

LAW OFFICES OF
RICHARD HODSDON

**SESSION LAW UPDATE
FOR CRIMINAL JUSTICE
PROFESSIONALS**

2026 REGULAR SESSION

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TABLE OF CONTENTS

Criminal Law and Procedure	Page 2
Administrative Matters	Page 11
Traffic and Vehicles	Page 12

THIS SUMMARY OF 2026 SESSION LAWS IS ONLY THAT. I HAVE REVIEWED ALL 2026 SESSION LAWS AND THIS MATERIAL DOES NOT PROVIDE FULL OR EXACT TEXT OF THE REFERENCED STATUTES AND SESSION LAWS. THE CHAPTERS ARE CITED TO ALLOW THE READER TO GO TO THE SOURCE DOCUMENT. THERE MAY BE SESSION LAW CHANGES NOT COVERED IN THESE MATERIALS THAT ARE OF IMPORTANTANCE OR INTEREST TO YOU SO WHILE I HAVE TRIED TO BE AS COMPLETE AS I REASONABLY CAN BE THERE MAY BE OTHER CHAPTERS THAT YOU NEED TO REVIEW THAT ARE NOT INCLUDED IN THESE MATERIALS.

SOME OF THESE PROVISIONS ARE LESS THAN CLEAR AND WILL LIKELY BE SUBJECT TO DISPUTES AND EVEN LITIGATION FOR SOME TIME TO COME. ALWAYS USE THESE MATERIALS AS A STARTING POINT FOR DISCUSSION WTH YOUR LEGAL ADVISORS AND POLICY MAKING OFFICIALS AS YOU DECIDE HOW TO IMPLEMENT THEIR PROVISIONS

RICHARD HODSDON

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CRIMINAL LAW AND PROCEDURE

CHPT. 63

Minn. Stat. 152.027, subd. 7 concerning kratom and that makes it a gross misdemeanor to sell and a misdemeanor to possess the substance is raised from 18 to 21 years of age.

CHPT. 72

A new statute at Minn. Stat. 325E.91 prohibits nudification technology, as defined in the statute, but instead of making it a crime it gives the victim a civil cause of action to sue for compensatory and punitive damages, injunctive relief and costs and attorney fees. It also gives the attorney general authority to sue for civil damages of up to \$500,000 for each unlawful access, download or use. The statute allows suit in any county where the victim resides and grants the court jurisdiction if the plaintiff or defendant resides in the state. Its effective date is August 1, 2026.

CHPT. 74

Minn. Stat. 609.522 concerning organized retail theft is amended to address theft of gift cards and it defines open loop and closed loop gift cards. The definition of value for gift cards is added to provide it is the greatest amount of economic loss the owner of the property might reasonably suffer including but not limited to the full monetary value or potential value for a variable load gift card. The statute is also amended to include as an additional way it can be committed to be when the person tampers with the stolen retail merchandise or its packaging for purpose of obtaining anything of value from the retailer or any retail merchant.

CHPT. 76

The criminal coercion statute in Minn. Stat. 609.27 is amended to increase the penalty in some cases. For a violation that is a threat to violate Minn. Stat. 617.261, which prohibits nonconsensual dissemination of private sexual images, the maximum penalty is 10 years, \$20,000 or both if the violation is a substantial factor in the victim experiencing great bodily harm and it is 15 years, \$30,000 or both if it is a substantial factor in the victim suffering death.

Chpt. 95, Article 9

Minn. Stat. 97B.001, subd. 4 concerning trespass on land adds an alternative to posting of signs. The owner, occupant or lessee of private land or authorized manager of public land may prohibit outdoor recreation on the land by applying purple paint to trees along the perimeter of the area to which the person wants to prohibit entrance. The paint must be at least 3 feet off the ground, applied to trees that are at least 1 inch wide and in a strip at least 8 inches tall. In addition signs must be posted once each year that mark the primary corners of the area to which the person wants to prohibit entrance.

Chpt. 97

This 50-page bill has 13 Articles and is labeled a public safety bill but has some articles not as directly related to criminal justice so they are omitted from this summary.

Article 1 makes some changes to victim rights. Minn. Stat. 611A.03 adds a provision that requires at a plea hearing that the court ask the prosecutor if the victim has been notified of the plea agreement recommendation and if the victim wishes to object orally, in writing or through the prosecutor.

For victim rights purposes Minn. Stat. 611A.036, subd. 7 is amended to add stalking in the definition of violent crime.

Minn. Stat. 611A.038 is amended to add a provision requiring at the sentencing or disposition hearing that the court ask the prosecutor if the victim has been notified of the hearing if the victim is in court and if the victim wishes to submit an impact statement.

In Article 3 Minn. Stat. 8.16 concerning the Attorney General subpoena power and Minn. Stat. 388.23 concerning that authority for county attorneys is amended to add a clause that the power exists to investigate financial crimes and fraud including fraud in state programs and insurance fraud.

Minn. Stat. 609.527 for identity theft is amended to add a definition of “forged digital likeness.”

The statute of limitations for crimes in Minn. Stat. 628.26 for certain fraud and theft crimes is increased to 7 years after commission of the crime.

Article 4 is entitled Corrections.

Minn. Stat. 241.021, subd. 4f, that was enacted in 2025 concerning prescription medication for jail inmates has been amended to facilitate jail medical providers changing prescriptions for incoming inmates that are not medically appropriate.

Article 5 is called Department of Corrections Licensing.

The article creates a licensing system for juvenile facilities and adult community based residential correctional facilities. The enabling legislation tracks much of the language for adult jails and requires the DOC to adopt rules to implement the statutes.

Article 6 is labeled Criminal Law.

The grounds for an aggravated sentence in Minn. Stat. 244.10 for Sentencing Guidelines add if an adult intentionally deceived a minor victim into believing the offender was also a minor to facilitate commission of the offense. A similar provision is created in Minn. Stat. 609.099.

The HRO provision in Minn. Stat. 609.748 adds a clause 5d to require that upon petitioner’s request a sheriff, law enforcement officer or designee must make reasonable efforts to notify the petitioner before or immediately after service that the respondent will be or has been served. Reasonable efforts include but are not limited to texting, calling or emailing the petitioner if the petitioner’s information is available.

Article 7 is titled Domestic Violence.

A new statute is enacted at Minn. Stat. 518B.04 to allow as part of a domestic violence order the court can order by a separate order a transfer or release from shared wireless communication plans.

The definition of domestic abuse case in Minn. Stat. 611A.0311 for victim rights purposes is expanded to include violation of a HRO by a household or family member, harassment or stalking under Minn. Stat. 609.749 by a household or family member or violation of a no contact order under Minn. Stat. 629.75.

Minn. Stat. 626.5537 is new legislation requiring law enforcement reporting of domestic abuse incidents. Domestic abuse for this statute includes the definition of domestic abuse in Minn. Stat. 518B.01, subd. 2(a) and if committed by a family or household member a violation of a HRO, harassment or stalking under Minn. Stat. 609.749 or a violation of Minn. Stat. 629.75, subd. 2. Family or household member means the definition in Minn. Stat. 518B.01, subd. 2(b).

The head of every local law enforcement agency or state agency that employs peace officers must report every incident the peace officer reasonably believes or a victim alleges is an act of domestic abuse to the Commissioner of Public Safety by January 15 of each year. The BCA must adopt a reporting form used for such purpose. The statute lists what must be included in each report. Based on these reports the commissioner must prepare an annual report.

Minn. Stat. 629.341 concerning arrest for domestic violence has been amended. The provision that allowed probable cause arrests for domestic violence for non-felony violations within 72 hours of the incident has been amended to allow such arrests within 14 days. A clause is added that if a peace officer has probable cause to believe a person has committed any act of harassment or stalking in violation of Minn. Stat. 609.749, domestic abuse as defined in Minn. Stat. 518B.01, subd. 2, violation of an OFP under Minn. Stat. 518B.01, subd. 14 or violation of a no contact order under Minn. Stat. 629.75 and the person was not arrested, the officer should seek a warrant from a judge for arrest without undue delay. A warrant issued under this provision is not subject to the limits of Minn. Stat. 629.31 (prohibiting nighttime arrests for misdemeanors unless night-capped).

The reporting requirements of Minn. Stat. 629.341, subd. 4 has also been modified and expanded.

The detention in lieu of arrest provisions of Minn. Stat. 629.72 concerning detention and judicial review has been amended to provide some guidelines for what a detaining agency or court should consider in determining if the offender is a threat to the alleged victim or another household member. The factors to consider include, but are not limited to, the person's history of domestic violence, any previous arrests or convictions for harassment or stalking any person, domestic abuse, violation of an OFP or HRO, any order for protection, HRO or domestic abuse no contact order, any pending petitions for such orders.

Article 9 is called Prediction Markets and creates a new statute in Minn. Stat. 609.7615. Subd. 1 has definitions that includes the definition of prediction market as a system that allows consumers to place a wager on the future outcome a specified event that is not determined or affected by the performance of the parties to the contract, including but not limited to, an athletic event or game of skill or portion thereof or individual performance therein, any game played with cards, dice, equipment or any mechanical or electronic device or machine, war, state or national emergencies, natural or human-made disasters, mass shootings, acts of terrorism or public health crisis or ancillaries thereof, any event or events happening to a natural person or group of people, a federal, state or local election or the action or conduct of the federal, state or local government and the government's agents, officers and employees,

legal actions, including but not limited to civil or criminal suit, grand jury action, jury trial, settlement, plea or conviction, the death, assassination or attempted killing of a person or group of people or mass casualty events, short-term weather conditions or events, events in popular culture, including but not limited to awards and the date a piece of entertainment will be released and whether a person will make a particular statement.

Subd. 2 makes it a felony to run a prediction market for consideration and as part of a business, which includes, create a prediction market, operate, manage or control a platform or system intending that consumers will use the platform or system to make wagers in a prediction market, intentionally facilitates operation of a prediction market by identifying or listing events knowing the events will be used by consumers to make wagers, accepting, holding or directing the disposition of money or other things of value for the purpose of allowing consumers to make wagers or settle wagers, determining, administration or enforcing the terms, pricing or settlement of wagers, regularly or continuously acting as a counterparty to wagers made by consumers entering into wagers, offering to enter into a wager or taking a temporary position in a wager that may be taken by another consumer or setting or adjusting the prices, odds or terms that apply to a wager, or providing data, information or verification services, including the provision of the outcome of events directly to a prediction market knowing that the data, information or verification services will be used to allow consumers to make or settle wagers or provides supportive services to a prediction market or consumer knowing that the services will be used to identify a consumer's location, transfer money or make or process payments for the purpose of allowing consumers to make or settle wagers.

Subd. 3 makes it a felony to advertise activities that would violation this provision.

Subd. 4 provides it is not a violation if the activities do not qualify as a bet under Minn. Stat. 609.75, subd. 3 or are contracts allowed under Minn. Stat. Chpt. 59A to 79A (insurance provisions).

At the time of this writing the federal government has filed suit to block enactment of this statute.

Article 9 is called criminal history and makes minor changes to the Ex-Offender Rehabilitation Act in Minn. Stat. Chpt 364.

Article 10 is called Protection for Judicial Officers and adds administrative hearing officer for the division of Unemployment and Paid Leave to the definition of judicial officer.

Article 11 deals with various grant extensions.

Article 12 is entitled First Responders and has a few different topics.

New Minn. Stat. 169.981 impacts the sale or transfer of law enforcement vehicles. Such vehicles may not be transferred or sold unless the agency first removes any equipment or insignia that could mislead a reasonable person to believe the vehicle is a law enforcement vehicle, including emergency lights, sirens, amber warning lights, grill lights, emblems or outlines of emblems. This provision does not apply to transfer to law enforcement agencies or as collector items not for general transportation purposes. Before consummating a sale or transfer the owner must provide a certificate of compliance on a form created by the commissioner of public safety to the buyer. A person who violates this section is liable

for any proximate damages caused by the use of the vehicle in a crime and a civil penalty of \$2,500. The funds will be placed in the crime victim account and suit can be brought by a city or county attorney for a violation.

Several changes are made to Minn. Stat. 299A.41 concerning line of duty death benefits.

An amendment is made to provide for the possibility of compensation for death due to 20 different types of cancer if the exposure occurred while the public safety officer was acting in the course of duties as a public safety officer, the officer began serving not less than 5 years before the diagnosis, the exposure was not more than 15 years after the officer's last date of service and the exposure causing cancer was the direct and proximate cause of the death.

Killed in the line of duty also includes death as the result of complications caused by exposure sustained in the line of duty to any of these infectious diseases if medical records identify the disease as a cause or contributing to the death: COVID-19, influenza, hepatitis B or C, tuberculosis, HIV/AIDS,, meningitis, MRSA, whooping cough or streptococcus pneumoniae.

These changes are retroactive to February 1, 2020.

A definition is created in new subd. 3c to cover "nonroutine stressful physical activity" for coverage. It means line of duty activity that is: not an action of a clerical, administrative or nonmanual nature, nor performed as a matter of routine, entails nonnegligible physical exertion and occurs when it poses or appears to pose significant dangers, threats or hazards or reasonably foreseeable risks thereof, not faced by similarly situated members of the public in the ordinary course and provokes or causes or occasions an unusually high level of alarm, fear or anxiety or with respect to a training exercise in which the public safety officer participates under circumstances that objectively and reasonably simulate in realistic fashion situations that pose significant dangers, threats or hazards and with respect to a situation in which a public safety officer is engaged in circumstances that objectively and reasonably provokes, causes or occasions an unusually high level of alarm, fear or anxiety.

Section 12 creates a task force for statewide network funding for public safety radio communications infrastructure. The statute dictates membership to include members of the legislature, 2 county commissioners appointed by AMC, 1 AMC appointee from greater Minnesota with ARMER experience, 1 metro person appointed by AMC with ARMER experience, 3 members from the telecommunications industry, 1 person from Minneapolis, 1 person from St. Cloud, one peace officer appointed by MSA, one peace officer appointed by the chiefs association, and representatives from several state agencies. The direction of the group is to make findings and recommendations to a statewide and state-funded ARMER network infrastructure and interoperability standards. The report is due no later than February 15, 2027.

Article 13 is labeled Human Rights and imposes a 30-day requirement on the commissioner to decide whether to set a case for hearing as a contested case on a discrimination claim.

Chpt. 98

Minn. Stat. 609.4751 is amended concerning the crime of impersonating a peace officer. Under subd. 1 whoever falsely impersonates a peace officer with intent to mislead another is guilty of a felony with the maximum being 2 years, \$4,000 or both. The crime is enhanced to a 5 year, \$10,000 fine or both if while being committed the person gains access to a building or government facility not open to the public, issues an order to another person, uses a vehicle, badge or other items with law enforcement markings or displays equipment commonly attached to law enforcement vehicles or a facsimile item that would lead a reasonable person to believe it is a law enforcement vehicle. A second conviction within 5 years or a violation while in possession of a firearm is a 10 year, \$20,000 or both as a maximum penalty.

Under new subd. 4 if a person commits another crime while engaging in this behavior that other crime is enhanced from a misdemeanor to a gross misdemeanor, a gross misdemeanor to a felony and if a felony the statutory maximum is increased by 5 years.

A new subd. 5 is added to require a law enforcement officer to identify the agency or other entity employing them, their last name and identification number if the person is a licensed peace officer, a recognized tribal officer, a peace officer from an adjoining state acting under Minn. Stat. 629.77 or an officer from another state acting under mutual aid. This requirement is satisfied if the officer wears a uniform that clearly identified the agency and displays any combination of badge, nameplate or identification patch that has the information. If the officer wears body armor or a protective suit for purposes of crowd control or part of a special weapons and tactics team and displays a combination of such information this requirement is met. It can be met if upon request the officer provides the information or a card that has the information. Nothing in this requires an undercover peace officer to reveal their identity unless they are detaining or arresting a person or executing a warrant. Failure to comply does not make an arrest unlawful or provide grounds to suppress evidence.

Chpt. 108

This chapter creates a new statute in Minn. Stat. 609.352 to create the felony crime of grooming children by a person 18 or older. The crime is committed if the person expresses to a child the desire or intent to engage in sexual conduct with that child and engages in a deliberate pattern of conduct to methodically develop a false trusting relationship with the child that is intended to strategically manipulate the child to engage in sexual conduct with the person at a future time regardless of whether the sexual conduct occurs. The crime is enhanced if the offender is in a position of authority or is employed or contracted by a school and the victim is a student at the school.

ADMINISTRATIVE MATTERS

CHPT. 48

This chapter is the omnibus bill changing liquor laws. The most publicized provision is an amendment to Minn. Stat. 340A.4015 that allows nursing homes and similar licensed facilities to serve alcohol without a license under the conditions established in statute.

CHPT. 51

Minn. Stat. 580.07 that allows a mortgagor or owner to postpone a foreclosure sale for 5 months is expanded to include situations when the mortgagor or owner is deceased and the personal representative or heirs delay the foreclosure. The affidavit form used to do that is also updated.

CHPT. 59

This chapter amends Minn. Stat. 241.026 concerning correctional officer discipline and makes one smaller amendment to Minn. Stat. 626.89, subd. 1 concerning taking statements under the Peace Officer Discipline Procedures Act.

For corrections officers it amends the statutes to make them much closer to those for peace officers. The definition of administrative hearing is added and the definition of formal statement is changed as is the process for taking one that may be used in discipline proceedings. For corrections officers a formal statement may not be taken unless there is a written, signed complaint against the officer and the officer has been given a summary of it before the statement. An agency staff can sign the complaint. Before an administrative hearing has begun the officer must be given a copy of the signed complaint.

For any disciplinary hearing the parties must exchange a witness list that includes the substance of the testimony subject and written statements in possession of the other party. The officer is entitled to a copy of the investigative report, which may be redacted to protect the identity of confidential informants unless otherwise ordered by the officer presiding over the hearing.

When a statement is taken it must be during the officer's normal shift when practical and otherwise the time is compensable. Reasonable breaks must be made and the interview of reasonable duration. A complete record in the form of an electronic recording must be made and provided to the officer without charge and both parties may record it. The officer may be represented by a union representative or attorney hired by the officer or both and that presence may be requested at any time.

A violation of this statute can be the basis for civil suit for damages and attorney fees and tort immunities are waived except for the damage cap.

For peace officers the definition of formal statute is modified and the law narrowed to provide the officer must be given a copy of the statement given by electronic means which eliminates the option of a stenographic, written or otherwise recorded statement.

CHPT. 65

Minn. Stat. 53B.751 goes into effect August 1, 2026, and bans virtual currency kiosks. Existing kiosks must be removed by December 31, 2026, and operators must pay out before December 31, 2026, a customer who wants to cash out and payment must be either in United States dollars or a virtual currency wallet designated by the customer.

CHPT. 67

This chapter makes several changes to the Safe at Home Program under Minn. Stat. Chpt. 5B. Applicants for the program can now include emancipated minors and a guardian acting on behalf of an eligible minor who submits a court order establishing the authority to act on behalf of the minor.

A new provision is added to Minn. Stat. 5B.11 for when a person seeks access to protected address data that requires the court to make certain findings and to serve the order on the Secretary of State who is given standing to seek reconsideration. A disclosure order must not be effective until at least 30 days after the secretary of state has been served but these requirements can be waived if they violate the constitutional rights of a defendant to a speedy trial.

A new 5B.14 is added to prohibit discrimination based on participation in Safe at Home that grants the affected participant the ability to sue for injunctive relief.

Before August 1, 2026, each state agency of the executive branch must designate a safe at home coordinator to facilitate compliance with the statutes and if one is not designated it is the agency head.

CHPT. 68

This chapter enacts a new statute at Minn. Stat. 65A.304 effective January 1, 2027, and applies to homeowner insurance policies issued or renewed after that date. It requires policies to cover damages caused by peace officers by the use of chemicals, smoke or diversionary devices. If a local government unit is required to pay remediation costs the payment can be made to an insurance company that has paid the costs.

CHPT. 69

A new statute at Minn. Stat. 626.745 imposes disclosure obligations on peace officers, law enforcement agencies and local units of government when a chemical irritant, smoke screen or diversionary device is used in a building. Without regard to data practices a peace officer, law enforcement agency or local government unit must provide this information. If multiple agencies are involved the responsibility is on the lead agency. Notice of deployment must be provided to the owner and if a private residence to the occupants. If the building has two or more units the occupants of units in which the chemical agent was deployed must be notified and other occupants may be notified. The notification will be on a standardized form created by the Commissioner of Public Safety and left where it is likely to be seen.

Upon request of the owner, occupants, insurers or mitigation staff the statute lists what must be disclosed. The statute also lists the minimum elements the Commissioner must include on the standardized form.

CHPT. 70

This chapter makes changes in several different statutes concerning BCA and local law enforcement interactions.

Minn. Stat. 299C.05 concerning crime data reporting adds a sentence that the reporting will be done on a form provided by the BCA. This change also results in repeal of Minn. Stat. 299C.12, which essentially required the same thing.

Minn. Stat. 299C.05 concerning undercover buy funds and witness protection changes the term used from “grant” to “reimbursement.”

Minn. Stat. 299C.46 and Minn. Stat. 609.2334 are amended concerning mandated notification from courts to local law enforcement for orders for protection to include orders against financial exploitation.

A change is made to Clean Slate Expungement of Minn. Stat. 609A.015 to add a section subd. 5(f) and cause the existing clauses to be given a new number so old (f) now become (g) and so on. The new clause states if BCA subsequently determines that a sealed record did not qualify for expungement the BCA shall unseal the record and notify the judicial branch. Upon notification the judicial branch shall unseal its records. The BCA shall make this determination based only on the records stored on the BCA criminal history system.

CHPT. 71

This chapter includes a couple of changes on interest to criminal justice.

A new statute at Minn. Stat. 484.085 is enacted concerning requirements of published notices. Notwithstanding any statute that requires published notice in a qualified newspaper the district court may publish notice, summons, order or process required by statute, rule or court order by posting the same on the official website of the Minnesota Judicial Branch if the judicial branch determines that there is no qualified newspaper that is likely to give notice in the affected area or to whom the notice is directed. The use of this system is optional and is limited to matters that must be subject to district court notice. It does not apply to any other person or political subdivision required to post notice.

The victim’s rights statute in Minn. Stat. 611A.04, subd. 3 concerning the docketing of a restitution order as a civil judgment is amended to state notwithstanding Minn. Stat. 541.04 or any other law an order of restitution docketed as a civil judgment does not expire until it is satisfied or otherwise discharged pursuant to court order.

CHPT. 73

The chapter amends several provisions concerning telecommunications and of interest to law enforcement is an amendment to Minn. Stat. 237.069 that requires these companies insure that their technology and equipment are capable of enabling authorized law enforcement agencies to conduct lawful interception and access call identifying information consistent with federal statutes.

CHPT. 75

This chapter addresses a number of statutes concerning procedures involving domestic violence and firearms. Included in the changes are an attempt to move and consolidate provisions in various statutes

to try to create a more standard and uniform process when people are prohibited from firearms possession because of domestic violence.

Minn. Stat. 260C.141, subd. 1 concerning the requirements of a juvenile domestic order for protection adds a clause that the petition should include a description to the best of petitioner's knowledge of the types and locations of any firearms possessed by the abusing party if the child lives with that party but failure to include this information is not grounds to dismiss the petition. A similar change is made in Minn. Stat. 518B.01, subd. 4.

The criminal penalty provisions of Minn. Stat. 518B.01, subd. 14 that provided upon conviction the person was banned from possession of pistols for three years is now extended to all firearms.

A new statute is enacted at Minn. Stat. 518B.03 concerning transfer of firearms from certain prohibited persons. In the definition section local law enforcement agency is defined as the full-time city police department or the sheriff's office if there is no such department. Transfer orders apply the statute to respondents and orders issued under Minn. Stats. 260C.201, 518B.01, 609.2242, 609.749 and 629.715. Orders issued under those statutes must comply with subd. 2.

When a court issues a transfer order it must order the subject to transfer any firearms the subject owns and possesses as soon as reasonably practicable to a federally licensed firearms dealer, local law enforcement or a third party who may lawfully receive them. The court shall impose a deadline to comply that considers the subject's custody status and location of the firearms. Transfers may be permanent or temporary but a transfer required because of a lifetime ban must be permanent. A temporary transfer does not transfer title or ownership. If the subject elects to transfer to local law enforcement the agency must take them and transfer to a third party who lives with the subject is not allowed.

Transfer to a third party must take place at the local law enforcement agency and either supervised by a peace officer or conducted in a safe zone supervised by the agency with video surveillance. The subject must provide at least 24 hours' notice to the local law enforcement agency of the third-party transfer and document the time and date on the required proof of transfer. If supervised by a peace officer the officer must sign the proof of transfer and attest it took place.

A FFL or local agency may charge a reasonable fee to store the firearms. A person who does not pay the fee within 60 days of transfer is considered to have abandoned the firearms. Agencies must establish a policy for disposal of abandoned firearms and the policy must include that the subject be notified by certified mail prior to disposal of the firearms. A FFL has the same requirement. A law enforcement agency must destroy all abandoned and permanently transferred firearms. An agency or FFL must exercise due care to preserve the quality and upon request after expiration of the order for temporary transfer must return the firearms to the subject if the subject is not otherwise prohibited from firearms possession. The transfer must comply with state and federal law. A third party may not return firearms until the subject is eligible to possess firearms and complies with Minn. Stat. 624.7134.

An agency is immune from civil or criminal liability for any damage or deterioration of firearms, ammunition or weapons stored or transported pursuant to this section unless it was the result of recklessness, gross misconduct or intentional misconduct by the agency.

Subd. 3 concerns proof of transfer. The subject must file proof of transfer or a declaration of nonpossession. An agency, FFL or third party who accepts transfer must give the subject proof of transfer that specifies if the transfer is temporary or permanent. It must include name, date of transfer, make, model and serial number of all transferred firearms. If an FFL the subject must within 2 business days file a copy of proof of transfer with the court and attest all firearms have been transferred and the subject has none in possession.

If transfer is made to a third party that party must sign an affidavit under oath before a notary either acknowledging the permanent transfer or agreeing to temporarily store them until the subject can lawfully possess firearms. The affidavit must to the extent possible specify the make, model and serial numbers and be filed with the court.

If the subject claims not to own or possess firearms they must file such a declaration with the court.

Upon written notice from the subject an agency that temporarily possesses firearms must transfer them to a FFL or third party who is eligible to possess and does not live with the subject. Before the transfer the agency must require the third party or FFL to submit an affidavit and proof of transfer meeting the requirements of this subdivision. The agency must file the documents with the court within 2 business days. Except for this provision the filing requirements are on the subject.

The court must make the documents confidential.

Nothing in this section prevents the filing of an extreme risk protection order.

Subd. 4 concerns compliance hearings, sanctions, and protections. To insure the statute is complied with in any criminal prosecution except a prosecution for perjury, giving a false statement or otherwise failing to comply with the transfer order the submissions may not be used against the subject except for failure to comply with the order.

If the court finds there is probable cause the subject has not complied or fails to appear at a compliance hearing, the court must take appropriate action under the circumstances, including but not limited to issuing a warrant and notifying the local law enforcement agency. The court may also initiate contempt proceedings under Minn. Stat. 588.01, subd. 3 to impose sanctions and issue an order requiring the subject to appear or be subject to additional sanctions for failure to appear or failure to comply with the order.

The act of voluntarily surrendering firearms, providing testimony relating to the surrender of firearms or complying with a transfer order and any information directly or indirectly derived from such act or testimony may not be used against the subject in a criminal prosecution except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the transfer order. Every transfer order must have language consistent with this subdivision.

If the subject invokes the 5th amendment at the time of issuance of the order to demonstrate that compliance with a transfer order would expose the person to a realistic threat of self-incrimination in a subsequent or pending criminal proceeding, the court can conduct this part of the proceedings ex parte or receive evidence in camera without presence of the prosecuting attorney. If the subject establishes a realistic threat regarding criminal prosecution that is not addressed by the immunity in the statute the court must give the relevant prosecutor an opportunity to offer an immunity agreement tailored specifically to the firearms implicated by the potential self-incrimination. The immunity must be narrowly tailored to address any realistic threat of self-incrimination while ensuring that any other firearms that are implicated are surrendered. Any immunity beyond that in the statute may only be extended by the prosecuting attorney. If the prosecutor declines to offer immunity so the subject cannot fully comply with the transfer order without facing a realistic threat of self-incrimination the court's order must provide for the surrender of every firearm and firearm permit that does not implicate a realistic threat of self-incrimination. The surrender order remains in effect. Nothing diminishes the requirement to fully comply with the order and the burden remains on the subject to prove compliance.

Minn. Stat. 629.715, subd. 2 concerning conditions of release is amended concerning surrender of firearms to add that if a person is ordered to surrender firearms they must also surrender any carry or transfer permits to the court. If the court does not take immediate possession the person must surrender it to the agency that issued it. If the person surrenders their permits they must also declare that in the proof of transfer or nonpossession under Minn. Stat. 518B.03, subd. 3.

Chpt. 83

Changes are made in the statutes concerning licensing of private detectives and protective agents to expand license checks for applicants to enable national FBI checks and include additional officers of corporate license applicants.

Chpt. 86

New statute Minn. Stat. 45A.08 is added to allow financial institutions to report suspected fraud targeting customers to federal, state or local law enforcement. The statute also creates an option for financial institutions to create a trusted contact program where customers can designate a representative to receive reports of suspected fraud and take other measures that institutions can offer to combat fraud.

Chpt. 92

This chapter contains 2 Articles and creates the Office of Inspector General and establishes its authority with most changes in new statutes in Minn. Stat. Chpt. 15E. Most provisions go into effect January 1, 2027.

Under Minn. Stat. 15E.10 the Inspector General is an independent agency that reports directly to the governor. Minn. Stat. 15E.15 contains definitions and Minn. Stat. 15E.20 establishes the minimum qualifications for the office, provides for appointment and removal only for just cause and a 5-year term to which the person can be re-appointed.

Minn. Stat. 15E.25 establishes powers and responsibilities. The Office is authorized to establish standards concerning operation, investigations and fraud prevention processes, facilitate information sharing between agencies to address suspected fraud, evaluate programs, conduct investigations, refer for criminal, civil or administrative action and other listed powers. The office may investigate suspected fraud involving all state programs.

Minn. Stat. 15E.27 states that starting January 1, 2028, the office may appoint licensed peace officers and become a law enforcement agency. It must develop policies to coordinate investigations with other law enforcement agencies. If they arrest people they must notify the law enforcement agency with jurisdiction over where the arrest took place and deliver to jail unless other arrangements are made with the law enforcement agency. A policy must be created to advise local law enforcement when an investigation is initiated in the jurisdiction of that agency. The office may enter into agreements with state and local law enforcement agencies to assign peace officers to the office and those assigned remain employees of the sending agency. The peace officer unit is subject to Minn. Stat. Chpt. 13.

In Minn. Stat. 15E.30 the office has subpoena authority and authority to take statements under oath and a false statement under oath is a gross misdemeanor.

In Minn. Stat. 15E.35 every state agency and not for profit that receives state funds must have a fraud reporting tool that is prominently displayed on its web site.

Minn. Stat. 15E.40 creates special data practices provisions for the office and provides it is subject to Minn. Stat. Chpt. 13. The office is granted access to all government data without regard to its classification and a government agency must release all data in response to a subpoena issued under this chapter. Data classified as not public may be released by the office to a government entity that is not law enforcement or a prosecutor if it aids in a pending investigation or administrative action, to a law enforcement agency or prosecutor if it believes it is evidence of a crime within the agency's jurisdiction or to the commissioner of DHS. Notwithstanding any other provision of statute data relating to civil investigations that are active is classified as confidential or protected non-public. The inspector general will decide whether a case is active. The statute details when and how such data can be released. This provision does not apply to criminal investigations conducted by the criminal unit.

Minn. Sta. 15E.60 creates a legislative inspector general advisory commission of 8 members with 4 from the house, 4 from the senate and the majority and minority leaders making the appointments.

Sections 17 to 19 of the chapter phase in the office require appointment of the inspector general by February 1, 2027, and the office being fully operational by September 1, 2027 and requires entry of various state interagency agreements.

Article 2 of the chapter amends or repeals other provisions in statutes to reflect Article 1.

Minn. Stat. 13.82, subd. 1 defining law enforcement agencies is amended to include the peace officer unit of the inspector general.

The definition of peace officer in Minn. Stat. 626.84, subd. (c)(1) is amended to include that unit.

Chpt. 99

Minn. Stat. 363A.02, subd. 1 adds a clause to make explicit that it is a Human Rights Act violation to fail to engage in the interactive process required for reasonable accommodation for people with disabilities in employment, public services or accommodations or other activities covered by the act.

Chpt. 101

This chapter makes several changes in campaign finance and reporting laws. The primary impact is to remove state and local candidate residential street address from public records of the agency or local reports. The provisions also apply to statement of economic interest filed by listed government officers and officials who are appointed to positions.

Chpt. 111

This chapter creates a new statute at Minn. Stat. 325M.40 called Stop Harms from Addictive Social Media. The statutes seek to impose age limits on social media provider clients by imposing obligations for age verification through a process dictated in the statute. The statute is scheduled to become effective in 2027.

Chpt. 118

This public safety related chapter has 6 articles.

Article 1 is an appropriation for court security, legislature security and capitol security.

Article 2 is called capitol security policy. It creates a new Minn. Stat. 299A.96 and defines elected official to be a state executive officer, member of the legislature, Minnesota Supreme Court Justice or member of the federal congressional delegation. An elected official as defined in that clause must submit and verify annually by January 31 to the Commissioner of Public Safety on a form created by DPS their primary address, secondary address in the state, work and home telephone number, email and list and contact information of immediate family members. If changed notice must be made within 30 days. A person may opt out by providing notice to DPS. The data is classified as private data and may be accessed only by authorized personnel for public safety purposes.

Minn. Stat. 299E.005 is amended to create a section staffed by the state patrol for capitol security. Members of the unit are mandated to have additional training. Capitol security is the lead agency responsible for investigating alleged crimes that occur on state owned buildings or lease to own buildings or on grounds surrounding those buildings within the capitol area. Another agency may assume such responsibility if the transfer is agreed to in writing.

New Minn. Stat. 299E.10 creates a legislative services unit within capitol security under direction of a licensed member of the state patrol. The duties of the unit are established in the statute.

Section 11 creates a security services task force to advise on security for legislators. Members include a representative of the MSA and MCPA.

Article 3 is a public safety additional appropriation that increases funding for peace officer training.

Article 4 is public safety policy and has several assorted provisions. It duplicates an earlier amendment expanding the investigative subpoena authority of the attorney general. It also creates a task force on domestic violence crimes to make recommendations to the legislature. The task force will be made up of people including prosecution authorities and largely from advocacy groups with very little law enforcement representation. The article also creates a grant program for clearance of non-fatal shootings.

Article 5 is called general crimes provision. It amends Minn. Stat. 609.2231, subd. 2 to make it a gross misdemeanor to assault a hospital security guard.

Minn. Stat. 609.52, subd. 3a enhances those theft provisions if the victim is a vulnerable adult and a misdemeanor becomes a gross misdemeanor and a gross misdemeanor becomes a felony and the statutory maximum for a felony is increased by 25%.

The venue provisions of Minn. Stat. 617.246 and 617.247 for sexual performance or creation of sexual abuse material of a child are expanded to allow prosecutions where the crime occurred, the victim or suspect live or if that cannot be determined where the material is produced, reproduced, found, stored, received promoted, disseminated or possessed.

A new statute is created in Minn. Stat. 617.275 for child sexual abuse material and on-scene digital evidence preview. When a court issues a search warrant authorizing the search and seizure of an electronic device or digital media for evidence of child sexual abuse material the warrant also authorizes the officers and forensic personnel to conduct an on-scene forensic preview of the device or media at the location of execution. The preview is limited to an examination reasonably necessary to identify, confirm and document the absence or presence of child sexual abuse material. Any additional analysis beyond the preview must be conducted in a digital forensic laboratory or other controlled environment pursuant to a separate court-issued search warrant specific to that device or media. The on-scene preview must be conducted using forensic methods designed to preserve the integrity of the evidence. If the review does not reveal the presence of relevant evidence the device shall be returned as soon as practical consistent with Minn. Stat. 626.04. A separate warrant is not required for the limited on-scene provided that the underlying warrant expressly authorizes the search for child sexual abuse material.

Article 6 makes an additional amendment to the newly enacted statute outlawing prediction markets. As of this writing that new statute is the subject of litigation brought by the federal government to block its enforcement.

Chpt. 123

This chapter makes multiple changes in the statutes regulating the legal cannabis business. Among the changes are amendments to Minn. Stat. 342.22 concerning local government compliance checks.

TRAFFIC & VEHICLES

Chpt. 41

Minn. Stat. 169.144 concerning stopping for school buses is amended to require vehicles to stop when warning flashers are displayed even if the stop arm is not yet extended. This change went into effect March 26, 2026.

CHPT. 77

Minn. Stat. 165.16 is new statute that requires the Commissioners of Transportation and Health to work together to identify Minnesota bridges with a history of suicides and the develop suicide reduction best practices to include railings when appropriate and feasible.

CHPT. 78

Under a new clause in Minn. Stat. 168B.16 a tow truck or towing vehicle may display a portable variable message sign mounted on the truck while performing emergency services on or near a traveled portion of a highway. The sign must conform to the Uniform Traffic Control Devices Manual.

Chpt. 85

Amendments are made to the school bus statutes in Minn. Stat. Chpt. 169 to apply to operations by school bus trainers and to effective 1/1/2030 impose first aid kit requirements.

CHPT. 89

The window tinting authorizations in Minn. Stat. 169.71 under a prescription by a doctor is expanded to allow optometrists to also issue prescriptions for tinted car windows.