

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4761

(SENATE AUTHORS: MITCHELL)

DATE	D-PG	OFFICIAL STATUS
03/07/2024		Introduction and first reading Referred to Health and Human Services

1.1

A bill for an act

1.2

relating to child protection; creating a Child Protection Advisory Council; requiring

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reports; proposing coding for new law in Minnesota Statutes, chapter 260E.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. **[260E.021] CHILD PROTECTION ADVISORY COUNCIL.**

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Subdivision 1. Establishment. A Child Protection Advisory Council is established to

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review policies, laws, and protocols of the child protection system, enhance accountability

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in the child protection system, and ensure that the system has sufficient capacity and resources

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to operate as intended.

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Subd. 2. Membership. The advisory council shall consist of up to 26 members, appointed

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as follows:

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(1) the commissioner of human services or a designee;

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(2) the commissioner of children, youth, and families or a designee;

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(3) the ombudsperson for foster youth or a designee;

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(4) two members of the house of representatives, one appointed by the speaker of the

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house and one appointed by the minority leader of the house of representatives;

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(5) two members of the senate, one appointed by the senate majority leader and one

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appointed by the senate minority leader;

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(6) a representative from the Association of Minnesota Counties appointed by the

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association;

(7) two members representing county social services agencies appointed by the Minnesota Association of County Social Service Administrators, one from a county outside the seven-county metropolitan area and one from a county within the seven-county metropolitan area;

(8) one member appointed by the Minnesota Council on Disability;

(9) one member appointed by Indian Child Welfare Advisory Council;

(10) one member appointed by the ombudsperson of American Indian Families;

(11) one member appointed by the Children's Alliance;

(12) up to four members appointed by the ombudsperson for families;

(13) up to four members from the Children's Justice Task Force; and

(14) four members of the public appointed by the governor, including:

(i) one member 18 years of age or older who has lived experience with the child welfare system;

(ii) one member 18 years of age or older who has lived experience with the child welfare system as a parent or caregiver;

(iii) one member who is an advocate that has experience working within the child welfare system and that has experience working with members of the LGBTQ+ community or persons who are Black, Indigenous, or people of color; and

(iv) one member with experience working and advocating for children with disabilities in the child welfare system.

Subd. 3. **Council administration.** (a) The advisory council is governed by section 15.059, except that subdivision 6 does not apply.

(b) The commissioner of human services shall provide the advisory council with staff support, office space, and access to office equipment and services.

Subd. 4. **Meetings.** (a) The advisory council must meet at least quarterly but may meet more frequently at the call of the chairperson or at the request of a majority of advisory council members.

(b) Meetings of the advisory council are subject to section 13D.01 and notice of its meetings is governed by section 13D.04.

3.1 Subd. 5. **Chairperson.** (a) The advisory council must elect a chairperson and other
3.2 officers as it deems necessary and in accordance with the advisory council's operating
3.3 procedures.

3.4 (b) The advisory council shall be governed by an executive committee elected by the
3.5 members of the advisory council. One member of the executive committee must be the
3.6 advisory council chairperson.

3.7 (c) The advisory council shall appoint an executive director. The executive director
3.8 serves as an ex officio nonvoting member of the executive committee. The advisory council
3.9 may delegate to the executive director any powers and duties under this section that do not
3.10 require advisory council approval. The executive director serves in the unclassified service
3.11 and may be removed at any time by a majority vote of the advisory council. The executive
3.12 director may employ and direct staff necessary to carry out advisory council mandates,
3.13 policies, activities, and objectives.

3.14 (d) The executive committee may appoint additional subcommittees and work groups
3.15 as necessary to fulfill the duties of the advisory council.

3.16 Subd. 6. **Duties.** (a) The advisory council must:

3.17 (1) conduct child mortality review processes;

3.18 (2) review child welfare data provided by the Department of Human Services and
3.19 counties;

3.20 (3) review and provide guidance on the Family First Prevention Services Act
3.21 implementation; and

3.22 (4) work with the commissioner of human services to evaluate child protection grants
3.23 to address disparities in child welfare pursuant to section 256E.28.

3.24 (b) The advisory council may collect additional topic areas for study and evaluation
3.25 from the public. For the advisory council to study and evaluate a topic, the topic must be
3.26 approved for study and evaluation by the advisory council.

3.27 (c) Legislative members may not deliberate about or vote on decisions related to the
3.28 issuance of grants of state money.

3.29 Subd. 7. **Report.** By January 1, 2025, and annually thereafter, the advisory council must
3.30 submit a report to the chairs and ranking minority members of the legislative committees
3.31 with jurisdiction over child protection and child welfare on the advisory council's activities
3.32 under subdivision 6 and other issues on which the advisory council may choose to report.