

STATE OF MINNESOTA

NINETY-THIRD SESSION — 2023

SIXTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 12, 2023

The House of Representatives convened at 11:30 a.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Imam Hassan Jama, Islamic Association of North America, Lakeville, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Demuth	Hemmingsen-Jaeger	Kozlowski	Noor	Scott
Agbaje	Dotseth	Her	Koznick	Norris	Sencer-Mura
Altendorf	Edelson	Hicks	Kraft	Novotny	Skraba
Anderson, P. E.	Elkins	Hill	Kresha	O'Driscoll	Smith
Backer	Engen	Hollins	Lee, F.	Olson, B.	Stephenson
Bahner	Feist	Hornstein	Lee, K.	Olson, L.	Swedzinski
Bakeberg	Finke	Howard	Liebling	O'Neill	Tabke
Baker	Fischer	Hudella	Lillie	Pelowski	Torkelson
Becker-Finn	Franson	Hudson	Lislegard	Pérez-Vega	Urdahl
Bennett	Frazier	Huot	Long	Perryman	Vang
Berg	Frederick	Hussein	Mekeland	Petersburg	West
Bierman	Freiberg	Igo	Moller	Pfarr	Wiener
Brand	Garofalo	Jacob	Mueller	Pinto	Wiens
Burkel	Gillman	Johnson	Murphy	Pryor	Witte
Carroll	Gomez	Jordan	Myers	Pursell	Wolgamott
Cha	Greenman	Joy	Nadeau	Quam	Xiong
Clardy	Grossell	Keeler	Nash	Rehm	Youakim
Coulter	Hansen, R.	Kiel	Nelson, M.	Reyer	Zeleznikar
Curran	Hanson, J.	Klevorn	Nelson, N.	Richardson	Spk. Hortman
Daniels	Harder	Knudsen	Neu Brindley	Robbins	
Davids	Hassan	Koegel	Newton	Schomacker	
Davis	Heintzeman	Kotyza-Witthuhn	Niska	Schultz	

A quorum was present.

Anderson, P. H.; Bliss and Fogelman were excused.

Daudt and McDonald were excused until 9:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Long from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 5, A house concurrent resolution relating to adjournment of the House of Representatives and Senate until 2024.

Reported the same back with the recommendation that the house concurrent resolution be adopted.

The report was adopted.

Long moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS**RECONVENED**

The House reconvened and was called to order by Speaker pro tempore Wolgamott.

Johnson was excused between the hours of 2:35 p.m. and 9:05 p.m.

ANNOUNCEMENT BY THE SPEAKER

Pursuant to Rule 1.15(c)

A message from the Senate has been received requesting concurrence by the House to amendments adopted by the Senate to the following House File:

H. F. No. 1234.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 1370

A bill for an act relating to public safety; establishing a cause of action for nonconsensual dissemination of deep fake sexual images; establishing the crime of using deep fake technology to influence an election; establishing a crime for nonconsensual dissemination of deep fake sexual images; proposing coding for new law in Minnesota Statutes, chapters 604; 609; 617.

May 11, 2023

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Bobby Joe Champion
President of the Senate

We, the undersigned conferees for H. F. No. 1370 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1370 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
DEEP FAKE TECHNOLOGY

Section 1. [604.32] CAUSE OF ACTION FOR NONCONSENSUAL DISSEMINATION OF A DEEP FAKE DEPICTING INTIMATE PARTS OR SEXUAL ACTS.

Subdivision 1. Definitions. (a) As used in this section, the following terms have the meanings given.

(b) "Deep fake" means any video recording, motion-picture film, sound recording, electronic image, or photograph, or any technological representation of speech or conduct substantially derivative thereof:

(1) that is so realistic that a reasonable person would believe it depicts speech or conduct of an individual; and

(2) the production of which was substantially dependent upon technical means, rather than the ability of another individual to physically or verbally impersonate such individual.

(c) "Depicted individual" means an individual in a deep fake who appears to be engaging in speech or conduct in which the individual did not engage.

(d) "Intimate parts" means the genitals, pubic area, partially or fully exposed nipple, or anus of an individual.

(e) "Personal information" means any identifier that permits communication or in-person contact with an individual, including:

(1) an individual's first and last name, first initial and last name, first name and last initial, or nickname;

(2) an individual's home, school, or work address;

(3) an individual's telephone number, email address, or social media account information; or

(4) an individual's geolocation data.

(f) "Sexual act" means either sexual contact or sexual penetration.

(g) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another individual's body.

(h) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

Subd. 2. Nonconsensual dissemination of a deep fake. (a) A cause of action against a person for the nonconsensual dissemination of a deep fake exists when:

(1) a person disseminated a deep fake with knowledge that the depicted individual did not consent to its public dissemination;

(2) the deep fake realistically depicts any of the following:

(i) the intimate parts of another individual presented as the intimate parts of the depicted individual;

(ii) artificially generated intimate parts presented as the intimate parts of the depicted individual; or

(iii) the depicted individual engaging in a sexual act; and

(3) the depicted individual is identifiable:

(i) from the deep fake itself, by the depicted individual or by another individual; or

(ii) from the personal information displayed in connection with the deep fake.

(b) The fact that the depicted individual consented to the creation of the deep fake or to the voluntary private transmission of the deep fake is not a defense to liability for a person who has disseminated the deep fake with knowledge that the depicted individual did not consent to its public dissemination.

Subd. 3. Damages. The court may award the following damages to a prevailing plaintiff from a person found liable under subdivision 2:

(1) general and special damages, including all finance losses due to the dissemination of the deep fake and damages for mental anguish;

(2) an amount equal to any profit made from the dissemination of the deep fake by the person who intentionally disclosed the deep fake;

(3) a civil penalty awarded to the plaintiff of an amount up to \$100,000; and

(4) court costs, fees, and reasonable attorney fees.

Subd. 4. Injunction; temporary relief. (a) A court may issue a temporary or permanent injunction or restraining order to prevent further harm to the plaintiff.

(b) The court may issue a civil fine for the violation of a court order in an amount up to \$1,000 per day for failure to comply with an order granted under this section.

Subd. 5. Confidentiality. The court shall allow confidential filings to protect the privacy of the plaintiff in cases filed under this section.

Subd. 6. Liability; exceptions. (a) No person shall be found liable under this section when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment, and the image is protected from further dissemination;

(4) the deep fake was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display, and the depicted individual knew that a deep fake would be created and disseminated in a commercial setting;

(5) the deep fake relates to a matter of public interest; dissemination serves a lawful public purpose; the person disseminating the deep fake as a matter of public interest clearly identifies that the video recording, motion-picture film, sound recording, electronic image, photograph, or other item is a deep fake; and the person acts in good faith to prevent further dissemination of the deep fake;

(6) the dissemination is for legitimate scientific research or educational purposes, the deep fake is clearly identified as such, and the person acts in good faith to minimize the risk that the deep fake will be further disseminated; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

(b) This section does not alter or amend the liabilities and protections granted by United States Code, title 47, section 230, and shall be construed in a manner consistent with federal law.

(c) A cause of action arising under this section does not prevent the use of any other cause of action or remedy available under the law.

Subd. 7. **Jurisdiction.** A court has jurisdiction over a cause of action filed pursuant to this section if the plaintiff or defendant resides in this state.

Subd. 8. **Venue.** A cause of action arising under this section may be filed in either:

(1) the county of residence of the defendant or plaintiff or in the jurisdiction of the plaintiff's designated address if the plaintiff participates in the address confidentiality program established by chapter 5B; or

(2) the county where any deep fake is produced, reproduced, or stored in violation of this section.

Subd. 9. **Discovery of dissemination.** In a civil action brought under subdivision 2, the statute of limitations is tolled until the plaintiff discovers the deep fake has been disseminated.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to dissemination of a deep fake that takes place on or after that date.

Sec. 2. **[609.771] USE OF DEEP FAKE TECHNOLOGY TO INFLUENCE AN ELECTION.**

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

(b) "Candidate" means an individual who seeks nomination or election to a federal, statewide, legislative, judicial, or local office including special districts, school districts, towns, home rule charter and statutory cities, and counties.

(c) "Deep fake" means any video recording, motion-picture film, sound recording, electronic image, or photograph, or any technological representation of speech or conduct substantially derivative thereof:

(1) that is so realistic that a reasonable person would believe it depicts speech or conduct of an individual who did not in fact engage in such speech or conduct; and

(2) the production of which was substantially dependent upon technical means, rather than the ability of another individual to physically or verbally impersonate such individual.

(d) "Depicted individual" means an individual in a deep fake who appears to be engaging in speech or conduct in which the individual did not engage.

Subd. 2. Use of deep fake to influence an election; violation. A person who disseminates a deep fake or enters into a contract or other agreement to disseminate a deep fake is guilty of a crime and may be sentenced as provided in subdivision 3 if the person knows or reasonably should know that the item being disseminated is a deep fake and dissemination:

- (1) takes place within 90 days before an election;
- (2) is made without the consent of the depicted individual; and
- (3) is made with the intent to injure a candidate or influence the result of an election.

Subd. 3. Use of deep fake to influence an election; penalty. A person convicted of violating subdivision 2 may be sentenced as follows:

- (1) if the person commits the violation within five years of one or more prior convictions under this section, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;
- (2) if the person commits the violation with the intent to cause violence or bodily harm, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or
- (3) in other cases, to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

Subd. 4. Injunctive relief. A cause of action for injunctive relief may be maintained against any person who is reasonably believed to be about to violate or who is in the course of violating this section by:

- (1) the attorney general;
- (2) a county attorney or city attorney;
- (3) the depicted individual; or
- (4) a candidate for nomination or election to a public office who is injured or likely to be injured by dissemination.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes committed on or after that date.

Sec. 3. [617.262] NONCONSENSUAL DISSEMINATION OF A DEEP FAKE DEPICTING INTIMATE PARTS OR SEXUAL ACTS.

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Deep fake" means any video recording, motion-picture film, sound recording, electronic image, or photograph, or any technological representation of speech or conduct substantially derivative thereof:

- (1) that is so realistic that a reasonable person would believe it depicts speech or conduct of an individual; and
- (2) the production of which was substantially dependent upon technical means, rather than the ability of another individual to physically or verbally impersonate such individual.

(c) "Depicted individual" means an individual in a deep fake who appears to be engaging in speech or conduct in which the individual did not engage.

(d) "Dissemination" means distribution to one or more persons, other than the individual depicted in the deep fake, or publication by any publicly available medium.

(e) "Harass" means an act that would cause a substantial adverse effect on the safety, security, or privacy of a reasonable person.

(f) "Intimate parts" means the genitals, pubic area, anus, or partially or fully exposed nipple of an individual.

(g) "Personal information" means any identifier that permits communication or in-person contact with an individual, including:

(1) an individual's first and last name, first initial and last name, first name and last initial, or nickname;

(2) an individual's home, school, or work address;

(3) an individual's telephone number, email address, or social media account information; or

(4) an individual's geolocation data.

(h) "Sexual act" means either sexual contact or sexual penetration.

(i) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another individual's body.

(j) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

(k) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

Subd. 2. **Crime.** It is a crime to intentionally disseminate a deep fake when:

(1) the actor knows or reasonably should know that the depicted individual did not consent to the dissemination;

(2) the deep fake realistically depicts any of the following:

(i) the intimate parts of another individual presented as the intimate parts of the depicted individual;

(ii) artificially generated intimate parts presented as the intimate parts of the depicted individual; or

(iii) the depicted individual engaging in a sexual act; and

(3) the depicted individual is identifiable:

(i) from the deep fake itself, by the depicted individual or by another individual; or

(ii) from the personal information displayed in connection with the deep fake.

Subd. 3. **Penalties.** (a) Except as provided in paragraph (b), whoever violates subdivision 2 is guilty of a gross misdemeanor.

(b) Whoever violates subdivision 2 may be sentenced to imprisonment for not more than three years or to payment of a fine of \$5,000, or both, if one of the following factors is present:

(1) the depicted individual suffers financial loss due to the dissemination of the deep fake;

(2) the actor disseminates the deep fake with intent to profit from the dissemination;

(3) the actor maintains an Internet website, online service, online application, or mobile application for the purpose of disseminating the deep fake;

(4) the actor posts the deep fake on a website;

(5) the actor disseminates the deep fake with intent to harass the depicted individual;

(6) the actor obtained the deep fake by committing a violation of section 609.52, 609.746, 609.89, or 609.891; or

(7) the actor has previously been convicted under this chapter.

Subd. 3a. **No defense.** It is not a defense to a prosecution under this section that the depicted individual consented to the creation or possession of the deep fake, or the private transmission of the deep fake to an individual other than those to whom the deep fake was disseminated.

Subd. 4. **Venue.** Notwithstanding anything to the contrary in section 627.01, an offense committed under this section may be prosecuted in:

(1) the county where the offense occurred;

(2) the county of residence of the actor or victim or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B; or

(3) only if venue cannot be located in the counties specified under clause (1) or (2), the county where any deep fake is produced, reproduced, found, stored, received, or possessed in violation of this section.

Subd. 5. **Exemptions.** Subdivision 2 does not apply when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment, and the image is protected from further dissemination;

(4) the deep fake was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display, and the depicted individual knew, or should have known, that a deep fake would be created and disseminated;

(5) the deep fake relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

Subd. 6. **Immunity.** Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

(1) an interactive computer service as defined in United States Code, title 47, section 230, paragraph (f), clause (2);

(2) a provider of public mobile services or private radio services; or

(3) a telecommunications network or broadband provider.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes committed on or after that date.

ARTICLE 2 AGE-APPROPRIATE DESIGN CODE

Section 1. **[13.6505] ATTORNEY GENERAL DATA CODED ELSEWHERE.**

Subdivision 1. **Scope.** The sections referred to in this section are codified outside this chapter. Those sections classify attorney general data as other than public, place restrictions on access to government data, or involve data sharing.

Subd. 2. **Data protection impact assessments.** A data protection impact assessment collected or maintained by the attorney general under section 325O.04 is classified under section 325O.04, subdivision 4.

Sec. 2. **[325O.01] CITATION; CONSTRUCTION.**

Subdivision 1. **Citation.** This chapter may be cited as the "Minnesota Age-Appropriate Design Code Act."

Subd. 2. **Construction.** (a) A business that develops and provides online services, products, or features that children are likely to access must consider the best interests of children when designing, developing, and providing that online service, product, or feature.

(b) If a conflict arises between commercial interests of a business and the best interests of children likely to access an online product, service, or feature, the business must prioritize the privacy, safety, and well-being of children over the business's commercial interests.

Sec. 3. **[325O.02] DEFINITIONS.**

(a) For purposes of this chapter, the following terms have the meanings given.

(b) "Affiliate" means a legal entity that controls, is controlled by, or is under common control with that other legal entity. For these purposes, "control" or "controlled" means: ownership of or the power to vote more than 50 percent of the outstanding shares of any class of voting security of a company; control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or the power to exercise a controlling influence over the management of a company.

(c) "Business" means:

(1) a sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that is organized or operated for the profit or financial benefit of its shareholders or other owners; and

(2) an affiliate of a business that shares common branding with the business. For purposes of this clause, "common branding" means a shared name, servicemark, or trademark that the average consumer would understand that two or more entities are commonly owned.

For purposes of this chapter, for a joint venture or partnership composed of businesses in which each business has at least a 40 percent interest, the joint venture or partnership and each business that composes the joint venture or partnership shall separately be considered a single business, except that personal data in the possession of each business and disclosed to the joint venture or partnership must not be shared with the other business.

(d) "Child" means a consumer who is under 18 years of age.

(e) "Collect" means buying, renting, gathering, obtaining, receiving, or accessing any personal data pertaining to a consumer by any means. This includes receiving data from the consumer, either actively or passively, or by observing the consumer's behavior.

(f) "Consumer" means a natural person who is a Minnesota resident, however identified, including by any unique identifier.

(g) "Dark pattern" means a user interface designed or manipulated with the substantial effect of subverting or impairing user autonomy, decision making, or choice.

(h) "Data protection impact assessment" means a systematic survey to assess and mitigate risks to children who are reasonably likely to access the online service, product, or feature that arise from the data management practices of the business.

(i) "Default" means a preselected option adopted by the business for the online service, product, or feature.

(j) "Deidentified" means data that cannot reasonably be used to infer information about, or otherwise be linked to, an identified or identifiable natural person, or a device linked to such person, provided that the business that possesses the data:

(1) takes reasonable measures to ensure that the data cannot be associated with a natural person;

(2) publicly commits to maintain and use the data only in a deidentified fashion and not attempt to reidentify the data; and

(3) contractually obligates any recipients of the data to comply with all provisions of this paragraph.

(k) "Likely to be accessed by children" means an online service, product, or feature that it is reasonable to expect would be accessed by children based on any of the following indicators:

(1) the online service, product, or feature is directed to children, as defined by the Children's Online Privacy Protection Act, United States Code, title 15, section 6501 et seq.;

(2) the online service, product, or feature is determined, based on competent and reliable evidence regarding audience composition, to be routinely accessed by a significant number of children;

(3) the online service, product, or feature contains advertisements marketed to children;

(4) the online service, product, or feature is substantially similar or the same as an online service, product, or feature subject to clause (2);

(5) the online service, product, or feature has design elements that are known to be of interest to children, including but not limited to games, cartoons, music, and celebrities who appeal to children; or

(6) a significant amount of the audience of the online service, product, or feature is determined, based on internal company research, to be children.

(l) "Online service, product, or feature" does not mean any of the following:

(1) telecommunications service, as defined in United States Code, title 47, section 153;

(2) broadband service, as defined in section 116J.39, subdivision 1; or

(3) the sale, delivery, or use of a physical product.

(m) "Personal data" means any information that is linked or reasonably linkable to an identified or identifiable natural person. Personal data does not include deidentified data or publicly available information. For purposes of this paragraph, "publicly available information" means information that (1) is lawfully made available from federal, state, or local government records or widely distributed media, and (2) a controller has a reasonable basis to believe a consumer has lawfully made available to the general public.

(n) "Precise geolocation" means any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area that is equal to or less than the area of a circle with a radius of 1,850 feet, except as prescribed by regulations.

(o) "Process" or "processing" means any operation or set of operations that are performed on personal data or on sets of personal data, whether or not by automated means, such as the collection, use, storage, disclosure, analysis, deletion, or modification of personal data.

(p) "Profiling" means any form of automated processing of personal data to evaluate, analyze, or predict personal aspects concerning an identified or identifiable natural person's economic situation, health, personal preferences, interests, reliability, behavior, location, or movements.

(q) "Sale," "sell," or "sold" means the exchange of personal data for monetary or other valuable consideration by a business to a third party. Sale does not include the following:

(1) the disclosure of personal data to a third party who processes the personal data on behalf of the business;

(2) the disclosure of personal data to a third party with whom the consumer has a direct relationship for purposes of providing a product or service requested by the consumer;

(3) the disclosure or transfer of personal data to an affiliate of the business;

(4) the disclosure of data that the consumer intentionally made available to the general public via a channel of mass media and did not restrict to a specific audience; or

(5) the disclosure or transfer of personal data to a third party as an asset that is part of a completed or proposed merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the business's assets.

(r) "Share" means sharing, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means a consumer's personal data by the business to a third party for cross-context behavioral advertising, whether or not for monetary or other valuable consideration, including transactions between a business and a third party for cross-context behavioral advertising for the benefit of a business in which no money is exchanged.

(s) "Third party" means a natural or legal person, public authority, agency, or body other than the consumer or the business.

Sec. 4. **[3250.03] SCOPE; EXCLUSIONS.**

(a) A business is subject to this chapter if the business:

(1) collects consumers' personal data or has consumers' personal data collected on the business's behalf by a third party;

(2) alone or jointly with others, determines the purposes and means of the processing of consumers' personal data;

(3) does business in Minnesota; and

(4) satisfies one or more of the following thresholds:

(i) has annual gross revenues in excess of \$25,000,000, as adjusted every odd-numbered year to reflect the Consumer Price Index;

(ii) alone or in combination, annually buys, receives for the business's commercial purposes, sells, or shares for commercial purposes, alone or in combination, the personal data of 50,000 or more consumers, households, or devices; or

(iii) derives 50 percent or more of its annual revenues from selling consumers' personal data.

(b) This chapter does not apply to:

(1) protected health information that is collected by a covered entity or business associate governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, Code of Federal Regulations, title 45, parts 160 and 164, established pursuant to the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and the Health Information Technology for Economic and Clinical Health Act, Public Law 111-5;

(2) a covered entity governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, Code of Federal Regulations, title 45, parts 160 and 164, established pursuant to the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, to the extent the provider or covered entity maintains patient information in the same manner as medical information or protected health information as described in clause (1);

(3) information collected as part of a clinical trial subject to the federal policy for the protection of human subjects, also known as the common rule, pursuant to good clinical practice guidelines issued by the International Council for Harmonisation or pursuant to human subject protection requirements of the United States Food and Drug Administration; or

(4) a business whose principal business is the origination of journalism, and which has a significant portion of its workforce consisting of professional journalists.

Sec. 5. **[3250.04] BUSINESS OBLIGATIONS.**

Subdivision 1. **Requirements for businesses.** A business that provides an online service, product, or feature likely to be accessed by children must:

(1) before any new online services, products, or features are offered to the public, complete a data protection impact assessment for any online service, product, or feature likely to be accessed by children and maintain documentation of this assessment as long as the online service, product, or feature is likely to be accessed by children;

(2) biennially review all data protection impact assessments;

(3) document any risk of material detriment to children that arises from the data management practices of the business identified in the data protection impact assessment required by clause (1) and create a timed plan to mitigate or eliminate the risk before the online service, product, or feature is accessed by children;

(4) within five business days of a written request by the attorney general, provide to the attorney general a list of all data protection impact assessments the business has completed;

(5) within seven business days of a written request by the attorney general, provide the attorney general with a copy of any data protection impact assessment;

(6) estimate the age of child users with a reasonable level of certainty appropriate to the risks that arise from the data management practices of the business or apply the privacy and data protections afforded to children to all consumers;

(7) configure all default privacy settings provided to children by the online service, product, or feature to settings that offer a high level of privacy, unless the business can demonstrate a compelling reason that a different setting is in the best interests of children;

(8) provide any privacy information, terms of service, policies, and community standards concisely, prominently, and using clear language suited to the age of children likely to access that online service, product, or feature;

(9) if the online service, product, or feature allows a child's parent, guardian, or any other consumer to monitor the child's online activity or track the child's location, provide an obvious signal to the child when the child is being monitored or tracked;

(10) enforce published terms, policies, and community standards established by the business, including but not limited to privacy policies and those concerning children; and

(11) provide prominent, accessible, and responsive tools to help children, or if applicable their parents or guardians, exercise their privacy rights and report concerns.

Subd. 2. **Data protection impact assessments; requirements.** (a) A data protection impact assessment required by this section must:

(1) identify the purpose of the online service, product, or feature; how it uses children's personal data; and the risks of material detriment to children that arise from the data management practices of the business; and

(2) address, to the extent applicable:

(i) whether algorithms used by the online product, service, or feature could harm children;

(ii) whether the design of the online product, service, or feature could lead to children experiencing or being targeted by harmful, or potentially harmful, contacts on the online product, service, or feature;

(iii) whether the design of the online product, service, or feature could permit children to witness, participate in, or be subject to harmful, or potentially harmful, conduct on the online product, service, or feature;

(iv) whether the design of the online product, service, or feature could allow children to be party to or exploited by a harmful, or potentially harmful, contact on the online product, service, or feature;

(v) whether targeted advertising systems used by the online product, service, or feature could harm children;

(vi) whether and how the online product, service, or feature uses system design features to increase, sustain, or extend use of the online product, service, or feature by children, including the automatic playing of media, rewards for time spent, and notifications; and

(vii) whether, how, and for what purpose the online product, service, or feature collects or processes personal data of children.

(b) A data protection impact assessment conducted by a business for the purpose of compliance with any other law complies with this section if the data protection impact assessment meets the requirements of this chapter.

(c) A single data protection impact assessment may contain multiple similar processing operations that present similar risks only if each relevant online service, product, or feature is addressed.

Subd. 3. Prohibitions on businesses. A business that provides an online service, product, or feature likely to be accessed by children must not:

(1) use the personal data of any child in a way that the business knows, or has reason to know, is materially detrimental to the physical health, mental health, or well-being of a child;

(2) profile a child by default unless both of the following criteria are met:

(i) the business can demonstrate it has appropriate safeguards in place to protect children; and

(ii) either of the following is true:

(A) profiling is necessary to provide the online service, product, or feature requested and only with respect to the aspects of the online service, product, or feature with which a child is actively and knowingly engaged; or

(B) the business can demonstrate a compelling reason that profiling is in the best interests of children;

(3) collect, sell, share, or retain any personal data that is not necessary to provide an online service, product, or feature with which a child is actively and knowingly engaged, or as described below, unless the business can demonstrate a compelling reason that the collecting, selling, sharing, or retaining of the personal data is in the best interests of children likely to access the online service, product, or feature;

(4) if the end user is a child, use personal data for any reason other than a reason for which that personal data was collected, unless the business can demonstrate a compelling reason that use of the personal data is in the best interests of children;

(5) collect, sell, or share any precise geolocation information of children by default, unless the collection of that precise geolocation information is strictly necessary for the business to provide the service, product, or feature requested and then only for the limited time that the collection of precise geolocation information is necessary to provide the service, product, or feature;

(6) collect any precise geolocation information of a child without providing an obvious sign to the child for the duration of that collection that precise geolocation information is being collected;

(7) use dark patterns to lead or encourage children to provide personal data beyond what is reasonably expected to provide that online service, product, or feature to forego privacy protections, or to take any action that the business knows, or has reason to know, is materially detrimental to the child's physical health, mental health, or well-being; or

(8) use any personal data collected to estimate age or age range for any purpose other than to fulfill the requirements of subdivision 1, clause (6), or retain that personal data longer than necessary to estimate age. Age assurance must be proportionate to the risks and data practice of an online service, product, or feature.

Subd. 4. Data practices. (a) A data protection impact assessment collected or maintained by the attorney general under subdivision 1 is classified as nonpublic data or private data on individuals under section 13.02, subdivisions 9 and 12.

(b) To the extent any information contained in a data protection impact assessment disclosed to the attorney general includes information subject to attorney-client privilege or work product protection, disclosure pursuant to this section does not constitute a waiver of the privilege or protection.

Sec. 6. [3250.05] ATTORNEY GENERAL ENFORCEMENT.

(a) A business that violates this chapter may be subject to an injunction and liable for a civil penalty of not more than \$2,500 per affected child for each negligent violation, or not more than \$7,500 per affected child for each intentional violation, which may be assessed and recovered only in a civil action brought by the attorney general in

accordance with section 8.31. If the state prevails in an action to enforce this chapter, the state may, in addition to penalties provided by this paragraph or other remedies provided by law, be allowed an amount determined by the court to be the reasonable value of all or part of the state's litigation expenses incurred.

(b) Any penalties, fees, and expenses recovered in an action brought under this chapter must be deposited in an account in the special revenue fund and are appropriated to the attorney general to offset costs incurred by the attorney general in connection with enforcement of this chapter.

(c) If a business is in substantial compliance with the requirements of section 325O.04, subdivision 1, clauses (1) to (5), the attorney general must, before initiating a civil action under this section, provide written notice to the business identifying the specific provisions of this chapter that the attorney general alleges have been or are being violated. If, within 90 days of the notice required by this paragraph, the business cures any noticed violation and provides the attorney general a written statement that the alleged violations have been cured, and sufficient measures have been taken to prevent future violations, the business is not liable for a civil penalty for any violation cured pursuant to this section.

(d) Nothing in this chapter provides a private right of action under this chapter, section 8.31, or any other law.

(e) Nothing in this chapter may be interpreted to impose liability in a manner that is inconsistent with United States Code, title 47, section 230, or otherwise infringe on the established rights and freedoms of children.

Sec. 7. AGE-APPROPRIATE DESIGN; ATTORNEY GENERAL.

\$142,000 in fiscal year 2024 and \$142,000 in fiscal year 2025 are appropriated from the general fund to the attorney general to enforce the Minnesota Age-Appropriate Design Code Act.

Sec. 8. EFFECTIVE DATE.

(a) Sections 1 to 6 are effective July 1, 2024.

(b) By July 1, 2025, and as required by section 5, a business must complete a data protection impact assessment for any online service, product, or feature likely to be accessed by children offered to the public before July 1, 2024, unless that online service, product, or feature is exempt under paragraph (c).

(c) Sections 2 to 6 do not apply to an online service, product, or feature that is not offered to the public on or after July 1, 2024."

Delete the title and insert:

"A bill for an act relating to data privacy; addressing individual privacy rights regarding the dissemination of fake content and images; providing for the Minnesota Age-Appropriate Design Code Act; providing for penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 13; 604; 609; 617; proposing coding for new law as Minnesota Statutes, chapter 325O."

We request the adoption of this report and repassage of the bill.

House Conferees: ZACK STEPHENSON and KRISTIN BAHNER.

Senate Conferees: ERIN MAYE QUADE, MATT KLEIN and ERIC LUCERO.

Stephenson moved that the report of the Conference Committee on H. F. No. 1370 be adopted and that the bill be repassed as amended by the Conference Committee.

Pfarr moved that the House refuse to adopt the report of the Conference Committee on H. F. No. 1370 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Pfarr motion and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Altendorf	Demuth	Hudson	Murphy	O'Neill	Swedzinski
Anderson, P. E.	Dotseth	Igo	Myers	Perryman	Torkelson
Backer	Engen	Jacob	Nadeau	Petersburg	Urdahl
Bakeberg	Franson	Joy	Nash	Pfarr	West
Baker	Garofalo	Kiel	Nelson, N.	Quam	Wiener
Bennett	Gillman	Knudsen	Neu Brindley	Robbins	Wiens
Burkel	Grossell	Koznick	Niska	Schomacker	Witte
Daniels	Harder	Kresha	Novotny	Schultz	Zeleznikar
Davids	Heintzeman	Mekeland	O'Driscoll	Scott	
Davis	Hudella	Mueller	Olson, B.	Skraba	

Those who voted in the negative were:

Acomb	Edelson	Hassan	Klevorn	Nelson, M.	Richardson
Agbaje	Elkins	Hemmingsen-Jaeger	Koegel	Newton	Sencer-Mura
Bahner	Feist	Her	Kotzya-Witthuhn	Noor	Smith
Becker-Finn	Finke	Hicks	Kozlowski	Norris	Stephenson
Berg	Fischer	Hill	Kraft	Olson, L.	Tabke
Bierman	Frazier	Hollins	Lee, F.	Pelowski	Vang
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Wolgamott
Carroll	Freiberg	Howard	Liebling	Pinto	Xiong
Cha	Gomez	Huot	Lillie	Pryor	Youakim
Clardy	Greenman	Hussein	Lislegard	Pursell	Spk. Hortman
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Reyer	

The motion did not prevail.

POINT OF ORDER

Demuth raised a point of order pursuant to Joint Rule 2.06, relating to Conference Committees. Speaker pro tempore Wolgamott ruled the point of order not well taken.

Demuth appealed the decision of Speaker pro tempore Wolgamott.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Wolgamott stand as the judgment of the House?" and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Hassan	Klevorn	Nelson, M.	Richardson
Agbaje	Elkins	Hemmingsen-Jaeger	Koegel	Newton	Sencer-Mura
Bahner	Feist	Her	Kotyza-Witthuhn	Noor	Smith
Becker-Finn	Finke	Hicks	Kozlowski	Norris	Stephenson
Berg	Fischer	Hill	Kraft	Olson, L.	Tabke
Bierman	Frazier	Hollins	Lee, F.	Pelowski	Vang
Brand	Frederick	Hornstein	Lee, K.	Pérez-Vega	Wolgamott
Carroll	Freiberg	Howard	Liebling	Pinto	Xiong
Cha	Gomez	Huot	Lillie	Pryor	Youakim
Clardy	Greenman	Hussein	Lislegard	Pursell	Spk. Hortman
Coulter	Hansen, R.	Jordan	Long	Rehm	
Curran	Hanson, J.	Keeler	Moller	Reyer	

Those who voted in the negative were:

Altendorf	Demuth	Hudson	Murphy	O'Neill	Swedzinski
Anderson, P. E.	Dotseth	Igo	Myers	Perryman	Torkelson
Backer	Engen	Jacob	Nadeau	Petersburg	Urdahl
Bakeberg	Franson	Joy	Nash	Pfarr	West
Baker	Garofalo	Kiel	Nelson, N.	Quam	Wiener
Bennett	Gillman	Knudsen	Neu Brindley	Robbins	Wiens
Burkel	Grossell	Koznick	Niska	Schomacker	Witte
Daniels	Harder	Kresha	Novotny	Schultz	Zeleznikar
Davids	Heintzeman	Mekeland	O'Driscoll	Scott	
Davis	Hudella	Mueller	Olson, B.	Skraba	

So it was the judgment of the House that the decision of Speaker pro tempore Wolgamott should stand.

The question recurred on the Stephenson motion that the report of the Conference Committee on H. F. No. 1370 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1370, A bill for an act relating to public safety; establishing a cause of action for nonconsensual dissemination of deep fake sexual images; establishing the crime of using deep fake technology to influence an election; establishing a crime for nonconsensual dissemination of deep fake sexual images; proposing coding for new law in Minnesota Statutes, chapters 604; 609; 617.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 71 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Acomb	Becker-Finn	Brand	Clardy	Edelson	Finke
Agbaje	Berg	Carroll	Coulter	Elkins	Fischer
Bahner	Bierman	Cha	Curran	Feist	Frazier

Frederick	Her	Keeler	Lillie	Pelowski	Smith
Freiberg	Hicks	Klevorn	Lislegard	Pérez-Vega	Stephenson
Garofalo	Hill	Koegel	Long	Pinto	Tabke
Gomez	Hollins	Kotzya-Witthuhn	Moller	Pryor	Vang
Greenman	Hornstein	Kozlowski	Nelson, M.	Pursell	Wolgamott
Hansen, R.	Howard	Kraft	Newton	Rehm	Xiong
Hanson, J.	Huot	Lee, F.	Noor	Reyer	Youakim
Hassan	Hussein	Lee, K.	Norris	Richardson	Spk. Hortman
Hemmingsen-Jaeger	Jordan	Liebling	Olson, L.	Sencer-Mura	

Those who voted in the negative were:

Altendorf	Demuth	Igo	Myers	Perryman	Torkelson
Anderson, P. E.	Dotseth	Jacob	Nadeau	Petersburg	Urdahl
Backer	Engen	Joy	Nash	Pfarr	West
Bakeberg	Franson	Kiel	Nelson, N.	Quam	Wiener
Baker	Gillman	Knudsen	Neu Brindley	Robbins	Wiens
Bennett	Grossell	Koznick	Niska	Schomacker	Witte
Burkel	Harder	Kresha	Novotny	Schultz	Zeleznikar
Daniels	Heintzeman	Mekeland	O'Driscoll	Scott	
Davids	Hudella	Mueller	Olson, B.	Skraba	
Davis	Hudson	Murphy	O'Neill	Swedzinski	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3100, A bill for an act relating to retirement; reducing the actuarial assumption for investment rate of return; eliminating the delay to normal retirement age on the commencement of postretirement adjustments and reducing the vesting requirement for the general employees retirement plans of the Minnesota State Retirement System and the Public Employees Retirement Association; modifying the postretirement adjustment for the local government correctional service retirement plan; providing a onetime postretirement adjustment to all pension plan members; temporarily reducing the employee contribution rate for the general state employees retirement plan; modifying the expiration date for supplemental employer contributions to the State Patrol and correctional state employees plans and for the state aid to the judges plan; providing for an unreduced retirement annuity upon reaching age 62 with 30 years of service and increasing the employee contribution rate for the St. Paul Teachers Retirement Fund Association; appropriating money for onetime direct state aids to the pension plans, an incentive program for paying monetary incentives to join the statewide volunteer firefighter plan, and the Legislative Commission on Pensions and Retirement for actuarial services to assess the actuarial cost of pension legislation; amending Minnesota Statutes 2022, sections 352.04, subdivision 2; 352.115, subdivision 1; 352.92, subdivision 2a; 352B.02, subdivision 1c; 353.01, subdivision 47; 354A.12, subdivision 1; 354A.31, subdivision 7, by adding a subdivision; 356.215, subdivision 8; 356.415, subdivisions 1, 1b, 1g; 490.123, subdivision 5.

THOMAS S. BOTTERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Her moved that the House concur in the Senate amendments to H. F. No. 3100 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3100, a bill for an act relating to retirement; reducing the actuarial assumption for investment rate of return; eliminating the delay to normal retirement age on the commencement of postretirement adjustments and reducing the vesting requirement for the general employees retirement plans of the Minnesota State Retirement System and the Public Employees Retirement Association; modifying the postretirement adjustment for the local government correctional service retirement plan; providing a onetime postretirement adjustment to all pension plan members; temporarily reducing the employee contribution rate for the general state employees retirement plan; modifying the expiration date for supplemental employer contributions to the State Patrol and correctional state employees plans and for the state aid to the judges plan; providing for an unreduced retirement annuity upon reaching age 62 with 30 years of service and increasing the employee contribution rate for the St. Paul Teachers Retirement Fund Association; appropriating money for onetime direct state aids to the pension plans, an incentive program for paying monetary incentives to join the statewide volunteer firefighter plan, and the Legislative Commission on Pensions and Retirement for actuarial services to assess the actuarial cost of pension legislation; amending Minnesota Statutes 2022, sections 352.04, subdivision 2; 352.115, subdivision 1; 352.92, subdivision 2a; 352B.02, subdivision 1c; 353.01, subdivision 47; 354A.12, subdivision 1; 354A.31, subdivision 7, by adding a subdivision; 356.215, subdivision 8; 356.415, subdivisions 1, 1b, 1g; 356.59; 490.123, subdivision 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hemmingsen-Jaeger	Koznick	Norris	Sencer-Mura
Agbaje	Dotseth	Her	Kraft	Novotny	Skraba
Altendorf	Edelson	Hicks	Kresha	O'Driscoll	Smith
Anderson, P. E.	Elkins	Hill	Lee, F.	Olson, B.	Stephenson
Backer	Engen	Hollins	Lee, K.	Olson, L.	Swedzinski
Bahner	Feist	Hornstein	Liebling	O'Neill	Tabke
Bakeberg	Finke	Howard	Lillie	Pelowski	Torkelson
Baker	Fischer	Hudella	Lislegard	Pérez-Vega	Urdahl
Becker-Finn	Franson	Hudson	Long	Perryman	Vang
Bennett	Frazier	Huot	Mekeland	Petersburg	West
Berg	Frederick	Hussein	Moller	Pfarr	Wiener
Bierman	Freiberg	Igo	Mueller	Pinto	Wiens
Brand	Garofalo	Jacob	Murphy	Pryor	Witte
Burkel	Gillman	Jordan	Myers	Pursell	Wolgamott
Carroll	Gomez	Joy	Nadeau	Quam	Xiong
Cha	Greenman	Keeler	Nash	Rehm	Youakim
Clardy	Grossell	Kiel	Nelson, M.	Reyer	Zeleznikar
Coulter	Hansen, R.	Klevorn	Nelson, N.	Richardson	Spk. Hortman
Curran	Hanson, J.	Knudsen	Neu Brindley	Robbins	
Daniels	Harder	Koegel	Newton	Schomacker	
Davids	Hassan	Kotzya-Witthuhn	Niska	Schultz	
Davis	Heintzeman	Kozlowski	Noor	Scott	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 782, A bill for an act relating to retirement; establishing the Minnesota Secure Choice retirement program; providing for civil penalties; transferring money; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 187.

THOMAS S. BOTTERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Becker-Finn moved that the House concur in the Senate amendments to H. F. No. 782 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 782, a bill for an act relating to retirement; establishing the Minnesota Secure Choice retirement program; providing for civil penalties; transferring money; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 187.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 71 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Hassan	Klevorn	Nadeau	Reyer
Agbaje	Elkins	Hemmingsen-Jaeger	Koegel	Nelson, M.	Richardson
Bahner	Feist	Her	Kotzya-Witthuhn	Newton	Sencer-Mura
Becker-Finn	Finke	Hicks	Kozlowski	Noor	Smith
Berg	Fischer	Hill	Kraft	Norris	Stephenson
Bierman	Frazier	Hollins	Lee, F.	Olson, L.	Tabke
Brand	Frederick	Hornstein	Lee, K.	Pelowski	Vang
Carroll	Freiberg	Howard	Liebling	Pérez-Vega	Wolgamott
Cha	Gomez	Huot	Lillie	Pinto	Xiong
Clardy	Greenman	Hussein	Lislegard	Pryor	Youakim
Coulter	Hansen, R.	Jordan	Long	Pursell	Spk. Hortman
Curran	Hanson, J.	Keeler	Moller	Rehm	

Those who voted in the negative were:

Altendorf	Demuth	Hudson	Murphy	Perryman	Torkelson
Anderson, P. E.	Dotseth	Igo	Myers	Petersburg	Urdahl
Backer	Engen	Jacob	Nash	Pfarr	West
Bakeberg	Franson	Joy	Nelson, N.	Quam	Wiener
Baker	Garofalo	Kiel	Neu Brindley	Robbins	Wiens
Bennett	Gillman	Knudsen	Niska	Schomacker	Witte
Burkel	Grossell	Koznick	Novotny	Schultz	Zeleznikar
Daniels	Harder	Kresha	O'Driscoll	Scott	
Davids	Heintzeman	Mekeland	Olson, B.	Skraba	
Davis	Hudella	Mueller	O'Neill	Swedzinski	

The bill was repassed, as amended by the Senate, and its title agreed to.

Freiberg was excused between the hours of 3:30 p.m. and 9:05 p.m.

MOTIONS AND RESOLUTIONS

House Concurrent Resolution No. 5 was reported to the House.

HOUSE CONCURRENT RESOLUTION No. 5

A House concurrent resolution relating to adjournment of the House of Representatives and Senate until 2024.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon adjournment on May 18, 2023, the House of Representatives and Senate may set the next day of meeting for Monday, February 12, 2024, at 12:00 noon.
2. By the adoption of this resolution, each house consents to the adjournment of the other house for more than three days.

Long moved that House Concurrent Resolution No. 5 be now adopted. The motion prevailed and House Concurrent Resolution No. 5 was adopted.

Long moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS**RECONVENED**

The House reconvened and was called to order by the Speaker.

Acomb was excused for the remainder of today's session.

Kraft was excused between the hours of 9:00 p.m. and 9:35 p.m.

ANNOUNCEMENT BY THE SPEAKER
Pursuant to Rule 1.15(c)

A message from the Senate has been received requesting concurrence by the House to amendments adopted by the Senate to the following House Files:

H. F. Nos. 1403 and 2950.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 2292

A bill for an act relating to early childhood; modifying provisions for early learning scholarships, Head Start, and early education programs; providing for early childhood educator programs; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 119A.52; 121A.17, subdivision 3; 121A.19; 124D.13, by

adding a subdivision; 124D.141, subdivision 2; 124D.162; 124D.165, subdivisions 2, 3, 4, 6; 125A.13; 179A.03, subdivision 18; proposing coding for new law in Minnesota Statutes, chapter 122A.

May 11, 2023

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Bobby Joe Champion
President of the Senate

We, the undersigned conferees for H. F. No. 2292 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2292 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 119A.52, is amended to read:

119A.52 DISTRIBUTION OF APPROPRIATION.

(a) The commissioner of education must distribute money appropriated for that purpose to federally designated Head Start programs to expand services and to serve additional low-income children. ~~Migrant and Indian reservation programs must be initially allocated money based on the programs' share of federal funds, which may include costs associated with program operations, infrastructure, or reconfiguration to serve children from birth to age five in center-based services.~~ The distribution must occur in the following order: (1) 10.72 percent of the total Head Start appropriation must be initially allocated to federally designated Tribal Head Start programs; (2) the Tribal Head Start portion of the appropriation must be initially allocated to Tribal Head Start programs based on the programs' share of federal funds; and (3) migrant programs must be initially allocated funding based on the programs' share of federal funds. The remaining money must be initially allocated to the remaining local agencies based equally on the agencies' share of federal funds and on the proportion of eligible children in the agencies' service area who are not currently being served. A Head Start program must be funded at a per child rate equal to its contracted, federally funded base level at the start of the fiscal year. For all agencies without a federal Early Head Start rate, the state average federal cost per child for Early Head Start applies. In allocating funds under this paragraph, the commissioner of education must assure that each Head Start program in existence in 1993 is allocated no less funding in any fiscal year than was allocated to that program in fiscal year 1993. Before paying money to the programs, the commissioner must notify each program of its initial allocation and how the money must be used. Each program must present a plan under section 119A.535. For any program that cannot utilize its full allocation at the beginning of the fiscal year, the commissioner must reduce the allocation proportionately. Money available after the initial allocations are reduced must be redistributed to eligible programs.

(b) The commissioner must develop procedures to make payments to programs based upon the number of children reported to be enrolled during the required time period of program operations. Enrollment is defined by federal Head Start regulations. The procedures must include a reporting schedule, corrective action plan requirements, and financial consequences to be imposed on programs that do not meet full enrollment after the period of corrective action. Programs reporting chronic underenrollment, as defined by the commissioner, will have their subsequent program year allocation reduced proportionately. Funds made available by prorating payments and allocations to programs with reported underenrollment will be made available to the extent funds exist to fully enrolled Head Start programs through a form and manner prescribed by the department.

(c) Programs with approved innovative initiatives that target services to high-risk populations, including homeless families and families living in homeless shelters and transitional housing, are exempt from the procedures in paragraph (b). This exemption does not apply to entire programs. The exemption applies only to approved innovative initiatives that target services to high-risk populations, including homeless families and families living in homeless shelters, transitional housing, and permanent supportive housing.

Sec. 2. **[119C.01] GREAT START SCHOLARSHIPS PROGRAM.**

Subdivision 1. Establishment; purpose. The commissioner of children, youth, and families, in collaboration with the commissioner of education and the commissioner of human services, shall develop and, to the extent funds are available and notwithstanding federal and state laws to the contrary, implement a plan for the great start scholarships program to ensure affordable access to high-quality early care and learning for children from birth to kindergarten entry.

Subd. 2. Development. In developing the plan and implementing the program under this section, the commissioner shall:

(1) identify ways to integrate the functions, administrative structures, and funding mechanisms of early care and learning programs administered by the state with the great start scholarships program;

(2) consider the recommendations made by the Great Start for All Minnesota Children Task Force under Laws 2021, First Special Session chapter 7, article 14, section 18, subdivision 2;

(3) create a process and timeline to transition the following families to the great start scholarships program by July 1, 2028:

(i) families with at least one child receiving an early learning scholarship under section 124D.165; and

(ii) families with at least one child who is not yet in kindergarten and is receiving child care assistance under section 119B.03 or 119B.05 for care received from a provider licensed under Minnesota Rules, chapter 9502 or 9503, or Tribally licensed, or a Head Start program that has a rating under section 124D.142;

(4) create mechanisms for members of local communities, including families and members of the early care and learning workforce, to have input in decisions regarding needs and preferences for early care and learning options;

(5) develop a proposed method for funding early care and learning slots in response to local need through contracts with eligible providers that may be used to deliver services that meet quality and compensation standards with the intent to build early care and learning capacity statewide for children from birth to kindergarten entry; and

(6) consider how to maximize available federal resources while maintaining access to child care assistance funding under sections 119B.03 and 119B.05 for school-age children. The commissioner, in consultation with an appropriate state agency, may seek federal technical assistance or outside consultation as necessary to provide minimally burdensome program access to all participating families.

Subd. 3. Program requirements. The great start scholarships program must include at a minimum:

(1) a method to provide financial assistance to families voluntarily participating in the program;

(2) family eligibility for any qualifying family that has at least one child who is not yet in kindergarten;

(3) provider eligibility for:

(i) any program licensed under Minnesota Rules, chapter 9502 or 9503, or Tribally licensed, that participates in the quality rating and improvement system under section 124D.142; and

(ii) any school-based program and Head Start program that has a rating under section 124D.142;

(4) a unified, integrated, and simple online application process that utilizes administrative data to ease qualification and benefit determination and meet federal reporting requirements;

(5) an electronic attendance tracking system that is integrated, to the extent practicable, and payments system to safeguard program integrity and streamline billing and payment processes for providers; and

(6) a schedule for family contributions and provider payments that ensures that no participating family pays more than seven percent of annual income for early care and learning services for children from birth to kindergarten entry. Family contributions and provider payments may vary by family income, program quality, geography, and need for compensatory services, and may take into consideration the results of the market rate survey under section 119B.02, subdivision 7; information from cost estimation models for providing early care and learning in the state; and cost information gathered through contracts under subdivision 2, clause (5).

Subd. 4. **Administration; reporting requirement.** (a) By July 1, 2028, to the extent funding is appropriated and notwithstanding federal and state laws to the contrary, the commissioner shall have in place the administrative structures and systems needed for the great start scholarships program to meet the operational needs of participating families and eligible providers.

(b) By July 1, 2026, the commissioner, in consultation with the commissioners of education and human services, must submit a report to the legislative committees with jurisdiction over early care and learning on the status of planning for the program under this section. The report must:

(1) include information on progress made and work underway to develop the program;

(2) provide details about the administrative structures, systems, and funding needed to meet the needs of families and providers who may participate in the program; and

(3) identify any statutory or regulatory changes necessary for implementation of the program.

Sec. 3. Minnesota Statutes 2022, section 121A.17, subdivision 3, is amended to read:

Subd. 3. Screening program. (a) A screening program must include at least the following components: developmental assessments, including virtual developmental screening for families who make the request based on their immunocompromised health status or other health conditions, hearing and vision screening or referral, immunization review and referral, the child's height and weight, the date of the child's most recent comprehensive vision examination, if any, identification of risk factors that may influence learning, an interview with the parent about the child, and referral for assessment, diagnosis, and treatment when potential needs are identified. The district and the person performing or supervising the screening must provide a parent or guardian with clear written notice that the parent or guardian may decline to answer questions or provide information about family circumstances that might affect development and identification of risk factors that may influence learning. The notice must state "Early childhood developmental screening helps a school district identify children who may benefit from district and community resources available to help in their development. Early childhood developmental screening includes a vision screening that helps detect potential eye problems but is not a substitute for a comprehensive eye exam." The notice must clearly state that declining to answer questions or provide information does not prevent the child from being enrolled in kindergarten or first grade if all other screening components are met. If a parent or guardian is not able to read and comprehend the written notice, the district and the person performing or supervising the screening must convey the information in another manner. The notice must also inform the parent or guardian that a child need not submit to the district screening program if the child's health records indicate to the school that the child has received comparable developmental screening performed within the preceding 365 days by a public or private health care organization or individual health care provider. The notice must be given to a parent or guardian at the time the district initially provides information to the parent or guardian about screening and must be given again at the screening location.

(b) All screening components shall be consistent with the standards of the state commissioner of health for early developmental screening programs. A developmental screening program must not provide laboratory tests or a physical examination to any child. The district must request from the public or private health care organization or the individual health care provider the results of any laboratory test or physical examination within the 12 months preceding a child's scheduled screening. For the purposes of this section, "comprehensive vision examination" means a vision examination performed by an optometrist or ophthalmologist.

(c) If a child is without health coverage, the school district must refer the child to an appropriate health care provider.

(d) A board may offer additional components such as nutritional, physical and dental assessments, review of family circumstances that might affect development, blood pressure, laboratory tests, and health history.

(e) If a statement signed by the child's parent or guardian is submitted to the administrator or other person having general control and supervision of the school that the child has not been screened because of conscientiously held beliefs of the parent or guardian, the screening is not required.

Sec. 4. Minnesota Statutes 2022, section 121A.19, is amended to read:

121A.19 DEVELOPMENTAL SCREENING AID.

Each school year, the state must pay a district for each child or student screened by the district according to the requirements of section 121A.17. The amount of state aid for each child or student screened shall be: (1) ~~\$75~~ \$98 for a child screened at age three; (2) ~~\$50~~ \$65 for a child screened at age four; (3) ~~\$40~~ \$52 for a child screened at age five or six prior to kindergarten; and (4) ~~\$30~~ \$39 for a student screened within 30 days after first enrolling in a public school kindergarten if the student has not previously been screened according to the requirements of section 121A.17. If this amount of aid is insufficient, the district may permanently transfer from the general fund an amount that, when added to the aid, is sufficient. Developmental screening aid shall not be paid for any student who is screened more than 30 days after the first day of attendance at a public school kindergarten, except if a student transfers to another public school kindergarten within 30 days after first enrolling in a Minnesota public school kindergarten program. In this case, if the student has not been screened, the district to which the student transfers may receive developmental screening aid for screening that student when the screening is performed within 30 days of the transfer date.

Sec. 5. **[122A.261] PREKINDERGARTEN, SCHOOL READINESS, PRESCHOOL, AND EARLY EDUCATION PROGRAMS; LICENSURE REQUIREMENT.**

Subdivision 1. **Licensure requirement.** (a) A school district or charter school must employ a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool, school readiness, school readiness plus, or prekindergarten program or other school district or charter school-based early education program.

(b) This subdivision does not apply to individuals providing instruction in a child care center licensed under Minnesota Rules, chapter 9503, or in a certified license-exempt child care center under chapter 245H.

Subd. 2. **Exemptions.** Any teacher who has taught in a preschool, school readiness, school readiness plus, or prekindergarten program, or other early learning program for at least five years prior to September 1, 2028, may continue to teach without obtaining a license. Notwithstanding this exemption from the licensure requirement, these individuals are teachers under section 179A.03, subdivision 18.

EFFECTIVE DATE. This section is effective July 1, 2028.

Sec. 6. **[122A.731] GRANTS FOR GROW YOUR OWN EARLY CHILDHOOD AND FAMILY EDUCATOR PROGRAMS.**

Subdivision 1. **Establishment.** The commissioner of education must award grants for Grow Your Own Early Childhood Educator programs established under this section in order to develop an early childhood education workforce that more closely reflects the state's increasingly diverse student population and ensures all students have equitable access to high-quality early educators.

Subd. 2. **Grow Your Own Early Childhood and Family Educator programs.** (a) Minnesota-licensed family child care or licensed center-based child care programs, school district or charter school early learning programs, Head Start programs, institutions of higher education, and other community partnership nongovernmental organizations may apply for a grant to host, build, or expand an early childhood educator preparation program that leads to an individual earning the credential or degree needed to enter or advance in the early childhood education workforce. Examples include programs that help interested individuals earn the child development associate (CDA)

credential, an associate's degree in child development, or a bachelor's degree in early childhood and family education studies or early childhood licensures. The grant recipient must use at least 80 percent of grant money for student stipends, tuition scholarships, or unique student teaching or field placement experiences.

(b) Programs providing financial support to interested individuals may require a commitment from the individuals awarded, as determined by the commissioner, to teach in the program or school for a reasonable amount of time that does not exceed one year.

Subd. 3. **Grant procedure.** (a) Eligible programs must apply for a grant under this section in the form and manner specified by the commissioner. To the extent that there are sufficient applications, the commissioner must, to the extent practicable, award an equal number of grants between applicants in greater Minnesota and those in the metropolitan area.

(b) For the 2023-2024 school year and later, grant applications for new and existing programs must be received by the commissioner no later than January 15 of the year prior to the school year in which the grant will be used. The commissioner must review all applications and notify grant recipients by March 15 or as soon as practicable of the anticipated amount awarded. If the commissioner determines that sufficient funding is unavailable for the grants, the commissioner must notify grant applicants by June 30 or as soon as practicable that there is insufficient money.

Subd. 4. **Grow Your Own Early Childhood Education program account.** (a) The Grow Your Own Early Childhood Education program account is established in the special revenue fund.

(b) Money appropriated for the Grow Your Own Early Childhood Education program under this section must be transferred to the Grow Your Own Early Childhood Education program account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for the Grow Your Own Early Childhood Education program under this section. Any returned money is available to be regranted. Grant recipients may apply to use grant money over a period of up to 60 months.

(d) Up to \$175,000 annually is appropriated to the commissioner for costs associated with administering and monitoring the program under this section.

Subd. 5. **Report.** Grant recipients must annually report to the commissioner in the form and manner determined by the commissioner on their activities under this section, including the number of educators supported through grant money and the number of educators obtaining credentials by type. Data must indicate the beginning level of education and ending level of education of individual participants and an assessment of program effectiveness, including participant feedback, areas for improvement, and employment changes and current employment status, where applicable, after completing preparation programs. The commissioner must publish a report for the public that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

Sec. 7. Minnesota Statutes 2022, section 124D.13, is amended by adding a subdivision to read:

Subd. 12a. **Support staff.** (a) The department must employ two full-time equivalent staff to serve as resources for programs described in this section. The staff persons must provide operational support and guidance to programs, including but not limited to providing professional development and education support, assisting with marketing and outreach, and facilitating collaborations with public and private organizations serving families.

(b) Each staff person described in this subdivision must hold a valid license as a teacher of parent and family education.

Sec. 8. Minnesota Statutes 2022, section 124D.141, subdivision 2, is amended to read:

Subd. 2. **Additional duties.** The following duties are added to those assigned to the council under federal law:

(1) make recommendations on the most efficient and effective way to leverage state and federal funding streams for early childhood and child care programs;

~~(2) make recommendations on how to coordinate or colocate early childhood and child care programs in one state Office of Early Learning. The council shall establish a task force to develop these recommendations. The task force shall include two nonexecutive branch or nonlegislative branch representatives from the council; six representatives from the early childhood caucus; two representatives each from the Departments of Education, Human Services, and Health; one representative each from a local public health agency, a local county human services agency, and a school district; and two representatives from the private nonprofit organizations that support early childhood programs in Minnesota. In developing recommendations in coordination with existing efforts of the council, the task force shall consider how to:~~

~~(i) consolidate and coordinate resources and public funding streams for early childhood education and child care, and ensure the accountability and coordinated development of all early childhood education and child care services to children from birth to kindergarten entrance;~~

~~(ii) create a seamless transition from early childhood programs to kindergarten;~~

~~(iii) encourage family choice by ensuring a mixed system of high quality public and private programs, with local points of entry, staffed by well qualified professionals;~~

~~(iv) ensure parents a decisive role in the planning, operation, and evaluation of programs that aid families in the care of children;~~

~~(v) provide consumer education and accessibility to early childhood education and child care resources;~~

~~(vi) advance the quality of early childhood education and child care programs in order to support the healthy development of children and preparation for their success in school;~~

~~(vii) develop a seamless service delivery system with local points of entry for early childhood education and child care programs administered by local, state, and federal agencies;~~

~~(viii) ensure effective collaboration between state and local child welfare programs and early childhood mental health programs and the Office of Early Learning;~~

~~(ix) develop and manage an effective data collection system to support the necessary functions of a coordinated system of early childhood education and child care in order to enable accurate evaluation of its impact;~~

~~(x) respect and be sensitive to family values and cultural heritage; and~~

~~(xi) establish the administrative framework for and promote the development of early childhood education and child care services in order to provide that these services, staffed by well qualified professionals, are available in every community for all families that express a need for them.~~

~~In addition, the task force must consider the following responsibilities for transfer to the Office of Early Learning:~~

~~(A) responsibilities of the commissioner of education for early childhood education programs and financing under sections 119A.50 to 119A.535, 121A.16 to 121A.19, and 124D.129 to 124D.2211;~~

~~(B) responsibilities of the commissioner of human services for child care assistance, child care development, and early childhood learning and child protection facilities programs and financing under chapter 119B and section 256E.37; and~~

~~(C) responsibilities of the commissioner of health for family home visiting programs and financing under section 145A.17.~~

~~Any costs incurred by the council in making these recommendations must be paid from private funds. If no private funds are received, the council must not proceed in making these recommendations. The council must report its recommendations to the governor and the legislature by January 15, 2011;~~

~~(3) (2) review program evaluations regarding high-quality early childhood programs;~~

~~(4) (3) make recommendations to the governor and legislature, including proposed legislation on how to most effectively create a high-quality early childhood system in Minnesota in order to improve the educational outcomes of children so that all children are school ready by 2020 have the opportunities and experiences to support a successful transition to kindergarten; and~~

~~(5) make recommendations to the governor and the legislature by March 1, 2011, on the creation and implementation of a statewide school readiness report card to monitor progress toward the goal of having all children ready for kindergarten by the year 2020. The recommendations shall include what should be measured including both children and system indicators, what benchmarks should be established to measure state progress toward the goal, and how frequently the report card should be published. In making their recommendations, the council shall consider the indicators and strategies for Minnesota's early childhood system report, the Minnesota school readiness study, developmental assessment at kindergarten entrance, and the work of the council's accountability committee. Any costs incurred by the council in making these recommendations must be paid from private funds. If no private funds are received, the council must not proceed in making these recommendations; and~~

~~(6) make recommendations to the governor and the legislature on how to screen earlier and comprehensively assess children for school readiness in order to provide increased early interventions and increase the number of children ready for kindergarten. In formulating their recommendations, the council shall consider (i) ways to interface with parents of children who are not participating in early childhood education or care programs, (ii) ways to interface with family child care providers, child care centers, and school based early childhood and Head Start programs, (iii) if there are age appropriate and culturally sensitive screening and assessment tools for three-, four-, and five-year olds, (iv) the role of the medical community in screening, (v) incentives for parents to have children screened at an earlier age, (vi) incentives for early education and care providers to comprehensively assess children in order to improve instructional practice, (vii) how to phase in increases in screening and assessment over time, (viii) how the screening and assessment data will be collected and used and who will have access to the data, (ix) how to monitor progress toward the goal of having 50 percent of three-year old children screened and 50 percent of entering kindergarteners assessed for school readiness by 2015 and 100 percent of three-year old children screened and entering kindergarteners assessed for school readiness by 2020, and (x) costs to meet these benchmarks. The council shall consider the screening instruments and comprehensive assessment tools used in Minnesota early childhood education and care programs and kindergarten. The council may survey early childhood education and care programs in the state to determine the screening and assessment tools being used or rely on previously collected survey data, if available. For purposes of this subdivision, "school readiness" is defined as the child's skills, knowledge, and behaviors at kindergarten entrance in these areas of child development: social; self regulation; cognitive, including language, literacy, and mathematical thinking; and physical. For purposes of this subdivision, "screening" is defined as the activities used to identify a child who may need further evaluation to determine delay in development or disability. For purposes of this subdivision, "assessment" is defined as the activities used to determine a child's level of performance in order to promote the child's learning and development. Work on this duty will begin in fiscal year 2012. Any costs incurred by the council in making these recommendations must be paid from private funds. If no private funds are received, the council must not proceed in making these recommendations. The council must report its recommendations to the governor and legislature by January 15, 2013, with an interim report on February 15, 2011.~~

~~(4) review and provide input on the recommendations and implementation timelines developed by the Great Start For All Minnesota Children Task Force under Laws 2021, First Special Session chapter 7, article 14, section 18, subdivision 2.~~

Sec. 9. Minnesota Statutes 2022, section 124D.142, subdivision 2, is amended to read:

Subd. 2. **System components.** (a) The standards-based voluntary quality rating and improvement system includes:

(1) at least a one-star rating for all programs licensed under Minnesota Rules, chapter 9502 or 9503, or Tribally licensed that do not opt out of the system under paragraph (b) and that are not:

(i) the subject of a finding of fraud for which the program or individual is currently serving a penalty or exclusion;

(ii) prohibited from receiving public funds under section 245.095, regardless of whether the action is under appeal;

(iii) under revocation, suspension, temporary immediate suspension, or decertification, or is operating under a conditional license, regardless of whether the action is under appeal; or

(iv) the subject of suspended, denied, or terminated payments to a provider under section 119B.13, subdivision 6, paragraph (d), clause (1) or (2); 245E.02, subdivision 4, paragraph (c), clause (4); or 256.98, subdivision 1, regardless of whether the action is under appeal;

~~(1)~~ (2) quality opportunities in order to improve the educational outcomes of children so that they are ready for school;

~~(2)~~ (3) a framework based on the Minnesota quality rating system rating tool and a common set of child outcome and program standards informed by evaluation results;

~~(3)~~ (4) a tool to increase the number of publicly funded and regulated early learning and care services in both public and private market programs that are high quality;

~~(4)~~ (5) voluntary participation ensuring that if a program or provider chooses to participate, the program or provider will be rated and may receive public funding associated with the rating; and

~~(5)~~ (6) tracking progress toward statewide access to high-quality early learning and care programs, progress toward the number of low-income children whose parents can access quality programs, and progress toward increasing the number of children who are fully prepared to enter kindergarten.

(b) By July 1, 2026, the commissioner of human services shall establish a process by which a program may opt out of the rating under paragraph (a), clause (1). The commissioner shall consult with Tribes to develop a process for rating Tribally licensed programs that is consistent with the goal outlined in paragraph (a), clause (1).

Sec. 10. Minnesota Statutes 2022, section 124D.162, is amended to read:

124D.162 KINDERGARTEN READINESS ENTRY ASSESSMENT.

Subdivision 1. **Assessment required.** The commissioner of education ~~may~~ must implement a kindergarten ~~readiness entry assessment representative of incoming kindergartners to identify the percent of kindergartners who meet or exceed end-of-year prekindergarten early learning standards. The assessment must be based on the Department of Education Kindergarten Readiness Assessment at kindergarten entrance study.~~

Subd. 2. **Process.** (a) School districts and charter schools must choose a kindergarten entry assessment tool from a menu of valid and reliable measurement instruments approved by the department that:

(1) are aligned to the state early childhood indicators of progress and kindergarten standards and are based on the criteria to be an early learning assessment approved by the department;

(2) support the world's best workforce goals in section 120B.11, subdivision 1, paragraph (c); and

(3) are based, in part, on information collected from teachers, early learning professionals, families, and other partners.

(b) The department must provide technical assistance and professional development related to the assessment required under this section to educators, school districts, and charter schools.

Subd. 3. **Reporting.** School districts and charter schools must annually report the results of kindergarten entry assessments to the department in a form and manner determined by the commissioner that is concurrent with a district's and charter school's world's best workforce report under section 120B.11, subdivision 5. The commissioner must publicly report kindergarten readiness results as part of the performance reports required under section 120B.36 and in a manner consistent with section 120B.35, subdivision 3, paragraph (a), clause (2).

Subd. 4. **Implementation.** The requirements under this section must be phased in over three school years with all school districts and charter schools complying beginning with the 2025-2026 school year.

Sec. 11. Minnesota Statutes 2022, section 124D.165, subdivision 2, is amended to read:

Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship, parents or guardians must have an eligible child and meet at least one of the following eligibility requirements:

~~(1) have an eligible child; and~~

~~(2) (1) have income equal to or less than 185 percent of federal poverty level income;~~

(i) the at-application rate specified in section 119B.09, subdivision 1, paragraph (a), clause (2), in the current calendar year, or;

(ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section 9858n(4)(B), as adjusted for family size;

(2) be able to document their child's current participation in the free and reduced-price lunch meal program or Child and Adult Care Food Program, National School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota family investment program under chapter 256J; child care assistance programs under chapter 119B; the supplemental nutrition assistance program; or placement

(3) have a child referred as in need of child protection services or placed in foster care under section 260C.212.

(b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

~~(1) at least three but not yet five years of age on September 1 of the current school year;~~

~~(2) a sibling from birth to age five of a child who has been awarded a scholarship under this section provided the sibling attends the same program as long as funds are available;~~

~~(3) the child of a parent under age 21 who is pursuing a high school degree or a course of study for a high school equivalency test; or~~

~~(4) homeless, in foster care, or in need of child protective services.~~

(c) A child who has received a scholarship under this section must continue to receive a scholarship each year until that child is eligible for kindergarten under section 120A.20 and as long as funds are available.

(d) Early learning scholarships may not be counted as earned income for the purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota family investment program under chapter 256J, child care assistance programs under chapter 119B, or Head Start under the federal Improving Head Start for School Readiness Act of 2007.

(e) A child from an adjoining state whose family resides at a Minnesota address as assigned by the United States Postal Service, who has received developmental screening under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district, and whose family meets the criteria of paragraph (a) is eligible for an early learning scholarship under this section.

EFFECTIVE DATE. This section is effective July 1, 2024, except paragraph (b) is effective January 1, 2024.

Sec. 12. Minnesota Statutes 2022, section 124D.165, is amended by adding a subdivision to read:

Subd. 2a. Applications; priorities. (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meet the operational needs of eligible families and programs.

(b) The commissioner must give highest priority to applications from children who:

(1) are not yet four years of age;

(2) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;

(3) are in foster care;

(4) have been referred as in need of child protection services;

(5) have an incarcerated parent;

(6) have a parent in a substance use treatment program;

(7) have a parent in a mental health treatment program;

(8) have experienced domestic violence; or

(9) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 1143a.

(c) Notwithstanding paragraph (b), beginning July 1, 2025, the commissioner must give highest priority to applications from children in families with income equal to or less than the rate specified under subdivision 2, paragraph (a), clause (1), item (i), and within this group must prioritize children who meet one or more of the criteria listed in paragraph (b).

(d) The commissioner may prioritize applications on additional factors, including but not limited to availability of funding, family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

EFFECTIVE DATE. This section is effective July 1, 2024, except paragraph (b), clause (1), is effective January 1, 2025.

Sec. 13. Minnesota Statutes 2022, section 124D.165, subdivision 3, is amended to read:

Subd. 3. **Administration.** ~~(a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner must give highest priority to applications from children who:~~

~~(1) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;~~

~~(2) are in foster care or otherwise in need of protection or services; or~~

~~(3) have experienced homelessness in the last 24 months, as defined under the federal McKinney Vento Homeless Assistance Act, United States Code, title 42, section 11434a.~~

~~The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.~~

~~(b) (a) The commissioner shall establish a target for the average scholarship amount per child schedule of tiered per-child scholarship amounts based on the results of the rate survey conducted under section 119B.02, subdivision 7, the cost of providing high-quality early care and learning to children in varying circumstances, a family's income, and geographic location.~~

~~(b) Notwithstanding paragraph (a), a program that has a four-star rating under section 124D.142 must receive, for each scholarship recipient who meets the criteria in subdivision 2a, paragraph (b) or (c), an amount not less than the cost to provide full-time care at the 75th percentile of the most recent market rate survey under section 119B.02, subdivision 7.~~

(c) A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. For fiscal year 2018 and later, the statewide amount of funding directly designated by the commissioner must not exceed the funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.

(d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ~~ten~~ three months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. An extension may be requested if a program is unavailable for the child within the three-month timeline. A child may not be awarded more than one scholarship in a 12-month period.

(e) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program or within 90 days after the child's third birthday if awarded a scholarship under the age of three.

(f) For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (c) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved scholarship recipient enrolled under paragraph (c) according to the metered payment system or another schedule established by the commissioner.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 14. Minnesota Statutes 2022, section 124D.165, subdivision 4, is amended to read:

Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an early learning scholarship, a program must:

~~(1) participate in the quality rating and improvement system under section 124D.142; and,~~

~~(2) beginning July 1, 2024, have a three- or four-star rating in the quality rating and improvement system.~~

(b) Any program accepting scholarships must use the revenue to supplement and not supplant federal funding.

Sec. 15. Minnesota Statutes 2022, section 124D.165, subdivision 6, is amended to read:

Subd. 6. **Early learning scholarship account.** (a) An account is established in the special revenue fund known as the "early learning scholarship account."

(b) Funds appropriated for early learning scholarships under this section must be transferred to the early learning scholarship account in the special revenue fund.

(c) Money in the account is annually appropriated to the commissioner for early learning scholarships under this section. Any returned funds are available to be regranted.

(d) Up to ~~\$950,000~~ \$2,133,000 annually is appropriated to the commissioner for costs associated with administering and monitoring early learning scholarships.

(e) The commissioner may use funds under paragraph (c) for the purpose of family outreach and distribution of scholarships.

(f) The commissioner may use up to \$5,000,000 in funds under paragraph (c) to create information technology systems, including but not limited to an online application, a case management system, attendance tracking, and a centralized payment system. Beginning July 1, 2025, the commissioner may use up to \$750,000 annually in funds under paragraph (c) to maintain the information technology systems created under this paragraph.

Sec. 16. Minnesota Statutes 2022, section 125A.13, is amended to read:

125A.13 SCHOOL OF PARENTS' CHOICE.

(a) Nothing in this chapter must be construed as preventing parents of a child with a disability from sending the child to a school of their choice, if they so elect, subject to admission standards and policies adopted according to sections 125A.62 to 125A.64 and 125A.66 to 125A.73, and all other provisions of chapters 120A to 129C.

(b) The parent of a student with a disability not yet enrolled in kindergarten and not open enrolled in a nonresident district may ~~request that the resident district enter into a tuition agreement with~~ elect, in the same manner as the parent of a resident student with a disability, a school in the nonresident district ~~if:~~

~~(1) where~~ the child is enrolled in a Head Start program or a licensed child care setting in the nonresident district; ~~and, provided~~

~~(2) the child can be served in the same setting as other children in the nonresident district with the same level of disability.~~

Sec. 17. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; ONE-STAR RATING REPORT.**

The commissioner of human services must engage with early care and learning providers to assess how the availability of a one-star rating under Minnesota Statutes, section 124D.142, subdivision 2, paragraph (a), clause (1), may impact the number of providers that choose to work toward higher ratings under Minnesota Statutes, section 124D.142. The commissioner must determine the cost to establish the one-star rating under Minnesota Statutes, section 124D.142, subdivision 2, paragraph (a), clause (1), and the extent to which funding is needed to support quality improvement for providers that seek to earn higher ratings. By December 31, 2024, the commissioner must report on findings under this section to the legislative committees with jurisdiction over early care and learning programs.

Sec. 18. **APPROPRIATIONS GIVEN EFFECT ONCE.**

If an appropriation or transfer in this article is enacted more than once during the 2023 regular session, the appropriation or transfer must be given effect once.

Sec. 19. **APPROPRIATION; GREAT START SCHOLARSHIPS PROGRAM.**

\$2,610,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of human services for establishing and implementing the great start scholarships program under Minnesota Statutes, section 119C.01. The commissioner may transfer all or part of the appropriation to the commissioner of children, youth, and families beginning July 1, 2024. This is a onetime appropriation and is available until June 30, 2027.

Sec. 20. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Grow Your Own.** (a) For grants to develop, continue, or expand Grow Your Own programs under Minnesota Statutes, section 122A.731:

<u>\$2,500,000</u>	.....	<u>2024</u>
<u>\$2,500,000</u>	.....	<u>2025</u>

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 122A.731, subdivision 4.

(c) The base for fiscal year 2026 and later is \$500,000.

Subd. 3. **Early childhood and family education teacher shortage.** (a) For transfer to the Office of Higher Education for grants to Minnesota institutions of higher education to address the early childhood and family education teacher shortage:

<u>\$500,000</u>	.....	<u>2024</u>
<u>\$500,000</u>	.....	<u>2025</u>

(b) Grant funds may be used to provide tuition and other supports to students.

(c) Up to five percent of the grant amount is available for grant administration and monitoring.

(d) Any balance in the first year does not cancel but is available in the second year.

Subd. 4. **School readiness.** (a) For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

<u>\$33,683,000</u>	.....	<u>2024</u>
<u>\$33,683,000</u>	.....	<u>2025</u>

(b) The 2024 appropriation includes \$3,368,000 for 2023 and \$30,315,000 for 2024.

(c) The 2025 appropriation includes \$3,368,000 for 2024 and \$30,315,000 for 2025.

Subd. 5. **Early learning scholarships.** (a) For the early learning scholarship program under Minnesota Statutes, section 124D.165:

<u>\$196,737,000</u>	.....	<u>2024</u>
<u>\$196,738,000</u>	.....	<u>2025</u>

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 124D.165, subdivision 6.

(c) The base for fiscal year 2026 and later is \$100,173,000.

Subd. 6. **Head Start program.** (a) For Head Start programs under Minnesota Statutes, section 119A.52:

<u>\$35,100,000</u>	.....	<u>2024</u>
<u>\$35,100,000</u>	.....	<u>2025</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 7. **Early childhood family education aid.** (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

<u>\$37,497,000</u>	.....	<u>2024</u>
<u>\$39,108,000</u>	.....	<u>2025</u>

(b) The 2024 appropriation includes \$3,518,000 for 2023 and \$33,979,000 for 2024.

(c) The 2025 appropriation includes \$3,775,000 for 2024 and \$35,333,000 for 2025.

Subd. 8. **Early childhood family education support staff.** (a) For the purposes described under Minnesota Statutes, section 124D.13, subdivision 12a:

<u>\$375,000</u>	.....	<u>2024</u>
<u>\$375,000</u>	.....	<u>2025</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 9. **Developmental screening aid.** (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<u>\$4,350,000</u>	.....	<u>2024</u>
<u>\$4,375,000</u>	.....	<u>2025</u>

(b) The 2024 appropriation includes \$349,000 for 2023 and \$4,001,000 for 2024.

(c) The 2025 appropriation includes \$445,000 for 2024 and \$3,930,000 for 2025.

Subd. 10. **Administrative costs for developmental screening.** (a) For the administrative costs associated with developmental screening under Minnesota Statutes, sections 121A.17 and 121A.19:

<u>\$127,000</u>	.....	<u>2024</u>
<u>\$77,000</u>	.....	<u>2025</u>

(b) The base for fiscal year 2026 and later is \$77,000.

Subd. 11. **ParentChild+ program.** (a) For a grant to the ParentChild+ program:

<u>\$1,800,000</u>	<u>.....</u>	<u>2024</u>
<u>\$1,800,000</u>	<u>.....</u>	<u>2025</u>

(b) The grant must be used for an evidence-based and research-validated early childhood literacy and school readiness program for children ages 16 months to four years at its existing suburban program location. The program must include urban and rural program locations for fiscal years 2024 and 2025.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) The base for fiscal year 2026 and later is \$900,000.

Subd. 12. **Kindergarten entry assessment.** (a) For the kindergarten entry assessment under Minnesota Statutes, section 124D.162:

<u>\$1,049,000</u>	<u>.....</u>	<u>2024</u>
<u>\$2,037,000</u>	<u>.....</u>	<u>2025</u>

(b) The base for fiscal year 2026 is \$2,357,000 and the base for fiscal year 2027 is \$1,743,000.

Subd. 13. **Quality rating and improvement system.** (a) For transfer to the commissioner of human services for the purposes of expanding the quality rating and improvement system under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports for providers participating in the quality rating and improvement system:

<u>\$2,850,000</u>	<u>.....</u>	<u>2024</u>
<u>\$1,750,000</u>	<u>.....</u>	<u>2025</u>

(b) The amounts in paragraph (a) must be in addition to any federal funding under the child care and development block grant authorized under Public Law 101-508 in that year for the system under Minnesota Statutes, section 124D.142.

(c) The commissioner of human services shall use up to \$1,100,000 in fiscal year 2024 from the amount appropriated under paragraph (a) to establish and report on the automatic one-star rating under Minnesota Statutes, section 124D.142, subdivision 2, paragraph (a), and to offer related supports.

Subd. 14. **Children's savings accounts start-up grants.** (a) For a grant to Youthprise to implement and administer a pilot program to award grants to entities to start up new, local child savings account programs:

<u>\$500,000</u>	<u>.....</u>	<u>2024</u>
<u>\$0</u>	<u>.....</u>	<u>2025</u>

(b) Youthprise must allocate at least \$400,000 of this appropriation for grants to entities in up to four locations in the state to start up new, local child savings account programs. To the extent possible, Youthprise must award grants in urban, rural, suburban, and Tribal settings.

(c) By December 1, 2025, Youthprise must report on the status and any outcomes of the pilot project to the Department of Education and relevant committees of the legislature.

(d) This is a onetime appropriation and is available through June 30, 2025.

Subd. 15. Early childhood programs at Tribal contract schools. (a) For early childhood family education programs at Tribal contract schools under Minnesota Statutes, section 124D.83, subdivision 4:

<u>\$68,000</u>	.....	<u>2024</u>
<u>\$68,000</u>	.....	<u>2025</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 16. Educate parents partnership. (a) For the educate parents partnership under Minnesota Statutes, section 124D.129:

<u>\$49,000</u>	.....	<u>2024</u>
<u>\$49,000</u>	.....	<u>2025</u>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 17. Home visiting aid. (a) For home visiting aid under Minnesota Statutes, section 124D.135:

<u>\$391,000</u>	.....	<u>2024</u>
<u>\$309,000</u>	.....	<u>2025</u>

(b) The 2024 appropriation includes \$41,000 for 2023 and \$350,000 for 2024.

(c) The 2025 appropriation includes \$38,000 for 2024 and \$271,000 for 2025.

Subd. 18. Learning with Music program. (a) For a grant to the MacPhail Center for Music to expand the Learning with Music program:

<u>\$250,000</u>	.....	<u>2024</u>
<u>\$250,000</u>	.....	<u>2025</u>

(b) The MacPhail Center for Music must use the grant money received under this subdivision to:

(1) expand direct programming to four early childhood center locations in each year of the grant, with a focus on meeting the needs of children experiencing economic hardship in the metropolitan area; and

(2) create and deliver professional development training opportunities to early childhood educators statewide, both online and in person, that are based on current successful elements of the Learning with Music program.

(c) Any balance in the first year does not cancel but is available in the second year.

(d) The base for fiscal year 2026 is \$0.

Subd. 19. Way to Grow. (a) For a grant to Way to Grow:

<u>\$150,000</u>	.....	<u>2024</u>
<u>\$150,000</u>	.....	<u>2025</u>

(b) Way to Grow must use the grant money to extend its home visiting services, including family support services, health and wellness education, and learning support to more families with children from birth to age eight.

(c) This is a onetime appropriation.

Subd. 20. **Reach Out and Read Minnesota.** (a) For a grant to Reach Out and Read Minnesota to establish a statewide plan that encourages early childhood development through a network of health care clinics:

<u>\$250,000</u>	.....	<u>2024</u>
<u>\$250,000</u>	.....	<u>2025</u>

(b) The grant recipient must develop and implement a plan that includes:

(1) integrating children's books and parent education into well-child visits;

(2) creating literacy-rich environments at health care clinics by providing books to clinics for visits outside of Reach Out and Read Minnesota parameters, for waiting room use, or for volunteer readers to model read-aloud techniques for parents where possible;

(3) working with public health clinics, federally qualified health centers, Tribal sites, community health centers, and clinics that belong to health care systems, as well as independent clinics in underserved areas; and

(4) training medical professionals on discussing the importance of early literacy with parents of infants, toddlers, and preschoolers.

(c) The grant recipient must fully implement the plan on a statewide basis by 2030.

Subd. 21. **Executive function across generations curriculum grant.** (a) For a grant to the family partnership for an executive function curriculum pilot program:

<u>\$300,000</u>	<u>2024</u>
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(b) The family partnership must establish six sites across Minnesota to provide executive function across generations curriculum. The sites must be spread across the state and include rural, suburban, and urban early education and care providers, organizations providing home visiting services, or parenting groups in high-risk communities. The family partnership must report to the legislature by December 15, 2024, and December 15, 2025, on the progress made to expand the executive function curriculum across Minnesota.

(c) This is a onetime appropriation and is available until June 30, 2025.

Subd. 22. **Metro Deaf School.** (a) For a grant to Metro Deaf School to provide services to young children who have a primary disability of deaf, deafblind, or hard-of-hearing and who are not eligible for funding under Minnesota Statutes, section 124E.11, paragraph (h):

<u>\$100,000</u>	.....	<u>2024</u>
<u>\$100,000</u>	.....	<u>2025</u>

(b) This is a onetime appropriation.

Subd. 23. **Voluntary prekindergarten administrative costs.** For administrative and IT costs associated with the voluntary prekindergarten program under Minnesota Statutes, section 124D.151:

<u>\$340,000</u>	.....	<u>2024</u>
<u>\$691,000</u>	.....	<u>2025</u>

Subd. 24. **Early childhood curriculum grants.** (a) For competitive grants to Minnesota postsecondary institutions to improve the curricula of the recipient institution's early childhood education programs by incorporating or conforming to the Minnesota knowledge and competency frameworks for early childhood professionals:

<u>\$250,000</u>	.....	<u>2024</u>
<u>\$250,000</u>	.....	<u>2025</u>

(b) By December 1, 2024, and again by December 1, 2025, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over early childhood through grade 12 education and higher education finance and policy reporting on grants awarded under this subdivision. The report must include the following information for the previous fiscal year:

- (1) the number of grant applications received;
- (2) the criteria applied by the commissioner for evaluating applications;
- (3) the number of grants awarded, grant recipients, and amounts awarded;
- (4) early childhood education curricular reforms proposed by each recipient institution;
- (5) grant outcomes for each recipient institution; and
- (6) other information identified by the commissioner as outcome indicators.

(c) The commissioner may use no more than three percent of the appropriation under this subdivision to administer the grant program.

(d) This is a onetime appropriation.

Subd. 25. **Great start scholarships program.** (a) For establishing and implementing the great start scholarships program under Minnesota Statutes, section 119C.01:

<u>\$1,656,000</u>	...	<u>2024</u>
<u>\$0</u>	...	<u>2025</u>

(b) The commissioner may transfer all or part of the appropriation to the commissioner of children, youth, and families beginning July 1, 2024.

(c) This is a onetime appropriation and is available until June 30, 2027."

Delete the title and insert:

"A bill for an act relating to early childhood; modifying provisions for early learning scholarships, Head Start, and early education programs; providing for early childhood educator programs; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 119A.52; 121A.17, subdivision 3; 121A.19; 124D.13, by adding a subdivision; 124D.141, subdivision 2; 124D.142, subdivision 2; 124D.162; 124D.165, subdivisions 2, 3, 4, 6, by adding a subdivision; 125A.13; proposing coding for new law in Minnesota Statutes, chapter 122A; proposing coding for new law as Minnesota Statutes, chapter 119C."

We request the adoption of this report and repassage of the bill.

House Conferees: DAVE PINTO and MARIA ISA PÉREZ-VEGA.

Senate Conferees: MARY KUNESH and MELISSA WIKLUND.

Pinto moved that the report of the Conference Committee on H. F. No. 2292 be adopted and that the bill be repassed as amended by the Conference Committee.

Nelson, N., was excused for the remainder of today's session.

Daniels moved that the House refuse to adopt the report of the Conference Committee on H. F. No. 2292 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The Speaker called Wolgamott to the Chair.

Pursuant to rule 1.50, Demuth moved that the House be allowed to continue in session after 12:00 midnight.

A roll call was requested and properly seconded.

The question was taken on the Demuth motion and the roll was called. There were 120 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Agbaje	Davis	Hassan	Koegel	Newton	Robbins
Altendorf	Demuth	Heintzeman	Kotyza-Witthuhn	Niska	Schomacker
Anderson, P. E.	Dotseth	Hemmingsen-Jaeger	Kozlowski	Noor	Schultz
Backer	Edelson	Her	Koznick	Norris	Scott
Bahner	Elkins	Hicks	Kraft	Novotny	Sencer-Mura
Bakeberg	Engen	Hill	Kresha	O'Driscoll	Skraba
Baker	Feist	Hollins	Lee, F.	Olson, L.	Smith
Becker-Finn	Finke	Hornstein	Lee, K.	O'Neill	Stephenson
Bennett	Fischer	Howard	Liebling	Pelowski	Swedzinski
Berg	Franson	Hudella	Lillie	Pérez-Vega	Tabke
Bierman	Frazier	Hudson	Lislegard	Perryman	Torkelson
Burkel	Frederick	Huot	Long	Petersburg	Vang
Carroll	Freiberg	Igo	McDonald	Pfarr	Wiener
Cha	Gillman	Jacob	Mekeland	Pinto	Wiens
Clardy	Gomez	Johnson	Moller	Pryor	Witte
Coulter	Greenman	Joy	Mueller	Pursell	Wolgamott
Curran	Grossell	Keeler	Murphy	Quam	Xiong
Daniels	Hansen, R.	Kiel	Nash	Rehm	Youakim
Daudt	Hanson, J.	Klevorn	Nelson, M.	Reyer	Zeleznikar
Davids	Harder	Knudsen	Neu Brindley	Richardson	Spk. Hortman

Those who voted in the negative were:

Brand	Garofalo	Jordan	Olson, B.	West
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The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Long moved that when the House adjourns today it adjourn until 10:00 a.m., Saturday, May 13, 2023. The motion prevailed.

LAY ON THE TABLE

Long moved that the report of the Conference Committee on H. F. No. 2292 be laid on the table. The motion prevailed.

ADJOURNMENT

Long moved that the House adjourn. The motion prevailed, and Speaker pro tempore Wolgamott declared the House stands adjourned until 10:00 a.m., Saturday, May 13, 2023.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

