

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3699

(SENATE AUTHORS: LATZ, Hawj, Champion and Oumou Verbeten)

DATE	D-PG	OFFICIAL STATUS
02/19/2026	6340	Introduction and first reading Referred to Judiciary and Public Safety
02/23/2026	6379	Author added Hawj
02/26/2026	6420	Author added Champion
03/02/2026	6462	Author added Oumou Verbeten
03/25/2026		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to immigration enforcement; restricting law enforcement access to sensitive

1.3 locations; establishing civil remedies; modifying the concealing identity crime;

1.4 expanding the scope of use of force investigations; limiting access to certain

1.5 information; amending Minnesota Statutes 2024, sections 13.319, by adding a

1.6 subdivision; 13.32, subdivision 3; 123B.51, by adding a subdivision; 299C.80,

1.7 subdivision 1; 609.662, by adding a subdivision; 609.735; 629.30, subdivision 2;

1.8 Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5; proposing

1.9 coding for new law in Minnesota Statutes, chapters 120A; 135A; 142B; 144; 604;

1.10 proposing coding for new law as Minnesota Statutes, chapter 480C.

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

1.12 **ARTICLE 1**

1.13 **COURT ACCESS**

1.14 Section 1. **[480C.01] DEFINITIONS.**

1.15 Subdivision 1. **Definitions.** For purposes of sections 480C.01 to 480C.04, the following

1.16 terms have the meanings given.

1.17 Subd. 2. **Civil arrest.** "Civil arrest" means taking a person into custody for an alleged

1.18 civil immigration violation or conducting a brief stop to serve an individual with a Form

1.19 I-862, notice to appear, or other similar document that initiates a removal proceeding. Civil

1.20 arrest does not include an arrest:

1.21 (1) for an alleged criminal violation of any federal, state, or local law;

1.22 (2) for a violation of a condition of probation, parole, pretrial release, conditional release,

1.23 or supervised release for which arrest is otherwise authorized by law; or

1.24 (3) supported by a judicial warrant or judicial order authorizing the arrest.

2.1 Subd. 3. **Court companion.** "Court companion" means:

2.2 (1) a spouse, domestic partner, or person who has a romantic relationship with a party,
2.3 witness, or potential witness;

2.4 (2) a biological parent, foster parent, adoptive parent, or stepparent of a party, witness,
2.5 or potential witness;

2.6 (3) minor children or other persons under the care of a party, witness, or potential witness;

2.7 (4) an interpreter or translator assisting a party, witness, or potential witness;

2.8 (5) a person assisting a party, witness, or potential witness with reading or completing
2.9 court forms or documents;

2.10 (6) a person providing health care or assistance to a party, witness, or potential witness
2.11 to allow that individual to participate in the court proceeding;

2.12 (7) a case manager, social worker, domestic violence advocate, or sexual assault advocate
2.13 for a party, witness, or potential witness; or

2.14 (8) a person transporting a party, witness, or potential witness to or from a court
2.15 proceeding.

2.16 Subd. 4. **Court proceeding.** "Court proceeding" means a matter pending under the
2.17 jurisdiction or supervision of a state or administrative court, including but not limited to:

2.18 (1) civil proceedings;

2.19 (2) criminal proceedings; and

2.20 (3) administrative proceedings before the Court of Administrative Hearings, the Workers'
2.21 Compensation Court of Appeals, or Tax Court.

2.22 Subd. 5. **Judicial warrant.** "Judicial warrant" or "judicial order authorizing the arrest"
2.23 means a written order from a state court or federal Article III court that directs a law
2.24 enforcement agency or another person specifically named in the order to arrest a person.

2.25 Subd. 6. **Law enforcement agency.** "Law enforcement agency" means any local, state,
2.26 or federal entity with statutory police powers and the ability to employ individuals authorized
2.27 to make arrests.

2.28 Sec. 2. **[480C.02] CIVIL ARREST PROHIBITED; CERTAIN LOCATIONS.**

2.29 Subdivision 1. **Privilege from civil arrest.** A person attending a court proceeding in
2.30 which the person is a party, witness, potential witness, or court companion is privileged

3.1 from civil arrest while going to, remaining at, and returning from the court proceeding,
3.2 including:

3.3 (1) at the location of the court proceedings, including a location where the party, witness,
3.4 potential witness, or court companion accesses a court proceeding held remotely;

3.5 (2) within the courthouse building;

3.6 (3) on the premises of the courthouse, including parking facilities serving the courthouse;

3.7 (4) on any sidewalk, parkway, or street surrounding the courthouse and its premises;

3.8 and

3.9 (5) on any public way within 1,000 feet of the courthouse, including a sidewalk, parkway,
3.10 or street.

3.11 Subd. 2. **Construction.** (a) Nothing in this section shall be construed to narrow, or in
3.12 any way lessen, any common law or other right or privilege of a person privileged from
3.13 arrest under this section or otherwise.

3.14 (b) The protections in this section apply regardless of whether a judicial order is issued
3.15 under subdivision 4 or a court otherwise implements this section by a rule or order.

3.16 Subd. 3. **Criminal law violations.** Nothing in this section precludes the execution of a
3.17 criminal arrest warrant issued by a judge or a criminal arrest based on probable cause for a
3.18 violation of criminal law.

3.19 Subd. 4. **Court order.** In order to maintain access to the court and open judicial
3.20 proceedings for all persons in their individual capacity and to prevent interference with the
3.21 needs of judicial administration, a court may issue appropriate judicial orders to protect the
3.22 privilege from arrest under this section.

3.23 Sec. 3. **[480C.03] CIVIL ACTION; REMEDIES.**

3.24 (a) A person who violates section 480C.02 is liable for civil damages for false
3.25 imprisonment, including actual damages and statutory damages of \$10,000, if that person
3.26 knew or reasonably should have known that the person arrested was a party, witness, potential
3.27 witness, or court companion going to, remaining at, or returning from the court proceeding
3.28 at the time of the arrest.

3.29 (b) A court may grant any other equitable or declaratory relief it deems appropriate and
3.30 just.

3.31 (c) A court may award to a prevailing plaintiff costs and reasonable attorney fees.

4.1 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to causes
 4.2 of action accruing on or after that date.

4.3 Sec. 4. **[480C.04] LIABILITY LIMITATIONS; DEFENSES.**

4.4 (a) Nothing in sections 480C.01 to 480C.03 permits an action against the judicial branch
 4.5 or judicial branch personnel acting lawfully under their duty to maintain safety and order
 4.6 in the courts.

4.7 (b) Nothing in sections 480C.01 to 480C.03 affects any right or defense, including any
 4.8 existing qualified immunity defense, of any person, police officer, peace officer or public
 4.9 officer, or any Minnesota court system personnel acting lawfully.

4.10 Sec. 5. Minnesota Statutes 2024, section 629.30, subdivision 2, is amended to read:

4.11 Subd. 2. **Who may arrest.** An arrest may be made:

4.12 (1) by a peace officer under a warrant;

4.13 (2) by a peace officer without a warrant;

4.14 (3) by an officer in the United States Customs and Border Protection or the United States
 4.15 Citizenship and Immigration Services without a warrant, except as prohibited under section
 4.16 480C.02; or

4.17 (4) by a private person.

4.18 A private person shall aid a peace officer in executing a warrant when requested to do
 4.19 so by the officer.

4.20 **ARTICLE 2**

4.21 **HEALTH CARE FACILITIES**

4.22 Section 1. **[144.6575] DEFINITIONS.**

4.23 Subdivision 1. **Definitions.** For purposes of sections 144.6575 to 144.6578, the following
 4.24 terms have the meanings given.

4.25 Subd. 2. **Commissioner.** "Commissioner" means the commissioner of health.

4.26 Subd. 3. **Health care facility.** "Health care facility" means:

4.27 (1) a hospital licensed under sections 144.50 to 144.56;

4.28 (2) a medical facility as defined in section 144.561;

5.1 (3) a physician's office or health care clinic where licensed practitioners provide health
 5.2 care to patients;

5.3 (4) a nonprofit community clinic, including a federally qualified health center, a rural
 5.4 health clinic, public health clinic, or other community clinic that provides health care;

5.5 (5) a nursing home as defined in section 144A.01, subdivision 5; or

5.6 (6) an assisted living facility as defined in section 144G.08, subdivision 7.

5.7 Subd. 4. **Law enforcement agency.** "Law enforcement agency" means any local, state,
 5.8 or federal entity with statutory police powers and the ability to employ individuals authorized
 5.9 to make arrests.

5.10 Subd. 5. **Judicial warrant.** "Judicial warrant" or "judicial order authorizing the arrest"
 5.11 means a written order from a state court or federal Article III court that directs a law
 5.12 enforcement agency or another person who is specifically named in the order to arrest a
 5.13 person.

5.14 Subd. 6. **Law enforcement agent.** "Law enforcement agent" means a person employed
 5.15 by a law enforcement agency who is authorized to make a civil arrest.

5.16 Subd. 7. **Patient.** "Patient" means a person who receives health care services at a health
 5.17 care facility.

5.18 Subd. 8. **Resident.** "Resident" means a person admitted to a nursing home or assisted
 5.19 living facility.

5.20 Sec. 2. **[144.6576] LIMITS ON ACCESS TO PREMISES BY LAW ENFORCEMENT**
 5.21 **AGENTS ENGAGED IN CIVIL IMMIGRATION ENFORCEMENT.**

5.22 Subdivision 1. **Limits on access to health care facility premises.** A health care facility
 5.23 must not consent to a law enforcement agent entering a health care facility site for purposes
 5.24 of civil immigration enforcement unless the law enforcement agent provides the health care
 5.25 facility employee with a valid judicial warrant. The health care facility employee must
 5.26 request that the law enforcement agent provide valid identification and must grant entry
 5.27 only to the areas identified in the judicial warrant.

5.28 Subd. 2. **Notification required.** A health care facility employee granting entry to a law
 5.29 enforcement agent engaged in civil immigration enforcement must immediately notify the
 5.30 person with administrative control of the health care facility and the health care facility's
 5.31 general counsel or other designated legal representative.

6.1 Subd. 3. **Scope of duty.** A health care facility or employee is obligated only to request
6.2 the items described in subdivision 1. The facility or employee is not required to take any
6.3 additional actions under subdivision 1. The requirements of subdivision 1 do not apply
6.4 under exigent or emergency circumstances.

6.5 Sec. 3. **[144.6577] HEALTH CARE FACILITIES; POLICIES REGARDING CIVIL**
6.6 **IMMIGRATION ENFORCEMENT ON PREMISES.**

6.7 Subdivision 1. **Policies regarding law enforcement agent present at health care**
6.8 **facility.** By December 31, 2026, a health care facility must develop and implement a policy
6.9 regarding interactions between health care facility employees and law enforcement agents
6.10 present at the health care facility and involved in civil immigration activities. Each policy
6.11 must be consistent with the requirements of section 144.6576, subdivision 1, and include:

6.12 (1) the name and contact information of a person or persons designated to be notified
6.13 of the presence of a law enforcement agent at the health care facility. The designated contact
6.14 person or persons must be legal counsel of the health care facility or other persons within
6.15 the management or administration of the health care facility;

6.16 (2) procedures to verify the identity and authority of any law enforcement agent present
6.17 at the health care facility, including but not limited to requesting and documenting the first
6.18 and last name of the law enforcement agent, the name of the law enforcement agency, and
6.19 the badge number of any law enforcement agent present with a patient or resident or
6.20 requesting information about a patient or resident; and

6.21 (3) procedures regarding a law enforcement agent's access to the health care facility
6.22 premises. A law enforcement agent must not access nonpublic areas of a health care facility
6.23 as defined in the policy unless the law enforcement agent provides to a health care facility
6.24 employee a valid judicial warrant or is requested by health care facility staff to respond to
6.25 a safety or security issue within the health care facility.

6.26 Subd. 2. **Policies regarding release of information to law enforcement agent.** By
6.27 December 31, 2026, a health care facility must develop and implement a policy regarding
6.28 releasing patient or resident information to a law enforcement agent present at the health
6.29 care facility. Each policy must include:

6.30 (1) procedures to ensure that any protected health information requested by a law
6.31 enforcement agent is released in accordance with all applicable state and federal laws,
6.32 including the Minnesota Health Records Act contained in sections 144.291 to 144.298 and
6.33 the Health Insurance Portability and Accountability Act (HIPAA), if applicable; and

7.1 (2) procedures that provide that, unless required by state or federal law, a health care
 7.2 facility employee may only release patient or resident information to a law enforcement
 7.3 agent engaging in civil immigration enforcement if the law enforcement agent provides:

7.4 (i) a valid subpoena issued by a federal judge or magistrate;

7.5 (ii) a valid order issued by a federal judge or magistrate to require access to the health
 7.6 care facility premises; or

7.7 (iii) a valid warrant issued by a federal judge or magistrate.

7.8 Subd. 3. **Policies protecting patient and resident information.** By December 31, 2026,
 7.9 a health care facility must develop procedures to ensure that patients and residents are
 7.10 provided with the following documents:

7.11 (1) if the health care facility is subject to the Minnesota Health Records Act contained
 7.12 in sections 144.291 to 144.298 or HIPAA, a notice of privacy practices for protected health
 7.13 information, including information about the patient's or resident's right to request an
 7.14 amendment to any protected health information or record about the patient or resident
 7.15 maintained in a designated record set, which may include a request that any of the following
 7.16 information be deleted, redacted, or amended: place of birth; immigration or citizenship
 7.17 status; or information from a birth certificate, passport, permanent resident card, alien
 7.18 registration card, or employment authorization documents; and

7.19 (2) a form enabling a patient or resident to authorize the health care facility to disclose
 7.20 the patient's or resident's health status, including admission and discharge information, to
 7.21 the parents, guardians, relatives, or other designees of the patient or resident.

7.22 Subd. 4. **Health care facility employee training.** A health care facility must provide
 7.23 health care facility employees, security personnel, and designated contact persons with
 7.24 training annually on the policies in subdivisions 1 and 2.

7.25 Subd. 5. **Policy provided to commissioner.** A health care facility must submit the
 7.26 policies required in subdivisions 1 and 2 to the commissioner by December 31, 2026. A
 7.27 health care facility that fails to comply with the requirements in subdivisions 1 and 2 will
 7.28 be notified of noncompliance by the commissioner and may be subject to the imposition of
 7.29 a fine by the commissioner.

7.30 Subd. 6. **Investigation.** The commissioner may investigate and respond to complaints
 7.31 from patients, residents, health care facility employees, and the public alleging noncompliance
 7.32 with this section. A health care facility and its agents must not retaliate against a patient, a
 7.33 resident, employees, or an agent who files a complaint under this section.

8.1 Subd. 7. Posting immigration rights information on premises. A health care facility
 8.2 must post, either by physical or electronic means, a document providing the phone number
 8.3 that individuals may call to learn about immigration rights. The document must be posted
 8.4 on the premises of the health care facility in a conspicuous location that is accessible to
 8.5 patients, residents, employees, and visitors. The commissioner must develop and provide
 8.6 the document to health care facilities.

8.7 Sec. 4. [144.6578] LIABILITY LIMITATIONS; DEFENSES.

8.8 (a) Nothing in sections 144.6575 to 144.6577 permits an action against a health care
 8.9 facility employee acting lawfully when engaging in reasonable compliance with the
 8.10 provisions of sections 144.6575 to 144.6577.

8.11 (b) Nothing in sections 144.6575 to 144.6577 affects any right or defense of any health
 8.12 care facility employee acting lawfully.

8.13 ARTICLE 3

8.14 EDUCATIONAL INSTITUTIONS

8.15 Section 1. Minnesota Statutes 2024, section 13.319, is amended by adding a subdivision
 8.16 to read:

8.17 Subd. 9. Citizenship or immigration status. Treatment of data relating to a student's
 8.18 actual or perceived citizenship or immigration status is governed by section 120A.50.

8.19 Sec. 2. Minnesota Statutes 2024, section 13.32, subdivision 3, is amended to read:

8.20 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision
 8.21 5, educational data is private data on individuals and shall not be disclosed except as follows:

8.22 (a) pursuant to section 13.05;

8.23 (b) pursuant to a valid court order;

8.24 (c) pursuant to a statute specifically authorizing access to the private data;

8.25 (d) to disclose information in health, including mental health, and safety emergencies
 8.26 pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I), and Code
 8.27 of Federal Regulations, title 34, section 99.36;

8.28 (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1),
 8.29 (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations,
 8.30 title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39, except that no disclosure may

9.1 be made for purposes of civil immigration enforcement pursuant to United States Code,
9.2 title 20, section 1232g(b)(1)(J)(ii), or Code of Federal Regulations, title 34, subtitle A,
9.3 section 99.31(a)(9)(i)-(ii), in the absence of a judicial order or judicially issued subpoena;

9.4 (f) to appropriate health authorities to the extent necessary to administer immunization
9.5 programs and for bona fide epidemiologic investigations which the commissioner of health
9.6 determines are necessary to prevent disease or disability to individuals in the public
9.7 educational agency or institution in which the investigation is being conducted;

9.8 (g) when disclosure is required for institutions that participate in a program under title
9.9 IV of the Higher Education Act, United States Code, title 20, section 1092;

9.10 (h) to the appropriate school district officials to the extent necessary under subdivision
9.11 6, annually to indicate the extent and content of remedial instruction, including the results
9.12 of assessment testing and academic performance at a postsecondary institution during the
9.13 previous academic year by a student who graduated from a Minnesota school district within
9.14 two years before receiving the remedial instruction;

9.15 (i) to appropriate authorities as provided in United States Code, title 20, section
9.16 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the
9.17 system to effectively serve, prior to adjudication, the student whose records are released;
9.18 provided that the authorities to whom the data are released submit a written request for the
9.19 data that certifies that the data will not be disclosed to any other person except as authorized
9.20 by law without the written consent of the parent of the student and the request and a record
9.21 of the release are maintained in the student's file;

9.22 (j) to volunteers who are determined to have a legitimate educational interest in the data
9.23 and who are conducting activities and events sponsored by or endorsed by the educational
9.24 agency or institution for students or former students;

9.25 (k) to provide student recruiting information, from educational data held by colleges
9.26 and universities, as required by and subject to Code of Federal Regulations, title 32, section
9.27 216;

9.28 (l) to the juvenile justice system if information about the behavior of a student who poses
9.29 a risk of harm is reasonably necessary to protect the health or safety of the student or other
9.30 individuals;

9.31 (m) with respect to Social Security numbers of students in the adult basic education
9.32 system, to Minnesota State Colleges and Universities and the Department of Employment

10.1 and Economic Development for the purpose and in the manner described in section 124D.52,
10.2 subdivision 7;

10.3 (n) to the commissioner of education for purposes of an assessment or investigation of
10.4 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request
10.5 by the commissioner of education, data that are relevant to a report of maltreatment and are
10.6 from charter school and school district investigations of alleged maltreatment of a student
10.7 must be disclosed to the commissioner, including; but not limited to; the following:

10.8 (1) information regarding the student alleged to have been maltreated;

10.9 (2) information regarding student and employee witnesses;

10.10 (3) information regarding the alleged perpetrator; and

10.11 (4) what corrective or protective action was taken, if any, by the school facility in response
10.12 to a report of maltreatment by an employee or agent of the school or school district;

10.13 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge
10.14 of a crime of violence or nonforcible sex offense to the extent authorized under United
10.15 States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations,
10.16 title 34, sections 99.31(a)(13) and (14);

10.17 (p) when the disclosure is information provided to the institution under United States
10.18 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized
10.19 under United States Code, title 20, section 1232g(b)(7);

10.20 (q) when the disclosure is to a parent of a student at an institution of postsecondary
10.21 education regarding the student's violation of any federal, state, or local law or of any rule
10.22 or policy of the institution, governing the use or possession of alcohol or of a controlled
10.23 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and
10.24 Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has
10.25 an information release form signed by the student authorizing disclosure to a parent. The
10.26 institution must notify parents and students about the purpose and availability of the
10.27 information release forms. At a minimum, the institution must distribute the information
10.28 release forms at parent and student orientation meetings;

10.29 (r) a student's name, home address, telephone number, email address, or other personal
10.30 contact information may be disclosed to a public library for purposes of issuing a library
10.31 card to the student; or

11.1 (s) with federally recognized Tribal Nations about Tribally enrolled or descendant
 11.2 students to the extent necessary for the Tribal Nation and school district or charter school
 11.3 to support the educational attainment of the student.

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

11.5 Sec. 3. Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5, is amended to
 11.6 read:

11.7 Subd. 5. **Directory information; data on parents.** (a) Educational data designated as
 11.8 directory information is public data on individuals to the extent required under federal law.
 11.9 Directory information must be designated pursuant to the provisions of:

11.10 (1) this subdivision; and

11.11 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
 11.12 34, section 99.37, which were in effect on January 3, 2012.

11.13 (b) When conducting the directory information designation and notice process required
 11.14 by federal law, an educational agency or institution shall give parents and students notice
 11.15 of the right to refuse to let the agency or institution designate specified data about the student
 11.16 as directory information. This notice may be given by any means reasonably likely to inform
 11.17 the parents and students of the right.

11.18 (c) An educational agency or institution may not designate a student's or parent's home
 11.19 address, telephone number, email address, or other personal contact information as directory
 11.20 information under this subdivision. This paragraph does not apply to a postsecondary
 11.21 institution.

11.22 (d) When requested, educational agencies or institutions must share personal student or
 11.23 parent contact information and directory information, whether public or private, with the
 11.24 Minnesota Department of Education, as required for federal reporting purposes.

11.25 (e) When requested, and in accordance with requirements for parental consent in the
 11.26 Code of Federal Regulations, title 34, section 300.622 (b)(2), and part 99, educational
 11.27 agencies or institutions may share personal student or parent contact information and directory
 11.28 information for students served in special education with postsecondary transition planning
 11.29 and services under section 125A.08, paragraph (b), clause (1), whether public or private,
 11.30 with the Department of Employment and Economic Development, as required for
 11.31 coordination of services to students with disabilities under sections ~~125A.08, paragraph (b),~~
 11.32 ~~clause (1); 125A.023; and 125A.027~~ 125A.023; 125A.027; and 125A.08, paragraph (b),
 11.33 clause (1).

12.1 (f) Data concerning parents is private data on individuals but may be treated as directory
12.2 information if the same procedures that are used by a school district to designate student
12.3 data as directory information under this subdivision are followed, except that a parent's
12.4 home address, telephone number, email address, or other personal contact information may
12.5 not be treated as directory information under this subdivision.

12.6 (g) An educational agency or institution may not designate as directory information data
12.7 on individuals that indicates or otherwise has the effect of identifying that an individual is
12.8 not a citizen or national of the United States, including the individual's status as an
12.9 international student.

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

12.11 Sec. 4. **[120A.50] DENIAL OF FREE PUBLIC EDUCATION PROHIBITED.**

12.12 Subdivision 1. **Purpose.** The purpose of this section is to secure the right of every child
12.13 to equal access to a free public education and a school that is safe from intimidation and
12.14 fear, consistent with the United States Supreme Court decision in *Plyler v. Doe*, 457 U.S.
12.15 202 (1982), which held that it is unconstitutional for a state to deny children a free public
12.16 education on the basis of immigration status. In order to promote the right to educational
12.17 equality, as established under the decision in *Plyler v. Doe*, schools must take steps to protect
12.18 the integrity of school learning environments for all children so that no parent is discouraged
12.19 from sending their child to school and no child is discouraged from attending school,
12.20 including protection from the threat of immigration enforcement or other law enforcement
12.21 activity on a school campus.

12.22 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
12.23 meanings given.

12.24 (b) "Citizenship or immigration status" means all matters regarding citizenship of the
12.25 United States or any other country or the authority or lack thereof to reside in or otherwise
12.26 to be present in the United States, including an individual's nationality and country of
12.27 citizenship.

12.28 (c) "Law enforcement agent" means a peace officer as defined in section 626.84,
12.29 subdivision 1, paragraph (c), or a federal law enforcement officer as defined in section
12.30 626.77, subdivision 3. Law enforcement agent does not include a school resource officer
12.31 as defined in section 626.8482.

12.32 (d) "Nonjudicial warrant" means any immigration detainer or civil immigration warrant
12.33 issued by a federal agency. Nonjudicial warrant does not include a search warrant as defined

13.1 in section 626.05, subdivision 1, or a warrant issued by a judge for the apprehension of a
 13.2 person charged with offenses.

13.3 (e) "School" means a school district, charter school, or cooperative unit as defined in
 13.4 section 123A.24, subdivision 2.

13.5 Subd. 3. **Right to free public education.** (a) No child may be denied a free kindergarten
 13.6 through grade 12 public education while in Minnesota based on the child's actual or perceived
 13.7 immigration status or the actual or perceived citizenship or immigration status of the child's
 13.8 parent or guardian.

13.9 (b) A school must not exclude a child from participation in or deny a child the benefits
 13.10 of any program or activity on the grounds of that child's actual or perceived immigration
 13.11 status or the actual or perceived citizenship or immigration status of the child's parent or
 13.12 guardian.

13.13 (c) A school must not use policies or procedures or engage in practices that have the
 13.14 effect of excluding a child from participation in or denying the benefits of any program or
 13.15 activity or the effect of excluding participation of the child's parent or guardian from parental
 13.16 engagement activities or programs because of the child's actual or perceived immigration
 13.17 status or the actual or perceived immigration status of the child's parent or guardian. These
 13.18 policies, procedures, and practices include:

13.19 (1) requesting or collecting information or documentation from a student or the student's
 13.20 parent or guardian about citizenship or immigration status unless required by state or federal
 13.21 law; and

13.22 (2) designating immigration status, citizenship, place of birth, nationality, or national
 13.23 origin as directory information, as defined by federal and state law.

13.24 (d) A school must not:

13.25 (1) threaten to disclose anything related to the actual or perceived citizenship or
 13.26 immigration status of a child or a person associated with the child to any other person or
 13.27 entity or an immigration or law enforcement agency;

13.28 (2) disclose any information related to the actual or perceived citizenship or immigration
 13.29 status of a child or a person associated with the child to any other person or entity or an
 13.30 immigration or law enforcement agency; or

13.31 (3) disclose any information related to the actual or perceived citizenship or immigration
 13.32 status of a child or a person associated with the child to any other person or nongovernmental
 13.33 entity.

14.1 (e) Nothing in paragraph (d), clause (2) or (3), may be construed to:

14.2 (1) permit the disclosure of student records or information without complying with state
 14.3 and federal requirements governing the disclosure of the records or information; or

14.4 (2) prohibit or restrict an entity from sending to or receiving from the United States
 14.5 Department of Homeland Security or any other federal, state, or local governmental entity
 14.6 information regarding the citizenship or immigration status of an individual, in accordance
 14.7 with United States Code, title 8, sections 1373 and 1644.

14.8 Subd. 4. **Required procedures.** By July 1, 2027, a school must develop procedures for
 14.9 reviewing and authorizing requests from law enforcement agents attempting to enter a school
 14.10 or school facility. The procedures must comply with the requirements of subdivision 3,
 14.11 paragraph (a), and at a minimum, include procedures for:

14.12 (1) reviewing and contacting a designated authorized person at the school or school
 14.13 facility and the district superintendent's office or school administrative office, who may
 14.14 contact the school's legal counsel, and procedures for that authorized person or legal counsel
 14.15 to review requests to enter a school or school facility, including judicial warrants, nonjudicial
 14.16 warrants, and subpoenas;

14.17 (2) monitoring, accompanying, and documenting all interactions with law enforcement
 14.18 agents while on the school's premises; and

14.19 (3) notifying and seeking consent from a student's parent or guardian, or from the student
 14.20 if the student is 18 years old or older or emancipated, if a law enforcement agent requests
 14.21 access to a student for immigration enforcement purposes, unless access is in compliance
 14.22 with a judicial warrant or subpoena that restricts the disclosure of the information to the
 14.23 student's parent or guardian.

14.24 Subd. 5. **Required policy.** By July 1, 2027, a school must adopt a policy for complying
 14.25 with subdivisions 3 and 4.

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

14.27 Sec. 5. Minnesota Statutes 2024, section 123B.51, is amended by adding a subdivision to
 14.28 read:

14.29 Subd. 8. **Limits on access by agents engaged in immigration enforcement.** (a) As
 14.30 used in this subdivision:

14.31 (1) "school property" has the meaning given in section 609.66, subdivision 1d, paragraph
 14.32 (e), clause (4), items (i), (iii), and (iv); and

15.1 (2) "school official" means a school employee, contracted service provider, school bus
 15.2 driver, or a person having administrative control over a building or facility described in
 15.3 section 609.66, subdivision 1d, paragraph (e), clause (4), item (iv).

15.4 (b) A school official must not consent to a federal, state, or local agent entering school
 15.5 property for purposes of immigration enforcement unless the agent provides the school
 15.6 official with a valid judicial warrant. The school official must request the federal, state, or
 15.7 local agent to provide valid identification and must grant entry to only the areas identified
 15.8 in the judicial warrant.

15.9 (c) A school official granting entry to a federal, state, or local agent engaged in
 15.10 immigration enforcement must immediately notify the person having administrative control
 15.11 of the school, and the school's general counsel or other designated legal representative.

15.12 (d) This subdivision does not prohibit entry by a federal, state, or local agent
 15.13 administering a state or federally supported educational program.

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

15.15 Sec. 6. **[135A.1455] LIMITS ON ACCESS BY LAW ENFORCEMENT AGENTS.**

15.16 Subdivision 1. **Applicability.** This section applies to: (1) public postsecondary institutions
 15.17 governed by either the Board of Trustees of the Minnesota State Colleges and Universities
 15.18 or the Board of Regents of the University of Minnesota; and (2) private postsecondary
 15.19 institutions that offer in-person courses on a campus located in Minnesota and that are
 15.20 eligible institutions as defined in section 136A.103, subdivision 1, paragraph (a). The Board
 15.21 of Regents of the University of Minnesota is requested to comply with this section.

15.22 Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings
 15.23 given:

15.24 (1) "campus" means:

15.25 (i) any building or property owned or controlled by a postsecondary institution within
 15.26 the same reasonably contiguous geographic area of the institution and used by the institution
 15.27 in direct support of, or in a manner related to, the institution's educational purposes, including
 15.28 but not limited to residence halls; and

15.29 (ii) property within the same reasonably contiguous geographic area of the institution
 15.30 that is owned by the institution but controlled by another person, is used by students, and
 15.31 supports institutional purposes, including but not limited to a food or other retail vendor;
 15.32 and

16.1 (2) "law enforcement agent" means a person employed by any local, state, or federal
16.2 entity with statutory police powers and who is authorized to make a civil arrest.

16.3 Subd. 3. **Limits on access.** (a) Except as provided in paragraph (d), an official, staff
16.4 member, or other employee of a postsecondary institution must not allow a law enforcement
16.5 agent to enter the institution's campus for any purpose unless the officer provides valid
16.6 identification and a valid warrant issued by a state or federal judge or a federal magistrate
16.7 judge that authorizes access to the campus.

16.8 (b) If a law enforcement agent requests entrance to or is found present on the campus
16.9 of a postsecondary institution, an official, staff member, or other employee of the
16.10 postsecondary institution must notify: (1) the chief administrative official of the public
16.11 postsecondary system, if the institution is a public postsecondary institution; or (2) the
16.12 president of the postsecondary institution, if the institution is a private postsecondary
16.13 institution. A chief administrative official or president may designate another school official,
16.14 staff member, or employee to receive this notification on their behalf.

16.15 (c) If a law enforcement agent meets the requirements of paragraph (a), the public
16.16 postsecondary institution must limit the officer's access to only the places, times, and
16.17 individuals authorized under the judicial warrant.

16.18 (d) Paragraph (a) does not restrict campus access by a law enforcement agent that is:

16.19 (1) required by state or federal law;

16.20 (2) required to administer a state or federally supported education program; or

16.21 (3) for purposes of voluntary training, outreach, and support provided through the federal
16.22 student exchange and visitor program.

16.23 Subd. 4. **Information to students.** (a) During student registration, a postsecondary
16.24 institution must provide each student with information regarding:

16.25 (1) a student's constitutional rights with regard to civil immigration enforcement;

16.26 (2) recommended best practices for student safety when interacting with a federal
16.27 immigration officer; and

16.28 (3) the requirements imposed on the postsecondary institution by this section.

16.29 A copy of this information also shall be posted at appropriate locations on campus at all
16.30 times.

17.1 (b) The commissioner of the Office of Higher Education, in consultation with the attorney
 17.2 general, must develop standardized language that a postsecondary institution may use to
 17.3 meet the requirements of paragraph (a).

17.4 Subd. 5. **Liability limited.** Nothing in this section shall be construed to create any
 17.5 personal liability for an official, staff member, or other employee of a postsecondary
 17.6 institution acting in good faith.

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

17.8 ARTICLE 4

17.9 CHILD CARE CENTERS

17.10 Section 1. **[142B.665] CHILD CARE CENTER ACCESS.**

17.11 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for the
 17.12 purposes of this section.

17.13 (b) "Child care center" means:

17.14 (1) a child care center licensed under chapter 142B and Minnesota Rules, chapter 9503;
 17.15 and

17.16 (2) a certified license-exempt child care center authorized under chapter 142C.

17.17 (c) "Employee" means the license holder, authorized agent, controlling individual,
 17.18 director, staff persons, substitutes, and unsupervised volunteers of a licensed child care
 17.19 center or a certified license-exempt child care center.

17.20 (d) "Judicial officer" means a judge or justice of the United States, a United States
 17.21 magistrate judge, or a clerk of the court authorized to sign a warrant pursuant to rule 9 of
 17.22 the Federal Rules of Criminal Procedure.

17.23 Subd. 2. **Limits on access by officials engaged in immigration enforcement.** (a) An
 17.24 employee of a child care center must not consent to a federal, state, or local official entering
 17.25 a child care center for the purposes of civil immigration enforcement unless the official
 17.26 provides the employee with a warrant signed by a judicial officer and valid identification.

17.27 (b) If a federal, state, or local official engaged in civil immigration enforcement enters
 17.28 a child care center, an on-duty employee must immediately notify the child care center
 17.29 license holder or authorized agent.

17.30 (c) This section does not prohibit entry to a child care center by a state, federal, or local
 17.31 official administering a state or federally supported child care program.

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

18.2 **ARTICLE 5**

18.3 **CIVIL ACTIONS**

18.4 Section 1. **[604.51] CIVIL CAUSE OF ACTION FOR VIOLATIONS OF THE STATE**
 18.5 **AND FEDERAL CONSTITUTIONS.**

18.6 Subdivision 1. **Minnesota Constitution.** Any person who, under color of any statute,
 18.7 ordinance, regulation, custom, or usage of this state, or any other state or territory or the
 18.8 District of Columbia, subjects or causes to be subjected any citizen of this state or other
 18.9 person within the jurisdiction of this state to the deprivation of any rights, privileges, or
 18.10 immunities secured by the Minnesota Constitution shall be liable to the party injured in an
 18.11 action at law, suit in equity, or other proper proceedings for redress.

18.12 Subd. 2. **Federal constitution.** Any person who, under color of any statute, ordinance,
 18.13 regulation, custom, or usage of the United States, this state, or of any other state or territory
 18.14 or the District of Columbia, subjects or causes to be subjected any citizen of this state or
 18.15 other person within the jurisdiction of this state to the deprivation of any rights, privileges,
 18.16 or immunities secured by the United States Constitution shall be liable to the party injured
 18.17 in an action at law, suit in equity, or other proper proceedings for redress.

18.18 Subd. 3. **Damages.** In addition to any damages, injunctive relief, or other appropriate
 18.19 relief, in an action or proceeding brought under this section, the court may award to a
 18.20 prevailing plaintiff reasonable attorney fees and costs.

18.21 Subd. 4. **Statute of limitations.** An action under this section may not be commenced
 18.22 later than three years after the cause of action accrues.

18.23 Subd. 5. **Punitive damages.** In an action brought under this section based on a cause of
 18.24 action that accrued before the effective date of this section, the plaintiff is not entitled to an
 18.25 award of punitive damages under section 549.20.

18.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 18.27 applies to causes of action accruing on or after December 1, 2025.

18.28 Sec. 2. Minnesota Statutes 2024, section 609.662, is amended by adding a subdivision to
 18.29 read:

18.30 Subd. 6. **Civil action.** A person who is injured by a violation of this section may bring
 18.31 a civil action for recovery of damages, together with costs and disbursements, including
 18.32 reasonable attorney fees. In addition to proving that the defendant failed to investigate and

19.1 render assistance as required under this section, the plaintiff must prove by a preponderance
 19.2 of the evidence that the defendant could have investigated and rendered assistance as required
 19.3 under this section without significant risk of bodily harm to the defendant or others.

19.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 19.5 applies to causes of action accruing on or after December 1, 2025.

19.6 **ARTICLE 6**

19.7 **MISCELLANEOUS PROVISIONS**

19.8 Section 1. Minnesota Statutes 2024, section 299C.80, subdivision 1, is amended to read:

19.9 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
 19.10 meanings provided.

19.11 (b) "Federal agent" means an officer or employee of the Federal Bureau of Investigation,
 19.12 the Drug Enforcement Administration, the United States Marshal Service, the Secret Service,
 19.13 the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Homeland
 19.14 Security, or the United States Postal Inspection Service, or their successor agencies.

19.15 ~~(b)~~ (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision
 19.16 1, paragraph (f).

19.17 ~~(e)~~ (d) "Officer-involved death" means the death of another that results from a federal
 19.18 agent or a peace officer's use of force while the agent or officer is on duty or off duty but
 19.19 performing activities that are within the scope of the agent or officer's law enforcement
 19.20 duties.

19.21 ~~(d)~~ (e) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
 19.22 (c).

19.23 ~~(e)~~ (f) "Superintendent" means the superintendent of the Bureau of Criminal
 19.24 Apprehension.

19.25 ~~(f)~~ (g) "Unit" means the independent Use of Force Investigations Unit.

19.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 19.27 applies retroactively to officer-involved deaths that occurred on or after December 1, 2025.

20.1 Sec. 2. Minnesota Statutes 2024, section 609.735, is amended to read:

20.2 **609.735 CONCEALING IDENTITY.**

20.3 (a) A person whose identity is concealed by the person in a public place by means of a
20.4 robe, mask, or other disguise, unless based on religious beliefs, or incidental to amusement,
20.5 entertainment, protection from weather, protection from smoke, gas, or other airborne toxin,
20.6 or medical treatment, is guilty of a misdemeanor.

20.7 (b) This section does not apply to a peace officer, as defined in section 626.84, subdivision
20.8 1, paragraph (c), or a federal law enforcement officer, as defined in section 626.77,
20.9 subdivision 3, while performing official duties as:

20.10 (1) an undercover officer and concealment of the officer's identity is necessary to preserve
20.11 the integrity of the investigation or the officer's safety; or

20.12 (2) a member of a tactical response team when a face mask will substantially reduce a
20.13 known risk of serious permanent disfigurement to the officer's face.

20.14 (c) For the purposes of this section:

20.15 (1) "undercover officer" means a peace officer or federal law enforcement officer who,
20.16 for the purpose of conducting a criminal investigation, acts under an assumed name or cover
20.17 identity that intentionally conceals the officer's law enforcement status. Undercover officer
20.18 does not include a plain clothes officer; and

20.19 (2) "plain clothes officer" means a peace officer or federal law enforcement officer who
20.20 is not in uniform but is not conducting a criminal investigation and does not use an assumed
20.21 name or cover identity to conceal the officer's law enforcement status.

APPENDIX
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