

SENATE

STATE OF MINNESOTA

NINETY-FOURTH SESSION

S.F. No. 1786

(SENATE AUTHORS: MAYE QUADE and Mohamed)		
DATE	D-PG	OFFICIAL STATUS
02/24/2025	478	Introduction and first reading
		Referred to Health and Human Services
02/27/2025	580	Author added Mohamed
03/10/2025	687a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety

1.1

A bill for an act

1.2

relating to children and families; modifying relative foster care licensing, training,

1.3

and background study requirements; modifying the Minnesota family investment

1.4

program; appropriating money; amending Minnesota Statutes 2024, sections

1.5

142B.01, subdivision 15; 142B.05, subdivision 3; 142B.47; 142B.51, subdivision

1.6

2; 142B.80; 142E.01, subdivisions 14, 19; 142G.01, subdivision 8; 142G.40,

1.7

subdivision 4; 245C.02, by adding a subdivision; 245C.03, subdivision 1; 245C.08,

1.8

subdivision 1; 245C.15, by adding a subdivision; proposing coding for new law

1.9

in Minnesota Statutes, chapter 142B.

1.10

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

1.11

Section 1. Minnesota Statutes 2024, section 142B.01, subdivision 15, is amended to read:

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Subd. 15. **Individual who is related.** "Individual who is related" means a spouse, a

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parent, a birth or adopted child or stepchild, a stepparent, a stepbrother, a stepsister, a niece,

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a nephew, an adoptive parent, a grandparent, a sibling, an aunt, an uncle, or a legal guardian.

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For purposes of family child foster care, "individual who is related" includes an individual

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who is an important friend of the child or of the child's parent or custodian, including an

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individual with whom the child has resided or had significant contact or who has a significant

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relationship to the child or the child's parent or custodian.

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Sec. 2. Minnesota Statutes 2024, section 142B.05, subdivision 3, is amended to read:

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Subd. 3. **Foster care by an individual who is related to a child; license required.** (a)

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Notwithstanding subdivision 2, paragraph (a), clause (1), in order to provide foster care for

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a child, an individual who is related to the child, other than a parent, or legal guardian, must

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be licensed by the commissioner except as provided by section 142B.06.

(b) An individual who is related to the child may seek foster care licensure through the county agency or a private agency in the community designated or licensed by the commissioner. The county agency must provide information to all potential relative foster care providers about this choice, including information about available private agencies for foster care licensure.

(c) The commissioner must develop materials for the county agency to distribute at regular intervals to all potential relative foster care providers and licensed relative foster care providers, advising such providers on:

(1) access to legal services and support;

(2) choice in licensing under paragraph (b);

(3) choice in ongoing case support;

(4) how to access respite care and strategies for leveraging natural supports for the child and family; and

(5) ways to include resource or substitute caregivers in the child's case plan.

(d) If an individual who is related to a child is seeking licensure to provide foster care for the child and the individual has a domestic partner but is not married to the domestic partner, only the individual related to the child must be licensed to provide foster care. The commissioner must conduct background studies on household members according to section 245C.03, subdivision 1.

Sec. 3. Minnesota Statutes 2024, section 142B.47, is amended to read:

**142B.47 TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT DEATH
AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE PROVIDERS.**

(a) Licensed child foster care providers, except individuals related to the child, that care for infants or children through five years of age must document that before caregivers assist in the care of infants or children through five years of age, they the caregivers are instructed on the standards in section 142B.46 and receive training on reducing the risk of sudden unexpected infant death and abusive head trauma from shaking infants and young children. Licensed child foster care providers who are related to the child must document completion of the training required under this section within 30 days after licensure. This section does not apply to emergency relative placement under section 142B.06. The training on reducing the risk of sudden unexpected infant death and abusive head trauma may be provided as:

(1) orientation training to child foster care providers who care for infants or children through five years of age under Minnesota Rules, part 2960.3070, subpart 1; or

(2) in-service training to child foster care providers who care for infants or children through five years of age under Minnesota Rules, part 2960.3070, subpart 2.

(b) Training required under this section must be at least one hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden unexpected infant death and abusive head trauma, means of reducing the risk of sudden unexpected infant death and abusive head trauma, and license holder communication with parents regarding reducing the risk of sudden unexpected infant death and abusive head trauma.

(c) Training for child foster care providers must be approved by the county or private licensing agency that is responsible for monitoring the child foster care provider under section 142B.30. The approved training fulfills, in part, training required under Minnesota Rules, part 2960.3070.

Sec. 4. Minnesota Statutes 2024, section 142B.51, subdivision 2, is amended to read:

Subd. 2. **Child passenger restraint systems; training requirement.** (a) Programs licensed by the Department of Human Services under chapter 245A or the Department of Children, Youth, and Families under this chapter and Minnesota Rules, chapter 2960, that serve a child or children under eight years of age must document training that fulfills the requirements in this subdivision.

(b) Before a license holder, staff person, or caregiver transports a child or children under age eight in a motor vehicle, the person transporting the child must satisfactorily complete training on the proper use and installation of child restraint systems in motor vehicles. Training completed under this section may be used to meet initial or ongoing training under Minnesota Rules, part 2960.3070, subparts 1 and 2.

(c) Training required under this section must be completed at orientation or initial training and repeated at least once every five years. At a minimum, the training must address the proper use of child restraint systems based on the child's size, weight, and age, and the proper installation of a car seat or booster seat in the motor vehicle used by the license holder to transport the child or children.

(d) Training under paragraph (c) must be provided by individuals who are certified and approved by the Office of Traffic Safety within the Department of Public Safety. License

holders may obtain a list of certified and approved trainers through the Department of Public Safety website or by contacting the agency.

(e) Notwithstanding paragraph (a), for an emergency relative placement under section 142B.06, the commissioner may grant a variance to the training required by this subdivision for a relative who completes a child seat safety check up. The child seat safety check up trainer must be approved by the Department of Public Safety, Office of Traffic Safety, and must provide one-on-one instruction on placing a child of a specific age in the exact child passenger restraint in the motor vehicle in which the child will be transported. Once granted a variance, and if all other licensing requirements are met, the relative applicant may receive a license and may transport a relative foster child younger than eight years of age. A child seat safety check up must be completed each time a child requires a different size car seat according to car seat and vehicle manufacturer guidelines. A relative license holder must complete training that meets the other requirements of this subdivision prior to placement of another foster child younger than eight years of age in the home or prior to the renewal of the child foster care license.

(f) Notwithstanding paragraph (b), a child foster care license holder who is an individual related to the child must document completion of the training required under this section within 30 days after licensure.

Sec. 5. Minnesota Statutes 2024, section 142B.80, is amended to read:

142B.80 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.

Prior to a nonemergency placement of a child in a foster care home, the child foster care license holder and caregivers in foster family and treatment foster care settings must complete two hours of training that addresses the causes, symptoms, and key warning signs of mental health disorders; cultural considerations; and effective approaches for dealing with a child's behaviors. At least one hour of the annual training requirement for the foster family license holder and caregivers must be on children's mental health issues and treatment. Except for providers and services under chapter 245D and child foster care license holders who are individuals related to the child, the annual training must also include at least one hour of training on fetal alcohol spectrum disorders, which must be counted toward the 12 hours of required in-service training per year. Short-term substitute caregivers are exempt from these requirements. Training curriculum shall be approved by the commissioner of children, youth, and families.

5.1 Sec. 6. **[142B.81] CHILD FOSTER CARE TRAINING; RELATIVE CAREGIVERS.**

5.2 Notwithstanding the required hours under Minnesota Rules, part 2960.3070, subpart 2,
5.3 a child foster care license holder who is an individual related to the child must complete a
5.4 minimum of six hours of in-service training per year in one or more of the areas in Minnesota
5.5 Rules, part 2960.3070, subpart 2, or in other areas as agreed upon by the licensing agency
5.6 and the foster parent. The relative child foster care license holder must consult with the
5.7 licensing agency and complete training in areas that are most applicable to caring for the
5.8 relative children in foster care in the home.

5.9 Sec. 7. Minnesota Statutes 2024, section 142E.01, subdivision 14, is amended to read:

5.10 Subd. 14. **Family.** "Family" means parents; stepparents; guardians and their spouses;
5.11 other eligible relative caregivers and their spouses; relative custodians who accepted a
5.12 transfer of permanent legal and physical custody of a child under section 260C.515,
5.13 subdivision 4, or similar permanency disposition in Tribal code, and their spouses; successor
5.14 custodians or guardians as established by section 142A.605, subdivision 10, and their
5.15 spouses; foster parents providing care to a child placed in a family foster home under section
5.16 260C.007, subdivision 16b, and their spouses; relative caregivers, as defined under section
5.17 260C.007, subdivision 27, and their spouses residing in the same household; and the
5.18 blood-related dependent children and adoptive siblings under the age of 18 years living in
5.19 the same home as any of the above. Family includes children temporarily absent from the
5.20 household in settings such as schools, foster care, and residential treatment facilities and
5.21 adults temporarily absent from the household in settings such as schools, military service,
5.22 or rehabilitation programs. An adult family member who is not in an authorized activity
5.23 under this chapter may be temporarily absent for up to 60 days. When a minor parent or
5.24 parents and his, her, or their child or children are living with other relatives, and the minor
5.25 parent or parents apply for a child care subsidy, "family" means only the minor parent or
5.26 parents and their child or children. An adult age 18 or older who meets this definition of
5.27 family and is a full-time high school or postsecondary student may be considered a dependent
5.28 member of the family unit if 50 percent or more of the adult's support is provided by the
5.29 parents; stepparents; guardians and their spouses; relative custodians who accepted a transfer
5.30 of permanent legal and physical custody of a child under section 260C.515, subdivision 4,
5.31 or similar permanency disposition in Tribal code, and their spouses; successor custodians
5.32 or guardians as established by section 142A.605, subdivision 10, and their spouses; foster
5.33 parents providing care to a child placed in a family foster home under section 260C.007,
5.34 subdivision 16b, and their spouses; or eligible relative caregivers and their spouses residing
5.35 in the same household.

Sec. 8. Minnesota Statutes 2024, section 142E.01, subdivision 19, is amended to read:

Subd. 19. **Legal nonlicensed child care provider.** "Legal nonlicensed child care provider" means: (1) a child care provider who is excluded from licensing requirements under section 142B.05, subdivision 2; ~~or~~ (2) a child care provider authorized to provide care in a child's home under section 142E.10, subdivision 14, provided the provider only cares for related children, children from a single, unrelated family, or both related children and children from a single, unrelated family; or (3) a relative caregiver as defined under section 260C.007, subdivision 27, who is not the child's parent, stepparent, or guardian.

Sec. 9. Minnesota Statutes 2024, section 142G.01, subdivision 8, is amended to read:

Subd. 8. **Child-only TANF program.** Children who receive assistance under this chapter, in which the assistance unit does not include a caregiver, but only includes a minor child, shall become part of the program established under this chapter. A child receiving assistance under this subdivision may live with a relative caregiver who does not have guardianship or custody of the child. For purposes of this subdivision, "relative" has the meaning given in section 260C.007, subdivision 27.

Sec. 10. Minnesota Statutes 2024, section 142G.40, subdivision 4, is amended to read:

Subd. 4. **Exemption for certain families.** (a) Any cash assistance received by an assistance unit does not count toward the 60-month limit on assistance during a month in which the caregiver is age 60 or older.

(b) From July 1, 1997, until the date MFIP is operative in the caregiver's county of financial responsibility, any cash assistance received by a caregiver who is complying with Minnesota Statutes 1996, section 256.73, subdivision 5a, and Minnesota Statutes 1998, section 256.736, if applicable, does not count toward the 60-month limit on assistance. Thereafter, any cash assistance received by a minor caregiver who is complying with the requirements of sections 142G.14 and 142G.57, if applicable, does not count ~~towards~~ toward the 60-month limit on assistance.

(c) Any diversionary assistance or emergency assistance received prior to July 1, 2003, does not count toward the 60-month limit.

(d) Any cash assistance received by an 18- or 19-year-old caregiver who is complying with an employment plan that includes an education option under section 142G.57 does not count toward the 60-month limit.

(e) Payments provided to meet short-term emergency needs under section 142G.76 do not count toward the 60-month time limit.

(f) Any cash assistance received by an assistance unit does not count toward the 60-month limit on assistance during a month in which the caregiver is a relative caregiver. For purposes of this subdivision, "relative" has the meaning given in section 260C.007, subdivision 27.

Sec. 11. Minnesota Statutes 2024, section 245C.02, is amended by adding a subdivision to read:

Subd. 16b. **Relative.** "Relative" has the meaning given in section 260C.007, subdivision 27.

Sec. 12. Minnesota Statutes 2024, section 245C.03, subdivision 1, is amended to read:

Subdivision 1. **Programs licensed by the commissioner.** (a) The commissioner shall conduct a background study on:

(1) the person or persons applying for a license;

(2) an individual age 13 and over living in the household where the licensed program will be provided who is not receiving licensed services from the program;

(3) current or prospective employees of the applicant or license holder who will have direct contact with persons served by the facility, agency, or program;

(4) volunteers or student volunteers who will have direct contact with persons served by the program to provide program services if the contact is not under the continuous, direct supervision by an individual listed in clause (1) or (3);

(5) an individual age ten to 12 living in the household where the licensed services will be provided when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15;

(6) an individual who, without providing direct contact services at a licensed program, may have unsupervised access to children or vulnerable adults receiving services from a program, when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15; and

(7) all controlling individuals as defined in section 245A.02, subdivision 5a;

(8) notwithstanding clause (3), for children's residential facilities and foster residence settings, any adult working in the facility, whether or not the individual will have direct contact with persons served by the facility.

(b) For child foster care when the license holder resides in the home where foster care services are provided, a short-term substitute caregiver providing direct contact services for a child for less than 72 hours of continuous care is not required to receive a background study under this chapter.

(c) This subdivision applies to the following programs that must be licensed under chapter 245A:

- (1) adult foster care;
- (2) children's residential facilities;
- (3) licensed home and community-based services under chapter 245D;
- (4) residential mental health programs for adults;
- (5) substance use disorder treatment programs under chapter 245G;
- (6) withdrawal management programs under chapter 245F;
- (7) adult day care centers;
- (8) family adult day services;
- (9) detoxification programs;
- (10) community residential settings;
- (11) intensive residential treatment services and residential crisis stabilization under chapter 245I; and
- (12) treatment programs for persons with sexual psychopathic personality or sexually dangerous persons, licensed under chapter 245A and according to Minnesota Rules, parts 9515.3000 to 9515.3110.

(d) Notwithstanding paragraph (a), clause (2), for child foster care provided by a relative of the child in a foster family setting, the commissioner shall conduct a background study only on individuals who are related, as defined in section 142B.01, subdivision 15, who are at least 18 years old living in the household where the child foster care will be provided and not receiving licensed services from the provider.

Sec. 13. Minnesota Statutes 2024, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. **Background studies conducted by Department of Human Services.** (a) For a background study conducted by the Department of Human Services, the commissioner shall review:

(1) information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed programs, and from findings of maltreatment of minors as indicated through the social service information system;

(3) information from juvenile courts as required for studies under this chapter when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information regarding a background study subject's registration in Minnesota as a predatory offender under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of fingerprints for a national criminal history record check, as defined in section 245C.02, subdivision 13c, when the commissioner has reasonable cause for a national criminal history record check as defined under section 245C.02, subdivision 15a, or as required under section 144.057, subdivision 1, clause (2);

(6) for a background study related to a child foster family setting application for licensure, foster residence settings, children's residential facilities, a transfer of permanent legal and physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a background study required for family child care, certified license-exempt child care, child care centers, and legal nonlicensed child care authorized under chapter 142E, the commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which the background study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under section 245C.05, subdivision 5a, paragraph (c), information received following submission of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified license-exempt child care, licensed child care centers, and legal nonlicensed child care authorized under chapter 142E, information obtained using non-fingerprint-based data including information from the criminal and sex offender registries for any state in which

10.1 the background study subject resided for the past five years and information from the national
10.2 crime information database and the national sex offender registry;

10.3 (7) for a background study required for family child care, certified license-exempt child
10.4 care centers, licensed child care centers, and legal nonlicensed child care authorized under
10.5 chapter 142E, the background study shall also include, to the extent practicable, a name and
10.6 date-of-birth search of the National Sex Offender Public website; and

10.7 (8) for a background study required for treatment programs for sexual psychopathic
10.8 personalities or sexually dangerous persons, the background study shall only include a
10.9 review of the information required under paragraph (a), clauses (1) to (4).

10.10 (b) Except as otherwise provided in this paragraph, notwithstanding expungement by a
10.11 court, the commissioner may consider information obtained under paragraph (a), clauses
10.12 (3) and (4), unless:

10.13 (1) the commissioner received notice of the petition for expungement and the court order
10.14 for expungement is directed specifically to the commissioner; or

10.15 (2) the commissioner received notice of the expungement order issued pursuant to section
10.16 609A.017, 609A.025, or 609A.035, and the order for expungement is directed specifically
10.17 to the commissioner.

10.18 The commissioner may not consider information obtained under paragraph (a), clauses (3)
10.19 and (4), or from any other source that identifies a violation of chapter 152 without
10.20 determining if the offense involved the possession of marijuana or tetrahydrocannabinol
10.21 and, if so, whether the person received a grant of expungement or order of expungement,
10.22 or the person was resentenced to a lesser offense. If the person received a grant of
10.23 expungement or order of expungement, the commissioner may not consider information
10.24 related to that violation but may consider any other relevant information arising out of the
10.25 same incident.

10.26 (c) The commissioner shall also review criminal case information received according
10.27 to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
10.28 to individuals who have already been studied under this chapter and who remain affiliated
10.29 with the agency that initiated the background study.

10.30 (d) When the commissioner has reasonable cause to believe that the identity of a
10.31 background study subject is uncertain, the commissioner may require the subject to provide
10.32 a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
10.33 with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph

11.1 shall not be saved by the commissioner after they have been used to verify the identity of
11.2 the background study subject against the particular criminal record in question.

11.3 (e) The commissioner may inform the entity that initiated a background study under
11.4 NETStudy 2.0 of the status of processing of the subject's fingerprints.

11.5 (f) For a child abuse and neglect registry check related to a child foster family setting
11.6 application for licensure, a transfer of permanent legal and physical custody of a child under
11.7 sections 260C.503 to 260C.515, or an adoption under paragraph (a), clause (6), item (i), the
11.8 commissioner must not require submission of a copy of an individual's consent or the consent
11.9 form. The commissioner must accept an attestation transmitted by the out-of-state agency
11.10 conducting the registry check stating that consent was received as proof of consent to an
11.11 out-of-state child abuse and neglect registry check.

11.12 Sec. 14. Minnesota Statutes 2024, section 245C.15, is amended by adding a subdivision
11.13 to read:

11.14 Subd. 7. **Licensed relative family foster setting disqualifications.** (a) Notwithstanding
11.15 subdivisions 1 to 4a, for a background study affiliated with a licensed family foster setting,
11.16 when an individual is a relative of the child in foster care an individual is disqualified under
11.17 section 245C.14, regardless of how much time has passed, if the individual committed an
11.18 act that resulted in a felony-level conviction for section: 609.185 (murder in the first degree);
11.19 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20
11.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.2112
11.21 (criminal vehicular homicide); 609.223, subdivision 2 (assault in the third degree, past
11.22 pattern of child abuse); 609.223, subdivision 3 (assault in the third degree, victim under
11.23 four); 609.2242 or 609.2243 (domestic assault, spousal abuse, child abuse or neglect, or a
11.24 crime against children); 609.2247 (domestic assault by strangulation); 609.2325 (criminal
11.25 abuse of a vulnerable adult resulting in the death of a vulnerable adult); 609.245 (aggravated
11.26 robbery); 609.247, subdivision 2 or 3 (carjacking in the first or second degree); 609.25
11.27 (kidnapping); 609.255 (false imprisonment); 609.2661 (murder of an unborn child in the
11.28 first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder
11.29 of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child in the
11.30 first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267
11.31 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the
11.32 second degree); 609.268 (injury or death of an unborn child in the commission of a crime);
11.33 609.322, subdivision 1 (solicitation, inducement, and promotion of prostitution; sex
11.34 trafficking in the first degree); 609.324, subdivision 1 (engaging in, hiring, or agreeing to

12.1 hire a minor to engage in prostitution); 609.342 (criminal sexual conduct in the first degree);
12.2 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct
12.3 in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.3451
12.4 (criminal sexual conduct in the fifth degree); 609.3453 (criminal sexual predatory conduct);
12.5 609.3458 (sexual extortion); 609.352 (solicitation of children to engage in sexual conduct);
12.6 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child);
12.7 609.561 (arson in the first degree); 609.582, subdivision 1 (burglary in the first degree);
12.8 609.746 (interference with privacy); 617.23 (indecent exposure); 617.246 (use of minors
12.9 in sexual performance prohibited); or 617.247 (possession of pornographic work involving
12.10 minors).

12.11 (b) Notwithstanding subdivisions 1 to 4a, for a background study affiliated with a licensed
12.12 family foster setting, when an individual is a relative of the child in foster care, an individual
12.13 is disqualified under section 245C.14, regardless of how much time has passed, if the
12.14 individual:

12.15 (1) committed an action under paragraph (e) that resulted in death or involved sexual
12.16 abuse, as defined in section 260E.03, subdivision 20;

12.17 (2) committed an act that resulted in a gross misdemeanor-level conviction for section
12.18 609.3451 (criminal sexual conduct in the fifth degree);

12.19 (3) committed an act against or involving a minor that resulted in a felony-level conviction
12.20 for section: 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the
12.21 third degree); 609.2231 (assault in the fourth degree); or 609.224 (assault in the fifth degree);
12.22 or

12.23 (4) committed an act that resulted in a misdemeanor- or gross misdemeanor-level
12.24 conviction for section 617.293 (dissemination and display of harmful materials to minors).

12.25 (c) Notwithstanding subdivisions 1 to 4a, for a background study affiliated with a licensed
12.26 family foster setting, when an individual is a relative of the child in foster care, an individual
12.27 is disqualified under section 245C.14 if fewer than five years have passed since a felony-level
12.28 violation for section: 152.021 (controlled substance crime in the first degree); 152.022
12.29 (controlled substance crime in the second degree); 152.023 (controlled substance crime in
12.30 the third degree); 152.024 (controlled substance crime in the fourth degree); 152.025
12.31 (controlled substance crime in the fifth degree); 152.0261 (importing controlled substances
12.32 across state borders); 152.0262, subdivision 1, paragraph (b) (possession of a substance
12.33 with intent to manufacture methamphetamine); 152.027, subdivision 6, paragraph (c) (sale
12.34 of synthetic cannabinoids); 152.096 (conspiracies prohibited); 152.097 (simulated controlled

13.1 substances); 152.136 (illegal use of anhydrous ammonia); 152.137 (methamphetamine-related
13.2 crimes involving children or vulnerable adults); 169A.24 (first-degree driving while
13.3 impaired); 243.166 (violation of predatory offender registration requirements); 609.2113
13.4 (criminal vehicular operation; bodily harm); 609.2114 (criminal vehicular operation; unborn
13.5 child); 609.221 (assault in the first degree); 609.228 (great bodily harm caused by distribution
13.6 of drugs); 609.2325 (criminal abuse of a vulnerable adult not resulting in the death of a
13.7 vulnerable adult); 609.233 (criminal neglect); 609.235 (use of drugs to injure or facilitate
13.8 a crime); 609.24 (simple robbery); 609.247, subdivision 4 (carjacking in the third degree);
13.9 609.322, subdivision 1a (solicitation, inducement, and promotion of prostitution; sex
13.10 trafficking in the second degree); 609.498, subdivision 1 (tampering with a witness in the
13.11 first degree); 609.498, subdivision 1b (aggravated first-degree witness tampering); 609.562
13.12 (arson in the second degree); 609.563 (arson in the third degree); 609.582, subdivision 2
13.13 (burglary in the second degree); 609.66 (felony dangerous weapons); 609.687 (adulteration);
13.14 609.713 (threats of violence); 609.749, subdivision 3, 4, or 5 (felony-level harassment or
13.15 stalking); 609.855, subdivision 5 (shooting at or in a public transit vehicle or facility); or
13.16 624.713 (certain people not to possess firearms).

13.17 (d) Notwithstanding subdivisions 1 to 4a, for a background study affiliated with a licensed
13.18 family foster setting, when an individual is a relative of the child in foster care, an individual
13.19 is disqualified under section 245C.14 if fewer than seven years have passed since the
13.20 termination of the individual's parental rights under section 260C.301, subdivision 1,
13.21 paragraph (b), or if the individual consented to a termination of parental rights under section
13.22 260C.301, subdivision 1, paragraph (a), to settle a petition to involuntarily terminate parental
13.23 rights. An individual is disqualified under section 245C.14 if fewer than seven years have
13.24 passed since the termination of the individual's parental rights in any other state or country
13.25 where the conditions for the individual's termination of parental rights are substantially
13.26 similar to the conditions in section 260C.301, subdivision 1, paragraph (b).

13.27 (e) Notwithstanding subdivisions 1 to 4a, except as provided in paragraph (a), for a
13.28 background study affiliated with a licensed family foster setting, when an individual is a
13.29 relative of the child in foster care, an individual is disqualified under section 245C.14 if
13.30 fewer than five years have passed since:

13.31 (1) a felony-level violation for an act not against or involving a minor that constitutes
13.32 section: 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the third
13.33 degree); 609.2231 (assault in the fourth degree); or 609.224, subdivision 4 (assault in the
13.34 fifth degree);

13.35 (2) a violation of an order for protection under section 518B.01, subdivision 14;

14.1 (3) a determination or disposition of the individual's failure to make required reports
14.2 under section 260E.06 or 626.557, subdivision 3, for incidents in which the final disposition
14.3 under chapter 260E or section 626.557 was substantiated maltreatment and the maltreatment
14.4 was recurring or serious;

14.5 (4) a determination or disposition of the individual's substantiated serious or recurring
14.6 maltreatment of a minor under chapter 260E or of a vulnerable adult under section 626.557
14.7 or serious or recurring maltreatment in any other state, the elements of which are substantially
14.8 similar to the elements of maltreatment under chapter 260E or section 626.557 and meet
14.9 the definition of serious or recurring maltreatment;

14.10 (5) a gross misdemeanor-level violation for section: 609.224 (assault in the fifth degree);
14.11 609.2242 and 609.2243 (domestic assault); 609.233 (criminal neglect); 609.377 (malicious
14.12 punishment of a child); 609.378 (neglect or endangerment of a child); 609.746 (interference
14.13 with privacy); 609.749 (stalking); or 617.23 (indecent exposure); or

14.14 (6) committing an act against or involving a minor that resulted in a misdemeanor-level
14.15 violation of section 609.224, subdivision 1 (assault in the fifth degree).

14.16 (f) For purposes of this subdivision, the disqualification begins from:

14.17 (1) the date of the alleged violation, if the individual was not convicted;

14.18 (2) the date of conviction, if the individual was convicted of the violation but not
14.19 committed to the custody of the commissioner of corrections; or

14.20 (3) the date of release from prison, if the individual was convicted of the violation and
14.21 committed to the custody of the commissioner of corrections.

14.22 Notwithstanding clause (3), if the individual is subsequently reincarcerated for a violation
14.23 of the individual's supervised release, the disqualification begins from the date of release
14.24 from the subsequent incarceration.

14.25 (g) An individual's aiding and abetting, attempt, or conspiracy to commit any of the
14.26 offenses listed in paragraphs (a) and (b), as each of these offenses is defined in Minnesota
14.27 Statutes, permanently disqualifies the individual under section 245C.14. An individual is
14.28 disqualified under section 245C.14 if fewer than five years have passed since the individual's
14.29 aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraphs
14.30 (c) and (e).

14.31 (h) An individual's offense in any other state or country, where the elements of the
14.32 offense are substantially similar to any of the offenses listed in paragraphs (a) and (b),
14.33 permanently disqualifies the individual under section 245C.14. An individual is disqualified

15.1 under section 245C.14 if fewer than five years have passed since an offense in any other
15.2 state or country, the elements of which are substantially similar to the elements of any
15.3 offense listed in paragraphs (c) and (e).

15.4 Sec. 15. **DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND**
15.5 **FAMILIES.**

15.6 The commissioner of children, youth, and families must make all written communications
15.7 and materials for individuals who are related to a child, as defined in Minnesota Statutes,
15.8 section 142B.01, subdivision 15, and who are providing or seeking to provide foster care,
15.9 available in the 20 most common languages spoken in Minnesota. The commissioner must
15.10 also make the communications and materials available in American Sign Language and
15.11 accessible to relative foster care providers with disabilities.

15.12 Sec. 16. **DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND**
15.13 **FAMILIES; CONDENSED CHILD FOSTER CARE LICENSING GUIDELINES.**

15.14 By December 15, 2025, the commissioner of children, youth, and families must create
15.15 a condensed version of the child foster care licensing guidelines published by the
15.16 commissioner of human services in December 2023 for individuals providing foster care
15.17 for a relative child and for the purpose of kinship foster care providers to achieve licensure
15.18 as quickly as possible. The commissioner must consult with stakeholders to remove or
15.19 significantly condense portions of the guidelines for home studies and interviews that do
15.20 not apply to relative foster caregivers and any other guidelines that are unnecessary or
15.21 duplicative when licensing relative foster caregivers.

15.22 Sec. 17. **APPROPRIATION; SUPPORTING RELATIVE CAREGIVER GRANTS.**

15.23 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general
15.24 fund to the commissioner of children, youth, and families for the supporting relative caregiver
15.25 grant program established in Laws 2024, chapter 115, article 12, section 33.

15.26 Sec. 18. **APPROPRIATION; COUNTY GRANTS FOR FINGERPRINTING**
15.27 **DEVICES.**

15.28 \$..... in fiscal year 2026 is appropriated from the general fund to the commissioner of
15.29 human services for grants to community licensing partners and to county and Tribal social
15.30 services agencies to purchase at-home or mobile fingerprinting devices, for purposes of
15.31 expediting background studies under Minnesota Statutes, chapter 245C. Fingerprinting

- 16.1
- devices purchased with grant funds must be approved by the commissioner of human services
- 16.2
- for submitting fingerprints to the existing background study system. This is a onetime
- 16.3
- appropriation.