MUST FILE A  
 40.19 MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14 DAYS AFTER YOU  
 40.20 RECEIVE THIS NOTICE. THE MEDIATION REQUEST FORM IS AVAILABLE AT  
 40.21 ~~ANY COUNTY RECORDER'S OR COUNTY EXTENSION OFFICE~~ FROM THE  
 40.22 DIRECTOR OF THE MINNESOTA EXTENSION SERVICE.

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

40.24 Sec. 8. Minnesota Statutes 2022, section 559.209, subdivision 2, is amended to read:

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

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

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

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



41.1 YOU HAVE THE RIGHT TO HAVE THE CONTRACT FOR DEED DEBT  
 41.2 REVIEWED FOR MEDIATION. IF YOU REQUEST MEDIATION, A DEBT THAT IS  
 41.3 IN DEFAULT WILL BE MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST  
 41.4 MEDIATION, THIS DEBT WILL NOT BE SUBJECT TO FUTURE MEDIATION IF  
 41.5 THE CONTRACT FOR DEED VENDOR BEGINS REMEDIES TO ENFORCE THE  
 41.6 DEBT.

41.7 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
 41.8 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
 41.9 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
 41.10 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
 41.11 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
 41.12 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS  
 41.13 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
 41.14 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

41.15 TO HAVE THE CONTRACT FOR DEED DEBT REVIEWED FOR MEDIATION  
 41.16 YOU MUST FILE A MEDIATION REQUEST WITH THE DIRECTOR WITHIN 14  
 41.17 DAYS AFTER YOU RECEIVE THE NOTICE. THE MEDIATION REQUEST FORM  
 41.18 IS AVAILABLE ~~AT ANY COUNTY EXTENSION OFFICE~~ FROM THE DIRECTOR  
 41.19 OF THE MINNESOTA EXTENSION SERVICE.

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

41.21 Sec. 9. Minnesota Statutes 2022, section 582.039, subdivision 2, is amended to read:

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

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

41.25 YOU HAVE DEFAULTED ON THE MORTGAGE OF THE AGRICULTURAL  
 41.26 PROPERTY DESCRIBED AS ....(Size and Reasonable Location, Not Legal Description).  
 41.27 THE AMOUNT OF THE OUTSTANDING DEBT ON THIS PROPERTY IS ....(Amount  
 41.28 of Debt)....

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

41.31 YOU HAVE THE RIGHT TO HAVE THE MORTGAGE DEBT REVIEWED FOR  
 41.32 MEDIATION. IF YOU REQUEST MEDIATION, A DEBT THAT IS IN DEFAULT WILL  
 41.33 BE MEDIATED ONLY ONCE. IF YOU DO NOT REQUEST MEDIATION, THIS DEBT

42.1 WILL NOT BE SUBJECT TO FUTURE MEDIATION IF THE SECURED PARTY  
42.2 ENFORCES THE DEBT.

42.3 IF YOU PARTICIPATE IN MEDIATION, THE DIRECTOR OF THE  
42.4 ~~AGRICULTURAL~~ MINNESOTA EXTENSION SERVICE WILL PROVIDE AN  
42.5 ORIENTATION MEETING AND A FINANCIAL ANALYST TO HELP YOU PREPARE  
42.6 FINANCIAL INFORMATION. IF YOU DECIDE TO PARTICIPATE IN MEDIATION,  
42.7 IT WILL BE TO YOUR ADVANTAGE TO ASSEMBLE YOUR FARM FINANCE AND  
42.8 OPERATION RECORDS AND TO CONTACT A COUNTY EXTENSION OFFICE AS  
42.9 SOON AS POSSIBLE. MEDIATION WILL ATTEMPT TO ARRIVE AT AN  
42.10 AGREEMENT FOR HANDLING FUTURE FINANCIAL RELATIONS.

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

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

42.17 Sec. 10. Minnesota Statutes 2022, section 583.25, is amended to read:

42.18 **583.25 VOLUNTARY MEDIATION PROCEEDINGS.**

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

42.24 Sec. 11. Minnesota Statutes 2022, section 583.26, subdivision 2, is amended to read:

42.25 Subd. 2. **Mediation request.** (a) A debtor must file a mediation request form with the  
42.26 director by 14 days after receiving a mediation notice. The debtor must state all known  
42.27 creditors with debts secured for agricultural property and must authorize the director to  
42.28 obtain the debtor's credit report from one or more credit reporting agencies. The mediation  
42.29 request form must include an instruction that the debtor must state all known creditors with  
42.30 debts secured by agricultural property and unsecured creditors that are necessary for the  
42.31 farm operation of the debtor. It is the debtor's discretion as to which unsecured creditors  
42.32 are necessary for the farm operation but the mediation request form must notify the debtor

43.1 that omission of a significant unsecured creditor could result in a bad-faith determination  
 43.2 pursuant to section 583.27, subdivisions 1, paragraph (a), clause (2), and 2. The mediation  
 43.3 request must state the date that the notice was served on the debtor. The director shall ~~make~~  
 43.4 provide mediation request forms ~~available in the county recorder's and county extension~~  
 43.5 ~~office of each county~~ when requested.

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

43.11 (c) If a debtor has not received a mediation notice and is subject to a proceeding of a  
 43.12 creditor enforcing a debt against agricultural property under chapter 580 or 581 or sections  
 43.13 336.9-601 to 336.9-628, terminating a contract for deed to purchase agricultural property  
 43.14 under section 559.21, or garnishing, levying on, executing on, seizing, or attaching  
 43.15 agricultural property, the debtor may file a mediation request with the director. The mediation  
 43.16 request form must indicate that the debtor has not received a mediation notice.

43.17 Sec. 12. Minnesota Statutes 2022, section 600.23, is amended to read:

43.18 **600.23 RECORDERS AND COURT ADMINISTRATORS.**

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

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

43.28 Subd. 3. **Withdrawal.** Papers and instruments so deposited shall not be made public or  
 43.29 withdrawn from the office except upon the written order of the person depositing the same,  
 43.30 or the person's executors or administrators, or on the order of some court for the purpose  
 43.31 of being read in the court, and then to be returned to the office.

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

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

44.4 (2) 20 years following the deposit of the paper or instrument, at which time the county  
 44.5 recorder shall dispose of the paper or instrument pursuant to its county's retention policy.

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

44.10 Sec. 13. **REPEALER.**

44.11 Minnesota Statutes 2022, sections 346.02; and 582.14, are repealed.

## 44.12 **ARTICLE 7**

### 44.13 **MULTIMEMBER AGENCY APPOINTMENTS**

44.14 Section 1. Minnesota Statutes 2022, section 15.0597, subdivision 1, is amended to read:

44.15 Subdivision 1. **Definitions.** (a) As used in this section, the following terms shall have  
 44.16 the meanings given them.

44.17 (b) "Agency" means (1) a state board, commission, council, committee, authority, task  
 44.18 force, including an advisory task force created under section 15.014 or 15.0593, a group  
 44.19 created by executive order of the governor, or other similar multimember agency created  
 44.20 by law and having statewide jurisdiction; and (2) the Metropolitan Council, metropolitan  
 44.21 agency, Capitol Area Architectural and Planning Board, and any agency with a regional  
 44.22 jurisdiction created in this state pursuant to an interstate compact.

44.23 (c) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency,  
 44.24 or (2) a new, unfilled agency position. ~~Vacancy includes a position that is to be filled through~~  
 44.25 ~~appointment of a nonlegislator by a legislator or group of legislators;~~ Vacancy does not  
 44.26 mean (1) a vacant position on an agency composed exclusively of persons employed by a  
 44.27 political subdivision or another agency, ~~or~~ (2) a vacancy to be filled by a person required  
 44.28 to have a specific title or position, (3) a vacancy that is to be filled through appointment of  
 44.29 a legislator by a legislator or group of legislators, or (4) a position appointed by a private  
 44.30 entity or individual, in the manner specified in the document creating the agency, unless  
 44.31 otherwise provided.

44.32 (d) "Secretary" means the secretary of state.

45.1 (e) "Appointing authority" means the individual or entity with the specific authority to  
45.2 appoint open or direct appointment positions. This includes, but is not limited to, the  
45.3 governor, state agency commissioners, indigenous Tribal leaders, designated legislative  
45.4 leaders and local agency heads, persons who have been specifically delegated the authority  
45.5 to make those appointments, or private entities or persons as designated by the document  
45.6 creating the agency. Appointments should be evidenced by a document signed by the  
45.7 appointing authority's most senior official. Appointments that do not specify an appointing  
45.8 authority shall be made in the manner provided in section 4.04.

45.9 (f) "Direct appointments" refers to: (1) the appointment of members to an agency,  
45.10 pursuant to a process not subject to this section; and (2) those members of an agency  
45.11 appointed through a process not subject to this section. Direct appointments must be provided  
45.12 for specifically in the documents creating the agency, whether enabling law, executive order,  
45.13 commissioner's order, or otherwise.

45.14 Sec. 2. Minnesota Statutes 2022, section 15.0597, subdivision 4, is amended to read:

45.15 Subd. 4. **Notice of vacancies.** The chair of an existing agency, shall notify the secretary  
45.16 by electronic means of a vacancy scheduled to occur in the agency as a result of the expiration  
45.17 of membership terms at least 45 days before the vacancy occurs. The chair of an existing  
45.18 agency ~~shall give electronic notification to~~ must notify the secretary of each vacancy  
45.19 occurring as a result of newly created agency positions and of every other vacancy occurring  
45.20 for any reason other than the expiration of membership terms as soon as possible upon  
45.21 learning of the vacancy and in any case within 15 days after the occurrence of the vacancy.  
45.22 The chair may submit vacancy notices by posting seat openings on the secretary of state's  
45.23 boards and commissions website.

45.24 (b) If a vacancy is to be appointed by the governor, the chair must first notify the governor  
45.25 and receive permission to post the vacancy. Where a vacancy is created by resignation, the  
45.26 vacancy may not be posted until receipt and acceptance of the resignation of the incumbent  
45.27 as provided by section 351.01, subdivision 1, clause (2), is confirmed by the governor.

45.28 (c) The appointing authority for newly created agencies shall give electronic notification  
45.29 to the secretary of all vacancies in the new agency within 15 days after the creation of the  
45.30 agency. The secretary may require the submission of notices required by this subdivision  
45.31 by electronic means.

45.32 (d) The secretary shall publish monthly on the website of the secretary of state a list of  
45.33 all vacancies of which the secretary has been so notified. Only one notice of a vacancy shall  
45.34 be so published, unless the appointing authority rejects all applicants and requests the

46.1 secretary to republish the notice of vacancy. One copy of the listing shall be made available  
46.2 at the office of the secretary to any interested person. The secretary shall distribute by mail  
46.3 or electronic means copies of the listings to requesting persons.

46.4 (e) The listing for all vacancies scheduled to occur in the month of January shall be  
46.5 published on the website of the secretary of state together with the compilation of agency  
46.6 data required to be published pursuant to subdivision 3.

46.7 (f) If a vacancy occurs within three months after an appointment is made to fill a regularly  
46.8 scheduled vacancy, the appointing authority may, upon notification by electronic means to  
46.9 the secretary, fill the vacancy by appointment from the list of persons submitting applications  
46.10 to fill the regularly scheduled vacancy.

46.11 Sec. 3. Minnesota Statutes 2022, section 15.0597, subdivision 5, is amended to read:

46.12 Subd. 5. **Nominations for vacancies.** Any person may make a self-nomination for  
46.13 appointment to an agency vacancy by completing an application on a form prepared and  
46.14 distributed by the secretary. The secretary may provide for the submission of the application  
46.15 by electronic means. Any person or group of persons may, on the prescribed application  
46.16 form, nominate another person to be appointed to a vacancy so long as the person so  
46.17 nominated consents on the application form to the nomination. The application form shall  
46.18 specify the nominee's name, mailing address, electronic mail address, telephone number,  
46.19 preferred agency position sought, a statement that the nominee satisfies any legally prescribed  
46.20 qualifications, ~~a statement whether the applicant has ever been convicted of a felony,~~ and  
46.21 any other information the nominating person feels would be helpful to the appointing  
46.22 authority. The nominating person has the option of indicating the nominee's sex, political  
46.23 party preference or lack thereof, status with regard to disability, race, veteran status, and  
46.24 national origin on the application form. The application form shall make the option known.  
46.25 If a person submits an application at the suggestion of an appointing authority, the person  
46.26 shall so indicate on the application form. Twenty-one days after publication of a vacancy  
46.27 on the website of the secretary of state pursuant to subdivision 4, the secretary shall submit  
46.28 electronic copies of all applications received for a position to the appointing authority  
46.29 charged with filling the vacancy. ~~If no applications have been received by the secretary for~~  
46.30 ~~the vacant position by the date when electronic copies must be submitted to the appointing~~  
46.31 ~~authority, the secretary shall so inform the appointing authority.~~ Applications received by  
46.32 the secretary shall be deemed to have expired one year after receipt of the application. An  
46.33 application for a particular agency position shall be deemed to be an application for all

47.1 vacancies in that agency occurring prior to the expiration of the application and shall be  
47.2 public information.

47.3 Sec. 4. Minnesota Statutes 2022, section 15.0597, subdivision 6, is amended to read:

47.4 Subd. 6. **Appointments.** (a) In making an appointment to a vacant agency position, the  
47.5 appointing authority shall consider applications for positions in that agency supplied by the  
47.6 secretary. No appointing authority may appoint someone to a vacant agency position until  
47.7 (1) ten five days after receipt of the applications for positions in that agency from the  
47.8 secretary or (2) receipt of notice from the secretary that no applications have been received  
47.9 for vacant positions in that agency as provided for in subdivision 5. At least five days before  
47.10 the date of appointment, the appointing authority shall issue a public announcement and  
47.11 inform the secretary by electronic means of the name of the person the appointing authority  
47.12 intends to appoint has appointed to fill the agency vacancy and the expiration date of that  
47.13 person's term.

47.14 (b) No person may serve in a position until the appointing authority has submitted either  
47.15 (1) a signed notice of appointment or (2) the documents required by paragraph (e) to the  
47.16 secretary of state, and the term of the appointee may not commence on a date preceding the  
47.17 date of the signature on the notice of appointment or the paragraph (e) submission.

47.18 (c) An oath of office for each appointee to an agency must be submitted to the secretary  
47.19 of state under section 358.05.

47.20 (d) If the appointing authority intends to appoint a person other than one for whom an  
47.21 application was submitted pursuant to this section, the appointing authority shall complete  
47.22 an application form on behalf of the appointee and submit it to the secretary indicating on  
47.23 the application that it is submitted by the appointing authority.

47.24 (e) An appointing authority making a direct appointment must submit a letter to the  
47.25 secretary of state stating the name of the person appointed, the agency and the specific seat  
47.26 to which they are appointed, contact information, the date on which the term begins, and  
47.27 length of the term.

47.28 (f) No person may simultaneously occupy more than one position on the same agency  
47.29 board. Appointment or designation of a member as chair of an agency does not constitute  
47.30 a violation of this paragraph.

48.1 Sec. 5. Minnesota Statutes 2022, section 351.01, subdivision 2, is amended to read:

48.2 Subd. 2. **When effective.** Except as provided by subdivision 3 or other express provision  
48.3 of law or charter to the contrary, a resignation is effective when it is received by the officer,  
48.4 body, or board authorized to receive it. In the case of a position appointed by the governor  
48.5 under section 15.0597, the resignation must be submitted to the governor.

48.6 Sec. 6. Minnesota Statutes 2022, section 364.021, is amended to read:

48.7 **364.021 PUBLIC AND PRIVATE EMPLOYMENT; CONSIDERATION OF**  
48.8 **CRIMINAL RECORDS.**

48.9 (a) A public or private employer may not inquire into or consider or require disclosure  
48.10 of the criminal record or criminal history of an applicant for employment until the applicant  
48.11 has been selected for an interview by the employer or, if there is not an interview, before a  
48.12 conditional offer of employment is made to the applicant.

48.13 (b) This section does not apply to the Department of Corrections or to employers who  
48.14 have a statutory duty to conduct a criminal history background check or otherwise take into  
48.15 consideration a potential employee's criminal history during the hiring process.

48.16 (c) This section does not prohibit an employer from notifying applicants that law or the  
48.17 employer's policy will disqualify an individual with a particular criminal history background  
48.18 from employment in particular positions.

48.19 (d) An appointing authority may not inquire into or consider or require disclosure of the  
48.20 criminal record or criminal history of an applicant for appointment to multimember agencies,  
48.21 including boards, commissions, agencies, committees, councils, authorities, advisory task  
48.22 forces, and advisory councils, on an application form or, until the applicant has been selected  
48.23 for an interview by the appointing authority or is otherwise selected as a final candidate for  
48.24 appointment.

48.25 Sec. 7. Minnesota Statutes 2022, section 364.06, subdivision 1, is amended to read:

48.26 Subdivision 1. **Public employers.** Any complaints or grievances concerning violations  
48.27 of sections 364.01 to 364.10 by public employers or violations of section 364.021 by public  
48.28 appointing authorities shall be processed and adjudicated in accordance with the procedures  
48.29 set forth in chapter 14, the Administrative Procedure Act."

48.30 Delete the title and insert:



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"A bill for an act

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relating to judiciary; amending policy provisions governing data privacy and access, civil remedies, human rights, civil forfeiture, criminal procedure, marriage, name changes, real property, and multimember agency appointments; amending Minnesota Statutes 2022, sections 13.72, subdivision 19, by adding a subdivision; 15.0597, subdivisions 1, 4, 5, 6; 168B.07, subdivision 3, by adding subdivisions; 169A.63, subdivision 8; 259.11; 259.13, subdivision 1; 325F.70, by adding a subdivision; 336.9-601; 351.01, subdivision 2; 363A.02, subdivision 1; 363A.03, subdivisions 23, 44, by adding a subdivision; 363A.04; 363A.06, subdivision 1; 363A.07, subdivision 2; 363A.08, subdivisions 1, 2, 3, 4, by adding a subdivision; 363A.09, subdivisions 1, 2, 3, 4; 363A.11, subdivision 1; 363A.12, subdivision 1; 363A.13, subdivisions 1, 2, 3, 4; 363A.16, subdivision 1; 363A.17; 363A.21, subdivision 1; 364.021; 364.06, subdivision 1; 473.387, subdivision 4; 504B.301; 507.07; 508.52; 517.04; 517.08, subdivisions 1a, 1b; 518.191, subdivisions 1, 3; 541.023, subdivision 6; 550.365, subdivision 2; 559.209, subdivision 2; 573.01; 573.02, subdivisions 1, 2; 582.039, subdivision 2; 583.25; 583.26, subdivision 2; 590.01, subdivision 4; 600.23; 609.5151; 609.5314, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 13; 259; 480; 484; 634; repealing Minnesota Statutes 2022, sections 346.02; 363A.20, subdivision 3; 363A.27; 504B.305; 582.14."

49.21

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

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.....  
(Committee Chair)

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April 24, 2023.....  
(Date of Committee recommendation)