

## **2024 BILL SUMMARY**

HF4854/SF4891

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### **Article I: Data Practices**

Article 1, Section 1, is consistent with Minnesota Rules of Public Access to Records of the Judicial Branch, specifically Rule 4, subdivisions 1(c) and (f).

First, section 1 defines “administrative courts” to mean the Office of Administrative Hearings, Tax Court, and Workers’ Compensation Court of Appeals. Next, section 1 defines “court services” and “health-related documents and data.” Finally, Section 1:

- makes judicial work product at an administrative court protected nonpublic and confidential data,
- makes health-related documents and data included in a court file at an administrative court private data on individuals,
- and permits disclosure of certain not-public data where disclosure is necessary and relevant to a legal matter or issue.

### **Article II: Court Operations**

Section 1, consistent with Minnesota Statutes section 15.06, ensures continuity of operations if a vacancy occurs in the position of chief administrative law judge.

Section 2, consistent with the Minnesota Supreme Court Interpreter Program, ensures access to court proceedings by allowing the office to directly contract with both court-certified and court-rostered interpreters.

Section 3 tolls the 90-day deadline for an agency to modify or reject the report or order of the administrative law judge if the agency’s request for a reasonable extension of time is filed and served within the 90-day period.

Section 4 updates language related to administrative law judge salaries to reflect current job titles.

### **Article III: Rulemaking**

Sections 1 through 5 require agencies throughout the rulemaking process to file electronically with OAH and requires OAH to file electronically with the Revisor’s Office and Secretary of State. These requirements are consistent with current practice.

Sections 2 and 6 clarify that certain rulemaking deadlines in Chapter 14 count working days.

Sections 7 and 8 clarify that obsolete rules may be delegated from the chief administrative law judge to an administrative law judge in the Office of Administrative Hearings, following similar statutory language as that regarding expedited rules.

## **Article IV: Fair Campaign Practices**

Sections 1 and 6 repeal Minn. Stat. § 211B.06 (false literature claim of action), which the United States Court of Appeals for the Eighth Circuit determined was unconstitutional in *281 Care Committee v. Arneson*, 766 F.3d 774 (8th Cir. 2014), and update other language in the chapter to reflect repeal.

Section 1 also clarifies that the non-expedited process applies to complaints not filed within 60 days before a primary election or 90 days before a general election.

Sections 2 through 5 clarify and set forth express and expedient timelines in line with current processes for decision-making in fair campaign complaints, including: (1) setting a probable cause hearing within three days of determining a prima facie violation in expedited cases (or seven days with good cause), or within 30 days of determining a prima facie violation if no expedited hearing is requested, (2) issuing a probable cause determination within three days after closure of the probable cause hearing record, (3) holding an evidentiary hearing within ten days of assignment to the panel in expedited matters, and (4) disposing of an expedited complaint within three business days of an evidentiary hearing by panel.

Section 4 also clarifies that non-expedited complaints are heard pursuant to 211B.35 as contemplated in section 211B.33.