

# 2025 SESSION SUMMARIES

## Introduction

The Legal Services Advocacy Project (LSAP) is pleased to present the 2025 Session Summaries. LSAP, a statewide division of Mid-Minnesota Legal Aid, provides legislative and administrative advocacy on behalf of Legal Aid and its clients.

These summaries are divided by topic area of substantive law and reflect the statutory changes made by the Legislature in 2025 that we believe most impact Legal Aid's clients. They do not include every bill enacted into law during legislative session. Some issues cross substantive areas and may be repeated in more than one section.

These summaries have been prepared by the LSAP staff. Some of the source material is based on bill summaries prepared by legislative staff of the House and Senate.

We hope you find these Session Summaries useful.

The LSAP staff who prepared these summaries are:

- Ron Elwood  
[relwood@mnlsap.org](mailto:relwood@mnlsap.org)
- Ellen Smart  
[eesmart@mnlsap.org](mailto:eesmart@mnlsap.org)
- Jessica Webster  
[Jlwebster@mnlsap.org](mailto:Jlwebster@mnlsap.org)
- Andrew Knox  
[aknox@mnlsap.org](mailto:aknox@mnlsap.org)

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## **CIVIL LAW**

### **I. ADMISSIBILITY OF EVIDENCE CONCERNING A RESTORATIVE PRACTICE PARTICIPANT**

*2025 Minn. Laws, Regular Session, Chapter 24*

*Adds Minn. Stat. §§ 13.891 and 595.02, subd. 1b*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/24/>

"Restorative practices" is a practice within a program or policy that incorporates core restorative principles. An Office of Restorative Practices was established in 2023 and now resides in the new Department of Children, Youth, and Families.

#### **A. Restorative Practice Participant Data**

Classifies data collected, created, or maintained by a government entity on a restorative practice participant as private data on individuals but allows disclosure under certain circumstances.

*Adds Minn. Stat. § 13.891(b)*

#### **B. Admissibility of Restorative Practice Participants Statements/Documents**

Provides that statements made or documents offered in the course of a restorative practice are not subject to discovery or admissible as evidence in a civil or criminal proceeding, except if: (1) the statements or documents are subject to adult or minor maltreatment reports; (2) the statement or document constitutes evidence of professional misconduct by a restorative practice participant acting in the capacity of their professional or occupational license; or (3) disclosure is necessary to demonstrate whether a person who has caused harm and whom the court has ordered to participate in a restorative practice has in fact participated.

*Adds Minn. Stat. § 595.02, subd. 1b*

### **II. FILING OF PAPERS IN ST. LOUIS COUNTY**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 8, Section 3*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 484.51*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Changes the requirements for the filing of papers for cases tried in Virginia and Hibbing by providing that, regardless of the place of the trial, all papers, court orders, and documents pertaining to all causes of action may be filed at any court in St. Louis County.

### **III. ADMINISTRATIVE HEARINGS CHANGES**

*2025 Minn. Laws, Regular Session, Chapter 39, Article 2, Sections 18 - 21*

*Omnibus State Government Finance Bill*

*Amends Minn. Stat. §§ 14.48, subd. 1 & 2; and 14.62, subds. 1 & 2*

*Adds Minn. Stat. § 14.48, subd. 2b*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/39/>

#### **A. Name Change**

Changes the name of the agency from the “Office of Administrative Hearings” to the “Court of Administrative Hearings.”

*Amends Minn. Stat. § 14.48, subd. 1*

#### **B. New Right of Agency to Request Remand**

Grants agencies the right to request a remand of a finding of fact, conclusion of law, or recommendation and establishes criteria under which the Chief Administrative Law Judge must grant the request and gives the Chief Administrative Law Judge the authority to grant the request for “other reasons as justice requires.” A new ALJ is assigned if the request is granted.

*Adds Minn. Stat. § 14.48, subd. 2b (right of agency to request remand)*

*Amends Minn. Stat. § 14.62, subds. 1 and 2 (conforming amendments)*

### **IV. BOARD OF CIVIL LEGAL AID – REPORT TO THE LEGISLATURE**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 8, Section 1*

*Omnibus Judiciary and Public Safety Policy Bill*

*Adds Minn. Stat. § 480.243, subd. 3*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Requires the State Board of Civil Legal Aid to report annually to the chairs and ranking minority members of the Judiciary Committees in the House and Senate on data related to the cases and individuals and families served by the Legal Aid programs receiving funding.

## **CONSUMER LAW / CONSUMER PROTECTION**

### **I. POSTPONEMENT OF FORECLOSURE SALE IN JUDICIAL FORECLOSURES**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 10, Sections 2, 3, and 10*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. §§ 580.07, subds. 1 and 2; and 581.02*

*Effective August 1, 2025, for judicial foreclosures with the lis pendens recorded on or after that date.*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Clarifies that the right of either a mortgagor or a mortgagee to postpone a mortgage foreclosure sale applies in judicial foreclosures.

### **II. SURPLUS AND REDEMPTION BY HOMEOWNER AFTER FORECLOSURE SALE**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 10, Sections 4 and 9*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. §§ 580.10 and 580.28*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Requires the Sheriff to: (1) notify the homeowner of any surplus of \$100 or more; (2) hold the amount of the surplus through the end of the redemption period; and (3) at the request of the homeowner, apply it toward redemption. Requires any surplus of less than \$100 is to be paid to the homeowner and requires that if there is no redemption, the surplus is to be paid first to junior creditors with liens of record in the order of priority. Provides that the Sheriff may petition the court to resolve a claim if there are competing claims or it appears to the Sheriff that a claim is not meritorious

### **III. DUAL TRACKING; CANCELLATION OF SALE**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 10, Section 13*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 582.043*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Clarifies dual tracking law (which prohibits lenders/servicers from proceeding with foreclosure actions while negotiating loan modifications with homeowners) to give foreclosing lenders more flexibility to postpone or cancel sheriff sales to minimize costs. Gives homeowners more time to look for other options to save the home if denied a loan modification.

#### **IV. OTHER FORECLOSURE SALE PROCEDURES**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 10, Sections 1, 5-8, and 11-12*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. §§ 272.45; 580.225; 580.24; 580.25; 580.26; and 582.03, subd. 1*

*Various Effective Dates*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

##### **A. Protection Against Foreclosure Speculators**

Protects homeowners' interests by preventing foreclosure speculators from creating a redeemable interest and then taking equity by paying real estate taxes on property for which they have no other connection.

*Amends Minn. Stat. § 272.45*

*Effective July 1, 2025*

##### **B. Redemption by Creditor**

Increases the window for each junior creditor to redeem from 7 to 14 days to minimize unnecessary time pressures for the sheriff and other participants and avoid confusion, uncertainty to title, and mistakes. Provides protection for the sheriff against liability when disputes arise.

*Amends Minn. Stat. § 580.24*

*Effective for redemptions occurring after January 1, 2026.*

##### **C. Action to Set Aside Redemption**

Expands the ability where the sheriff can commence a court action for disputed redemptions, consistent with other amendments involving redemption and the surplus. Replaces the requirement the person redeeming must submit a bond or surety with the requirement that the person deposit an amount equal to one year's interest.

*Amends Minn. Stat. § 580.28*

*Effective for redemptions occurring after January 1, 2026.*

#### **V. LEVY ON EARNINGS**

*2025 Minn. Laws, First Special Session, Chapter 4, Sections 32 - 34*

*Omnibus Commerce Finance and Policy Bill*

*Amends Minn. Stat. §§ 550.136, subd. 3; 551.06, subd 3; and 571.922*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/4/>

Increases the amount protected from levy from a flat rate of \$9.50 to an indexed rate established annually by the Department of Labor and Industry under Minn. Stat. § 177.24. The rate for 2025 is \$11.13 per hour, which translates to an amount protected of \$445.20 for a 40-hour week. (The rates are posted at <https://www.dli.mn.gov/minwage>.)

## **VI. GARNISHMENT FORMS REVISION**

*2025 Minn. Laws, Regular Session, Chapter 18*

*Amends Minn. Stat. §§ 550.136, subds. 6 and 9; 550.143, subd. 2, 3a, 3b and 3c; 551.05, subds. 1b, 1c, and, 1d; 551.06, subds. 6 and 9; 571.72, subds. 8 and 10; 571.74; 571.75, subd. 2; 571.912; 571.914, subd. 2; 571.925; 571.931, subd. 6; 571.932, subd. 2; and Laws 2024, chapter 114, article 3, section 101.*

*Effective June 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/18/>

Revises, restructures, and updates various statutory forms pertaining to garnishment to: (1) make them more readable, understandable, and easier for debtors to complete; and (2) comply with changes to the garnishment statutes made by the Legislature in the 2024 session.

## **VII. CONSUMER RESTITUTION ACCOUNT AT THE ATTORNEY GENERAL’S OFFICE**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 8, Section 9*

*Omnibus Tax Bill*

*Adds Minn. Stat. § 8.37*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Creates a “consumer protection restitution account” at the Attorney General’s Office to distribute consumer enforcement action public compensation to a consumer with an identified amount of unpaid restitution achieved from an Attorney General enforcement action. Provides that 50% of all funds recovered, up to \$5 million each year go into the account. Prohibits any a private right of action with respect to a payment from the account or administration of the account.

## **DHS BACKGROUND STUDIES**

### **I. DISQUALIFICATION FOR VIOLATION OF FRAUD STATUTES**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 16, Sections 12 and 15*

*Omnibus Health Finance and Policy Bill*

*Adds Minn. Stat. §§ 245C.14, subd. 6; and 245C.15, subd. 4c*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Provides that, if a background study shows a violation of fraud statutes involving public funds, the Department of Human Services must disqualify an individual: (1) from ownership, management, or control of a program or billing activities; and (2) if fewer than two years has passed since a violation has been determined, from any position allowing direct contact with persons receiving services from the license holder.

### **II. PERMANENT DISQUALIFICATION**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 16, Sections 13 and 14*

*Omnibus Health Finance and Policy Bill*

*Adds Minn. Stat. § 245C.15, subds. 1 and 4a*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Adds child torture under Minn. Stat. § 609.3775 as a permanently disqualifying offense for an applicant for a position that: (1) allows direct contact with persons receiving services from a Department of Human Services licensee; or (2) involves a licensed family foster setting.



## **DISABILITY LAW**

### **I. MnCHOICES: ASSESSMENTS**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 14 - 21*

*Omnibus Human Services Finance Bill*

*Amends Minn. Stat. § 256B.0911, subds. 13, 14, 17, 24, and 30*

*Adds Minn. Stat. § 256B.0911, subds. 24a, 25a, and 34*

*Various Effective Dates*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

#### **A. Assessor Qualifications**

Changes education qualifications for an assessor from a bachelor's degree in social work to an associate's degree in nursing with a public health nursing certificate, human services, or closely related field.

*Amends Minn. Stat. § 256B.0911, subds. 13*

*Effective January 1, 2026, or upon federal approval, whichever is later*

#### **B. Contracting with Hospitals to Conduct Assessments**

Allows a lead agency to contract with a licensed hospital to conduct assessments of patients in the hospital on behalf of the lead agency when the lead agency has failed to meet its obligations, including failing to meet timelines. Requires that assessments conducted under this arrangement to be conducted by a hospital employee who is a qualified, certified assessor.

*Amends Minn. Stat. § 256B.0911, subd. 13*

*Effective July 1, 2025*

#### **C. Timeline**

Replaces the requirement that a person must be "visited by a long-term consultation team" within 20 days after an assessment was requested or recommended with a new requirement that the assessment must: (1) begin within 20 days of request or recommendation; and (2) include an estimated timeline to full completion of the assessment.

*Amends Minn. Stat. § 256B.0911, subd. 17*

*Effective July 1, 2025*

#### **D. Remote Reassessments**

Increases the number of allowable consecutive remote reassessments from two to four.

*Amends Minn. Stat. § 256B.0911, subd. 24*

*Effective January 1, 2026, or upon federal approval, whichever is later.*

## **E. Verbal Attestation**

### **1. Reassessments**

Allows for verbal attestation or another alternative to replace required reassessment signatures for service initiation. Requires an assessor, within 30 days of completion of a reassessment, to send by mail a request for written attestation in order to obtain a signature from the service recipient.

*Adds Minn. Stat. § 256B.0911, subds. 24a*

*Effective January 1, 2026, or upon federal approval, whichever is later*

### **2. Attesting to No Changes in Needs or Services**

Permits persons older than 21 but under 65 and receiving Developmental Disability (DD), Community Access for Disability Inclusion (CADI), Brain Injury (BI), Community First Services and Supports (CFSS) services to attest that their needs have not changed since the previous assessment. Allows attestations for up to two consecutive reassessments. Allows the person or their legal representative to request a full reassessment at any time. Requires the lead agency to review the prior assessment and specifies duties of the assessor, including informing the person of alternative supports available and discussing the difference between in-home and institutional care.

*Adds Minn. Stat. § 256B.0911, subd. 25a*

*Effective January 1, 2026, or upon federal approval, whichever is later*

## **F. Assessment Data Dashboard**

Requires the Department of Human Services to maintain a public dashboard, updated at least twice a year, showing assessment data by lead agency. Specifies the information the dashboard must contain.

*Adds Minn. Stat. § 256B.0911, subd. 34*

*Effective January 1, 2026.*

## II. HOME AND COMMUNITY BASED SERVICES

### A. Guardianship/Conservatorship as Condition of Receipt/Continuation of Services

*2025 Minn. Laws, Regular Session, Chapter 38, Article 1, Section 6*

*Omnibus Human Services Policy Bill*

*Adds Minn. Stat. § 245D.10, subd. 1a*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Prohibits a community residential setting from requiring a person to have or obtain a guardian or conservator as a condition of receiving or continuing to receive services.

### B. Out-of-Home Respite Services for Children

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 8*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 245D.13*

*Effective January 1, 2026, or upon federal approval, whichever is later*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Limits the ability of a license holder with a home and community-based services license to providing out-of-home respite care services for children only in a licensed setting, unless a set of nine criteria are met, including an assessment of the setting by the case manager and consent by the child's legal representative. Prohibits a child from receiving out-of-home respite services in more than two unlicensed residential settings per year.

### C. Other Respite Services Eliminated

*2025 Minn. Laws, 1st Special Session, Chapter 9, Article 2, Section 30*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 256B.4914, subd. 3*

*Effective June 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Removes respite services as an allowable service in federally approved home and community-based services plans.

### D. Informed Choice Curriculum and Competency Evaluation for Case Managers

*2025 Minn. Laws, Chapter 38, Article 1, Sections 16 and 18*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. §§ 256B.092, subd. 1a; and 256B.49, subd. 13*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Requires case managers for home and community-based waiver services to complete an informed choice curriculum and pass a competency evaluation on the material each year.

**E. INDIVIDUALIZED HOME SUPPORTS WITH TRAINING**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 34*  
*Omnibus Human Services Finance Bill*  
*Amends Minn. Stat. § 256B.4914, subd. 8*  
*Effective January 1, 2026, or upon federal approval, whichever is later*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Prohibits a provider from billing more than three consecutive hours and more than six total hours per day for individualized home supports with training and individualized home supports with family training. Specifies that this daily limit does not limit a person's use of other disability waiver services, including individualized home supports, which may be provided on the same day by the same provider providing individualized home supports with training or individualized home supports with family training.

**III. MENTAL HEALTH**

**A. Adult Mental Health Act: Emergency Services**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 4, Section 8*  
*Omnibus Human Services Policy Bill*  
*Amends Minn. Stat. § 245.469*  
*Effective August 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Prohibits clients from being charged for emergency services for an emotional crises or mental illness. Requires the Department of Human Services to promote the 988 Lifeline.

**B. Children's Mental Health Act: Case Management Services**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 4, Section 14*  
*Omnibus Human Services Policy Bill*  
*Amends Minn. Stat. § 245.4881, subd. 3*  
*Effective August 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Requires the case manager to complete a written functional assessment as well as an individual family community support plan upon determination of eligibility for case management services if the child and the child's parent or legal guardian consents.

## **IV. CIVIL COMMITMENT – DIRECT CARE AND TREATMENT (DCT)**

### **A. Admission Timelines**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 3, Section 42*

*Omnibus Human Services Policy Bill*

*Adds Minn. Stat. § 253B.1005*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Requires civilly committed patients to be admitted within 48 hours from jail or correctional institutions when referred to a state-operated treatment facilities for competency attainment or competency examinations. Provides for a temporary alternative timeline, expiring on June 30, 2027, requiring admission of these patients to a state-operated treatment program within 48 hours of the Office of Executive Medical Director determining that a medically appropriate bed is available.

### **B. Public Notice of Admission Metrics**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 5, Section 3*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 246C.07, subd. 9*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires the Department of Direct Care and Treatment to publish on its website, by January 1, 2026, a dashboard of information about wait lists and wait times to get into DCT facilities. Requires the information to be updated at least quarterly.

### **C. Administrative Requirements**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 5, Section 4*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 253B.10, subd. 1*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires the Department of Direct Care and Treatment to send an initial notice that an appropriate DCT placement has been found to: (1) the individual; (2) responsible county; and (3) the district court that issued the order of determination. Requires the notice to include the priority status and requires a second notice be sent if the person is not admitted within 60 days. Requires DCT to notify the facility where the individual is located when an available DCT bed has been identified and requires the facility where the individual is located to transport the individual to the DCT program no more than 48 hours after the offered admission date.

**D. Limited Exception for Admission from Hospital Settings**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 5, Section 12*

*Omnibus Human Services Policy Bill*

*Session Law*

*Effective June 15, 2025*

*Expires June 30, 2027*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires the Department of Human Services to immediately approve an exception to add up to ten patients per fiscal year who have been civilly committed and are in hospital settings to the admission wait list for medically appropriate DCT beds.

**V. HEALTH CARE BILL OF RIGHTS**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 4, Section 4*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144.651, subd. 2*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Adds persons who are admitted to a facility licensed to provide intensive residential treatment services or residential crisis stabilization under section 245I.23 as persons covered by the Health Care Bill of Rights, but excepts them from coverage of certain specified rights, including the rights to: (1) file grievances; (2) privacy if married; (3) be free from arbitrary transfers and discharges; (4) to a written treatment plan; and (5) consent to restraints.

**VI. CONSUMER-DIRECTED COMMUNITY SUPPORTS**

*2025 Minn. Laws, Chapter 38, Article 1, Section 20*

*Amends Minn. Stat. § 256B.4911, subd. 6*

*Effective August 1, 2025, or upon federal approval, whichever is later*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Permits a parent to provide personal assistance services to a minor child while traveling temporarily out of state if the minor child has an assessed activity of daily living dependency requiring supervision, direction, cueing, or hands-on assistance under the consumer-directed community supports option for personal assistance services.

## **VII. MEDICAL ASSISTANCE (MA)**

### **A. Waiver Reimagine**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 29 and 56*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 256B.4907*

*Amends Laws 2021, First Special Session. Chapter 7, Article 13, Section 73*

*Effective June 15, 2015*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

#### **1. Advisory Task Force**

Creates an advisory task force, which includes a member of the Minnesota Disability Law Center. Requires the task force to making findings and recommendations on, among other things: (1) consolidation of waiver service programs; and (2) budgets based on individuals that are not tied to location of services; (3) appropriate assessments; and (4) services to be included under each waiver program.

#### **2. Phase II**

Directs the Department of Human Services to develop an individualized budget methodology exception to support access to self-directed home care nursing for those who do not receive community residential services, family residential services integrated community supports services or customized living services but are assessed to need a hospital level of care.

### **B. MA Service Authorizations and Service Agreements**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 24 and 27*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 256B.092, subd. 3b; and 256B.49, subd. 17a*

*Effective July 1, 2025*

*Expires upon full implementation of Waiver Imagine*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires lead agency supervisors to review all service agreements entered into the Medicaid Management Information System prior to approval. Requires service agreements to be accompanied by certain documentation. Requires the Department of Human Services to manually review and approve the service agreement if the service agreement total exceeds the rate increases enacted by the Legislature.

## **VIII. SERVICE DOG IN TRAINING – HOUSING ACCOMMODATIONS**

*2025 Minn. Laws, Regular Session, Chapter 16*

*Adds Minn. Stat. § 256S.025, subds. 2a and 5*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/16/>

### **A. Definitions**

#### **1. Service Dog in Training**

Defines "service dog in training" to mean "a dog that is being actively trained as a service dog under the supervision of an organization accredited by Assistance Dogs International or the International Guide Dog Federation to train service dogs."

*Adds Minn. Stat. § 256S.025, subd. 2(a)*

#### **2. Homeowners Association**

Defines homeowners association to mean "a common interest community as defined in section 515B.1-103, regardless of whether the common interest community is subject to chapter 515B, or a residential community that is not a common interest community."

*Adds Minn. Stat. § 256S.025, subd. 5(a)*

### **B. Housing Accommodations**

Requires landlords and homeowners associations to grant "full and equal access to all housing accommodations" provided under section 256C.025 to a person who is actively training a service dog. Prohibits a housing provider from charging extra for the service dog in training. Provides that the person training the service dog is liable for any damage done to the premises by the dog. Allows a landlord or homeowners association to require written certification from the organization supervising the training and provides that an accommodation terminates when the training is completed.

*Adds Minn. Stat. § 256S.025, subd. 5(b)*



## **IX. DATA SHARING FOR PATIENT REGISTRIES**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 9, Section 7*

*Omnibus Judiciary and Public Safety Bill*

*Adds Minn. Stat. § 144.338*

*Effective May 24, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

### **A. Protection Against Data Sharing**

Prohibits anyone from adding, sharing, or disseminating a patient's name, identifying data or contact information to a patient registry without the person's informed consent.

### **B. Definitions**

#### **1. "Patient Registry"**

Defines "patient registry" as "a list, directory, or database of the names, contact information, or other identifying information of individuals who have, had, or are at risk of having a specific disability."

#### **2. "Disability"**

Defines "disability" as any condition or characteristic that renders a person a disabled person. A disabled person is any person who: (1) has a physical, sensory, or mental impairment which materially limits one or more major life activities; (2) has a record of such an impairment; (3) is regarded as having such an impairment; or (4) has an impairment that is episodic or in remission and would materially limit a major life activity when active.

#### **3. Enforcement**

Gives the Attorney General enforcement authority.

## **X. DEMENTIA SERVICES PROGRAM ESTABLISHED**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 1, Section 24*

*Omnibus Health Finance and Policy Bill*

*Adds Minn. Stat. § 144.063*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Directs the Department of Health to establish a dementia services program to, among other things, facilitate the coordination of state-funded Alzheimer's disease and dementia-related policies and programs; and outreach programs and services among government agencies, legal services groups, advocacy organizations, and other interested groups.

## **XI. POSITIVE SUPPORTS COMPETENCY PROGRAM**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 59*  
*Omnibus Human Services Finance Bill*  
*Session Law*  
*Effective July 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Directs the Department of Human Services to establish a positive supports competency program to: (1) define core activities associated with effective intervention services at the positive support specialist, positive support analyst, and positive support professional levels; and (2) create tools providers may use to track whether the employees are competently performing the activities.

## **XII. LONG-TERM SERVICES AND SUPPORTS ADVISORY COUNCIL**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 58*  
*Omnibus Human Services Finance Bill*  
*Session Law*  
*Effective July 1, 2025*  
*Expires July 1, 2028*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Directs the Department of Human Services to convene a council to: (1) advise and assist the Legislature and Governor to reduce cost growth in long-term services and supports; (2) build greater efficiencies into the long-term care services system; and (3) achieve better outcomes for Minnesotans with long-term care needs. Provides for 30 members, including two advocates for persons with disabilities, one of which is appointed by the Minnesota Disability Law Center. Requires the council to submit to the Legislature: (1) a progress update March 15, 2026; and (2) recommendations by December 1, 2026.

## **XIII. SWIMMING LESSONS**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 9, 10, 41, 66, and 67*  
*Amends Minn. Stat. §§ 252.32, subd. 3; 256.476, subd. 4; and 256B.85, subd. 7*  
*Effective for CFSS plans July 1, 2025 or upon federal approval, whichever is later*  
*Effective for disability waivers January 1, 2026, or upon federal approval, whichever is later*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires support grants, disability waivers, and Community First Services and Supports (CFSS) plans to include adaptive or one-on-one swimming lessons for drowning prevention for a dependent younger than 12 years of age whose disability puts them at a higher risk of drowning according to the Centers for Disease Control Vital Statistics System. Directs the Department of Human Services to issue guidance to counties once federal approval is received, the commissioner shall issue guidance to counties.

## **XIV. SPECIAL EDUCATION**

### **A. Language Access Plan**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Sections 1 and 2*

*Omnibus Education Finance and Policy Bill*

*Amends Minn. Stat. § 123B.32 subds. 1 and 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

Provides that the school board-adopted language access plan must also specify the district's process to provide effective language assistance to students and adults who require additional assistance due to a disability. Clarifies that the language access plan must: (1) address district procedures for communication relating to special education determinations and placements; (2) ensure meaningful participation in the individualized education program (IEP) process by families where the family speaks a language other than English or has a disability themselves; and (3) provide a process to appeal the accommodations of the access plan if needs are not met.

### **B. State Complaint Process**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 5*

*Omnibus Education Finance and Policy Bill*

*Adds Minn. Stat. §125A.092*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

#### **1. Process for Filing a Complaint**

Establishes a process to file a complaint for violation of the federal IDEA, allowing an organization or individual to file a complaint with the Department of Education's Dispute Resolution section of the Office of General Counsel. Specifies requirements for a complaint.

*Adds Minn. Stat. §125A.092, subd. 1*

#### **2. Remedies**

Requires the MDE to address a failure to provide appropriate services and appropriate future provision of services for all children with disabilities when resolving a complaint.

*Adds Minn. Stat. §125A.092, subd. 2*

#### **3. Investigative Procedures**

Establishes investigation and other procedures for resolving a complaint.

*Adds Minn. Stat. §125A.092, subd. 3*

#### **4. Complaints and Due Process Hearings**

Requires MDE to set aside an issue or complaint that is also the subject of a due process hearing. Allows an organization or individual to file a complaint alleging a failure to implement a due process hearing decision.

*Adds Minn. Stat. §125A.092, subd. 4*

**C. Seclusion Working Group**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 10  
Omnibus Education Finance and Policy Bill  
Session Law*

*Effective June 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

**1. Establishment and Membership**

Establishes a working group to evaluate the use of seclusion as an emergency procedure and not as discipline. Requires members to include four legislators and eight members appointed jointly by Senate and House to include: (1) special education directors; (2) cooperative units that provide special education instruction and services; (3) parents or family members of students who have been secluded; (4) teacher; (5) paraprofessionals; (6) licensed school psychologists or school counselors; and (6) organizations that represent students who are disproportionately affected by the use of restrictive procedures.

**2. Duties**

Requires the working group to: (1) evaluate the effectiveness of seclusion compared to other methods of restrictive procedures used in emergency situations on different age groups and in different educational settings; (2) analyze how the lack of alternatives to seclusion forces children and their families to interact with the criminal justice system; (3) evaluate workable alternatives to seclusion; (4) consider the effects of seclusion on children's mental health, access to a free and appropriate public education, academic outcomes, and overall well-being; (5) identify new and existing resources necessary for staff capacity and training, children's supports, child mental health services, and schoolwide collaborative efforts; (6) visit school sites currently using seclusion; and (7) review applicable laws defining and regulating seclusion in schools.

**3. Report**

Requires the working group to report its findings and recommendations to the Legislature by January 30, 2026.

**D. Developmental Delay Working Group**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, section 9*  
*Omnibus Education Finance and Policy Bill*  
*Session Law*  
*Effective June 15, 2025Effective August 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

Requires the Department of Education to establish a working group on the age limit for children receiving special education services for developmental delay. Requires MDE to consult with interested organizations before appointing members to the working group. Requires the working group to review current law limiting the eligibility of children seven years old or older from receiving intervention services for developmental delay, and assess the impact of extending eligibility to children under age nine. Requires a report to the legislative committees with jurisdiction over kindergarten through grade 12 education by February 1, 2026.

**E. Charter School Special Education Funding Cut**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 4*  
*Omnibus Education Finance and Policy Bill*  
*Amends Minn. Stat. § 124E.21 subd. 1*  
*Effective July 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

Reduces the state-paid tuition reimbursement of unfunded charter school special education costs from 10% to 6% percent of the charter school's unreimbursed costs. 80% of the charter school's unreimbursed special education costs continue to be billed to each student's resident school district.

**F. Blue Ribbon Commission**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Sections 7 and 8*  
*Omnibus Education Finance and Policy Bill*  
*Session Law*  
*Effective September 1, 2025*  
*Expires October 2, 2026, or the day after the action plan is submitted, whichever is earlier*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

**1. Establishment; Duties**

Establishes a Blue Ribbon Commission on Special Education consisting of 18 members, tasked with reducing special education funding by \$250M. Requires the Commissioner of Education to serve as chair, convene the first meeting no later than October 15, 2025, and provide administrative support to the commission. Requires public and stakeholder engagement. Requires the Blue Ribbon Commission to adopt an action plan by October 1, 2026.

**2. Contingent Reduction in Special Education Appropriations**

Requires the Commissioner of Management and Budget to assume a \$250M reduction in appropriations for special education aid for the biennium beginning July 1, 2027, and for each subsequent biennium, until the end of the legislative session that enacts a budget for the Department of Education for the biennium beginning July 1, 2027. Requires the Legislature to identify enacted provisions that were recommended by or based on the recommendation of the Blue Ribbon Commission on Special Education. If the net savings attributable to the provisions of the commission action plan are less than \$250M, the Commissioner of Education must reduce the special education cross subsidy aid factor under Minn. Stat. § 125A.76, subdivision 2e(b), as necessary until the reductions and the action plan achieve \$250M of biennial savings.

**XV. RATES**

**A. Personal Care Assistance (PCA) Services Enhanced Rates**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 11*

*Omnibus Human Services Finance Bill*

*Amends Minn. Stat. § 256B.0659, subd. 17a*

*Effective June 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Starting January 1, 2026 or upon federal approval, whichever is later, increases the enhanced rate of the rate paid for PCA services is increased from 107.5% to 112.5%.

**B. Home and Community-Based Services Waivers**

**1. Rates for Awake and Asleep Supervision**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 30, 32, and 35*

*Omnibus Human Services Finance Bill*

*Amends Minn. Stat. § 256B.4914, subds. 3, 5a, and 9*

*Effective January 1, 2026, or upon federal approval, whichever is later*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Establishes different rates under the disability waiver rate system for awake night supervision and asleep night supervision.

**2. Base Wage Index**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 31 and 33*

*Omnibus Human Services Finance Bill*

*Amends Minn. Stat. § 256B.4914, subds. 5 and 5b*

*Effective January 1, 2026, or upon federal approval, whichever is later*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Modifies future disability waiver rate system inflationary adjustments by basing adjustments on the Consumer Price Index for All Urban Consumers (CPI-U) and limiting adjustments to 8% per biennium.

**3. Limits on Rate Exceptions for Residential Services**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Section 36  
Omnibus Human Services Finance Bill  
Adds Minn. Stat. § 256B.4914, subd. 14a  
Effective January 1, 2026, or upon federal approval, whichever is later  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>*

Starting July 1, 2026, limits rate exceptions to a specified formula for: (1) community residential services; (2) customized living services; (3) family residential services; and (4) integrated community supports. For approval of the exception, requires the most recent assessment to indicate continued extraordinary needs and requires the lead agency to submit specified items of documentation.

**4. Community First Services and Supports Enhanced Rate**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 42 and 47  
Omnibus Human Services Finance Bill  
Adds Minn. Stat. § 256B.85, subds. 7a and 16,  
Effective January 1, 2026, or upon federal approval, whichever is later  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>*

Requires that an enhanced rate of 112.5% of the rate paid for CFSS must be paid for services provided to persons who qualify for 10 or more hours of CFSS per day when provided by a support worker who satisfies certain Medicare requirements for training and competency.

**5. Consumer-Directed Community Supports**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 2, Sections 60 and 61  
Omnibus Human Services Finance Bill  
Session Law  
Effective January 1, 2026 or upon federal approval, whichever is later  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>*

Directs the Department of Human Services to increase: (1) the Consumer-Directed Community Supports (CDSC) budgets; (2) the CDSC enhancement percentage, and (3) the alternative care program funding.

## **EDUCATION LAW**

### **I. EARLY CHILDHOOD EDUCATION**

#### **A. Habitual Truancy**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Sections 14 and 39*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 260C.007, subd. 19*

*Adds Minn. Stat. § 260E.291, subds. 1 and 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

##### **1. Definition of “Habitual Truant”**

Changes the definition of “habitual truant” to a child “who is at least 12 years old and less than 18 years old” and, for a child under 12, and who “has been absent from school for seven school days without lawful excuse, based on a showing by clear and convincing evidence that the child's absence is not due to the failure of the child's parent, guardian, or custodian to comply with compulsory instruction laws.”

*Amends Minn. Stat. § 260C.007, subd. 19*

##### **2. Mandatory Reporting**

Requires mandated reporters to immediately report to the local welfare agency, Tribal social services agency, or designated partner if the person knows or has reason to believe that a child: (1) has at least seven unexcused absences in the current school year; and (2) is at risk of educational neglect.

*Adds Minn. Stat. § 260E.291, subd. 1*

##### **3. Local Welfare Agency Can Partner to Provide Needed Services**

Establishes a permissive process for connection to the county attorney’s office, community-based organizations, or community partners to provide needed services to a family and student without immediately requiring a formal report of educational neglect. Requires a formal report of educational neglect where services are ignored and students do not engage.

*Adds Minn. Stat. § 260E.291, subd. 2*



## II. SPECIAL EDUCATION

### A. Language Access Plan

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Sections 1 and 2*

*Omnibus Education Finance and Policy Bill*

*Amends Minn. Stat. § 123B.32 subds. 1 and 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

Provides that the school board-adopted language access plan must also specify the district's process to provide effective language assistance to students and adults who require additional assistance due to a disability. Clarifies that the language access plan must: (1) address district procedures for communication relating to special education determinations and placements; (2) ensure meaningful participation in the individualized education program (IEP) process by families where the family speaks a language other than English or has a disability themselves; and (3) provide a process to appeal the accommodations of the access plan if needs are not met.

### B. State Complaint Process

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 5*

*Omnibus Education Finance and Policy Bill*

*Adds Minn. Stat. §125A.092*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

#### 1. Process for Filing a Complaint

Establishes a process to file a complaint for violation of the federal IDEA, allowing an organization or individual to file a complaint with the Department of Education's Dispute Resolution section of the Office of General Counsel. Specifies requirements for a complaint.

*Adds Minn. Stat. §125A.092, subd. 1*

#### 2. Remedies

Requires the MDE to address a failure to provide appropriate services and appropriate future provision of services for all children with disabilities when resolving a complaint.

*Adds Minn. Stat. §125A.092, subd. 2*

#### 3. Investigative Procedures

Establishes investigation and other procedures for resolving a complaint.

*Adds Minn. Stat. §125A.092, subd. 3*

#### 4. Complaints and Due Process Hearings

Requires MDE to set aside an issue or complaint that is also the subject of a due process hearing. Allows an organization or individual to file a complaint alleging a failure to implement a due process hearing decision.

*Adds Minn. Stat. §125A.092, subd. 4*

**C. Seclusion Working Group**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 10  
Omnibus Education Finance and Policy Bill  
Session Law*

*Effective June 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

**1. Establishment and Membership**

Establishes a working group to evaluate the use of seclusion as an emergency procedure and not as discipline. Requires members to include four legislators and eight members appointed jointly by Senate and House to include: (1) special education directors; (2) cooperative units that provide special education instruction and services; (3) parents or family members of students who have been secluded; (4) teacher; (5) paraprofessionals; (6) licensed school psychologists or school counselors; and (6) organizations that represent students who are disproportionately affected by the use of restrictive procedures.

**2. Duties**

Requires the working group to: (1) evaluate the effectiveness of seclusion compared to other methods of restrictive procedures used in emergency situations on different age groups and in different educational settings; (2) analyze how the lack of alternatives to seclusion forces children and their families to interact with the criminal justice system; (3) evaluate workable alternatives to seclusion; (4) consider the effects of seclusion on children's mental health, access to a free and appropriate public education, academic outcomes, and overall well-being; (5) identify new and existing resources necessary for staff capacity and training, children's supports, child mental health services, and schoolwide collaborative efforts; (6) visit school sites currently using seclusion; and (7) review applicable laws defining and regulating seclusion in schools.

**3. Report**

Requires the working group to report its findings and recommendations to the Legislature by January 30, 2026.

**D. Developmental Delay Working Group**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, section 9  
Omnibus Education Finance and Policy Bill  
Session Law  
Effective June 15, 2025Effective August 1, 2025  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>*

Requires the Department of Education to establish a working group on the age limit for children receiving special education services for developmental delay. Requires MDE to consult with interested organizations before appointing members to the working group. Requires the working group to review current law limiting the eligibility of children seven years old or older from receiving intervention services for developmental delay, and assess the impact of extending eligibility to children under age nine. Requires a report to the legislative committees with jurisdiction over kindergarten through grade 12 education by February 1, 2026.

**E. Charter School Special Education Funding Cut**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Section 4  
Omnibus Education Finance and Policy Bill  
Amends Minn. Stat. § 124E.21 subd. 1  
Effective July 1, 2025  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>*

Reduces the state-paid tuition reimbursement of unfunded charter school special education costs from 10% to 6% percent of the charter school's unreimbursed costs. 80% of the charter school's unreimbursed special education costs continue to be billed to each student's resident school district.

**F. Blue Ribbon Commission**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 7, Sections 7 and 8  
Omnibus Education Finance and Policy Bill  
Session Law  
Effective September 1, 2025  
Expires October 2, 2026, or the day after the action plan is submitted, whichever is earlier  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>*

**1. Establishment; Duties**

Establishes a Blue Ribbon Commission on Special Education consisting of 18 members, tasked with reducing special education funding by \$250M. Requires the Commissioner of Education to serve as chair, convene the first meeting no later than October 15, 2025, and provide administrative support to the commission. Requires public and stakeholder engagement. Requires the Blue Ribbon Commission to adopt an action plan by October 1, 2026.

**2. Contingent Reduction in Special Education Appropriations**

Requires the Commissioner of Management and Budget to assume a \$250M reduction in appropriations for special education aid for the biennium beginning July 1, 2027, and for each subsequent biennium, until the end of the legislative session that enacts a budget for the Department of Education for the biennium beginning July 1, 2027. Requires the Legislature to identify enacted provisions that were recommended by or based on the recommendation of the Blue Ribbon Commission on Special Education. If the net savings attributable to the provisions of the commission action plan are less than \$250M, the Commissioner of Education must reduce the special education cross subsidy aid factor under Minn. Stat. § 125A.76, subdivision 2e(b), as necessary until the reductions and the action plan achieve \$250M of biennial savings.

**III. GENERAL EDUCATION: SCHOOL ATTENDANCE**

*2025 Minn. Laws, First Special Session, Chapter 10, Article 1, Sections 1 - 4  
Omnibus Education Finance and Policy Bill*

*Amends Minn. Stat. §§ 120A.22, subds. 12 and 13;*

*Adds Minn. Stat. §§ 120A.24, subd. 4(b) and 4(c); and 120A.37*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/10/>

**A. Who Can Approve School Absences**

Limits the persons to whom a parent may apply to excuse a child from school attendance to: (1) a truant officer; or (2) other school official designated by the principal.  
*Amends Minn. Stat. § 120A.22, subd. 12*

**B. Reporting Attendance**

Requires a school district to count a student in attendance on each day the student receives supervision, instruction, or services from school staff during scheduled school hours. Maintains a school's responsibility to comply with reporting requirements for purposes of school funding. Requires a principal or a principal's designee to keep a record of excused absences.

*Amends Minn. Stat. § 120A.22, subd. 13*

**C. Reports to the State and County**

**1. Principals' and Superintendents' Responsibilities**

Requires a principal, within 15 days after the beginning of a term, to report to the superintendent a list of the students who were enrolled in school the previous term, are not enrolled in the current term, and are eligible for enrollment, unless the school has been notified that the student has enrolled in another school. Requires the superintendent to make the list available to an authorized representative of a county agency whose statutory purpose is to enroll students in school.

*Adds Minn. Stat. § 120A.24, subd. 4(b)*

**2. School District Responsibilities**

Requires a school district to notify the local welfare agency of any student dropped from the school's roll for having more than 15 consecutive unexcused absences, and to contact the family to encourage the student to reenroll. If the local welfare agency is unable to contact the student or student's family, it must inform the school and the school must notify the Department of Education that the student has been dropped from the roll and the local welfare agency is unable to contact the student or student's family.

*Adds Minn. Stat. § 120A.24, subd. 4(c)*

**D. Technical Changes**

Makes technical conforming changes and cites student attendance provisions coded elsewhere in statute. Provisions relate to: (1) age of instruction; (2) nonpublic student reporting; (3) transportation; (4) students with disabilities; (4) funding to reduce truancy; (5) excused absences; (6) removal from the attendance roll; (7) truancy; (8) maltreatment; and (9) criminal penalties.

*Adds Minn. Stat. § 120A.37*

**IV. HIGHER EDUCATION – SEXUAL MISCONDUCT POLICY**

*2025 Minn. Laws, First Special Session, Chapter 5, Article 2, Sections 2 and 3  
Omnibus Higher Education Finance and Policy Bill*

*Amends Minn. Stat. § 135A.15, subds. 1a and 2a*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/5/>

**A. New Definition of “Retaliation”**

Adds a definition of “retaliation,” which is forbidden as part of the section of the statute granting victim's rights (Minn. Stat. § 135A.15, subd. 2).

*Amends Minn. Stat. § 135A.15, subd. 1a*

**B. Revised Sexual Misconduct Grievance Process**

Substantially revises the higher education campus sexual misconduct grievance process. Specifies that remedial action may include: (1) disciplinary action against the responding party; (2) with the consent of the parties, alternative resolution options; and (3) academic or residential supportive measures, as requested by the reporting party.

Requires higher learning institutions to offer and coordinate academic and residential supportive measures as needed and equitably to both the reporting and responding parties. Requires and specifies due process procedures, including establishing a preponderance of the evidence standard. Allows a support person to be present and prohibits direct cross-examination of either party by the other.

*Amends Minn. Stat. § 135A.15, subd. 2a*

## **ELDER LAW**

### **I. ASSISTED LIVING LAW CHANGES**

#### **A. Protection of “Assisted Living” Title**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 17*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144G.10, subd. 5*

*Effective January 1, 2026*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Extends for one year – from January 1, 2026, until January 1, 2027 – the effective date when the prohibition of the use of the term “assisted living” and “home care” and “nursing home” may be used by an assisted living facility. After -- now -- January 1, 2027, an assisted living facility may not the use of the phrase “assisted living” unless the user is licensed and complies with the requirements of the assisted living law. And, after January 1, 2027, any assisted living facility is prohibited from using the terms “home care” or “nursing home.”

#### **B. New Owners Must Honor Existing Contracts**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 19*

*Omnibus Human Services Policy Bill*

*Adds Minn. Stat. § 144G.19, subd. 5*

*Effective January 1, 2026, and applies to all assisted living contracts executed on or after that date*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Requires that a new owner of an assisted living facility must honor the terms of the assisted living contract in effect at the time of the change of ownership until the end of the contract term.

#### **C. Agreeing to Arbitration Cannot Be Condition of Admission or Continued Care**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 21*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144G.51*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Prohibits an assisted living facility from requiring any resident or the resident's representative to sign an agreement for binding arbitration as a condition of admission to -- or as a requirement to continue to receive care at -- the facility.

**D. Termination/Nonrenewal Restriction for Residents Moving from Private to Public Pay**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Sections 22 and 23*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144G.53*

*Adds Minn. Stat. § 144G.52, subd. 5a*

*Effective January 1, 2026, and applies to all assisted living contracts executed on or after that date*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Prohibits an assisted living facility from terminating an assisted living contract or nonrenewing a resident's housing because the resident changes from using private funds to using public funds to pay for housing or services if the facility has represented or advertised that the facility accepts public funds or makes any similar representation regarding the ability of the resident to remain in the facility when the resident's private funds are exhausted. Requires a resident moving to public pay to: (1) notify the facility of the resident's intention to apply for public assistance to pay for housing or services, or both; and (2) make a timely application to the appropriate government agency or agencies. Requires the facility to notify the resident annually of their obligations.

**E. Pre-Termination Meeting for Expedited Terminations**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Section 7*

*Omnibus Human Services Finance and Policy Bill*

*Amends Minn. Stat. § 144G.52, subd. 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

For an expedited termination, provides that the pre-termination meeting must be scheduled five days (rather than for a nonexpedited termination, seven days) before a termination notice is issued. As with a termination for non-payment or violation of an assisted living contract, the facility is required to make reasonable efforts to ensure that the resident, legal representative, and designated representative are able to attend the meeting.

**F. Terminations of Assisted Living Contracts**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Sections 6, 8, and 9*

*Omnibus Human Services Finance and Policy Bill*

*Amends Minn. Stat. § 144G.52, subds. 1, 3, and 8*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

**1. Definition of "Termination"**

Makes two changes to the definition of "termination." Provides that termination means a facility-initiated termination of "an assisted living contract" (previously, the statute read just a termination of housing). Provides that nonrenewal of assisted living services no longer constitutes a termination.

*Amends Minn. Stat. § 144G.52, subd. 1*

**2. Required Referral to Disability Hub**

Upon issuance of a termination notice as well as in the termination notice itself, requires that an assisted living facility provide the contact information for the Disability Hub in addition to the already required referral to the Senior Linkage Line.  
*Amends Minn. Stat. § 144G.52, subds. 3, & 8*

**G. Appeals of Assisted Living Terminations**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Section 11*  
*Omnibus Human Services Finance and Policy Bill*  
*Amends Minn. Stat. § 144G.54, subd. 7*  
*Effective July 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires the Office of Administrative Hearings to conduct no later than ten calendar days after the office receives the request, unless the parties agree otherwise. Gives the OAH the discretion to order a continuance. Requires that the Administrative Law Judge issue a determination no later than five days after a hearing on an expedited termination.

**H. Writ of Recovery Where Assisted Living Facility Prevails at Hearing**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Section 10*  
*Omnibus Human Services Finance and Policy Bill*  
*Amends Minn. Stat. § 144G.54, subd. 3*  
*Effective July 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Entitles an assisted living facility to a writ of recovery of premises and order to vacate pursuant to section 504B.361 when a termination has been upheld under this section and the facility has met its obligation under section 144G.55.

**I. Coordinated Moves – Duties of the Assisted Living Facility**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Section 12*  
*Omnibus Human Services Finance and Policy Bill*  
*Amends Minn. Stat. § 144G.55, subd. 1*  
*Effective July 1, 2025*  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Provides that a facility has met its obligations to conduct a coordinated move if a resident must relocate if: (1) for residents of facilities in the seven-county metropolitan area, the facility identifies at least three other facilities willing and able to meet the individual's service needs, one of which is within the seven-county metropolitan area; (2) for residents of facilities outside of the seven-county metropolitan area, the facility identifies at least two other facilities willing and able to meet the individual's service needs, and to the extent such facilities exist, one of which must be within two hours or 120 miles from the resident's current location; and (3) the facility documents, in writing, the resident or the resident's designated representative has: (i) consented to move; or (ii) expressly refused to relocate to any of the facilities identified.



**J. Reassessments and Monitoring of Residents' Health Condition**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 24*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144G.70, subd. 2*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Clarifies that reassessments and monitoring of residents' health conditions, required under Chapter 144, must be conducted by a registered nurse, provided that sections of the reassessment and monitoring may be completed by a licensed practical nurse so long as a registered nurse reviews the findings as part of the resident's reassessment.

**K. Medication Monitoring and Reassessment and Medication Management Plan**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Sections 25 and 26*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144G.71, subds. 3 and 5*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Clarifies that a registered nurse, advanced practice registered nurse, or qualified staff delegated the task by a registered nurse must monitor and reassess the resident's medication management services and prepare the resident's medication management plan.

**L. Designated Support Person**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 28*

*Omnibus Human Services Policy Bill*

*Adds Minn. Stat. § 144G.91, subd. 6a*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Requires an assisted living facility to allow, at a minimum, one designated support person chosen by the resident to be physically present with the resident at times of the resident's choosing while the resident resides at the facility. Provides that the facility may restrict or prohibit the presence of a designated support person: (1) if the designated support person is acting in a violent or threatening manner toward others; or (2) to ensure the support person is not residing at the facility. A resident may file a complaint with the Office of Ombudsman for Long-Term Care or the Office of Ombudsman for Mental Health and Developmental Disabilities if the person believes the restriction or prohibition is unwarranted.

**M. Certain Case Manager Responsibilities Vis-à-Vis Assisted Living Facility Residents**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Sections 15 and 16*

*Omnibus Human Services Finance and Policy Bill*

*Amends Minn. Stat. §§ 256B.092, subd. 1a; and 256B.049, subd. 13*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Provides that, for case managers for persons with developmental disabilities and for persons with disabilities receiving home and community-based service waivers, service activities provided to or arranged for a person include assisting and cooperating with assisted living facilities regarding the facilities' obligations for coordinated moves.

**N. Transparency of Ownership of Nursing Homes and Assisted Living Facilities**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 8, Sections 1 and 4*

*Omnibus Human Services Finance and Policy Bill*

*Amends Minn. Stat. §§ 144A.01, subd.4; and 144G.15, subd. 15*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

**1. Nursing Homes**

Modifies the definition of "controlling person" to add, if no individual has at least a 5% ownership interest, every individual with an ownership interest in a privately held corporation, limited liability company, or other business entity that collects capital investments from individuals or entities. (Previously the threshold for disclosure of controlling person was a 5% interest. Private equity and for-profit entities had been evading disclosure of ownership by structuring the business organization so that no individual owned possessed a 5% ownership stake.)

*Amends Minn. Stat. § 144A.01, subd.4*

**2. Assisted Living Facilities**

Modifies the definition of "controlling person" to add, if no individual has at least a 5% ownership interest, every individual with an ownership interest in a privately held corporation, limited liability company, or other business entity that collects capital investments from individuals or entities. Adds that controlling individual also means any entity or natural person who has any direct or indirect ownership interest in: (1) any corporation, partnership, or other business association such as a limited liability company that is a controlling individual; (2) the land on which an assisted living facility is located; or (3) the structure in which an assisted living facility is located. (Previously the threshold for disclosure of controlling person was a 5% interest. Private equity and for-profit entities had been evading disclosure of ownership by structuring the business organization so that no individual owned possessed a 5% ownership stake.)

*Amends Minn. Stat. § 144G.15, subd.15*

## **II. ELDERLY WAIVER – PROTECTIONS AGAINST COERCION**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 1, Section 29*

*Omnibus Human Services Finance Bill*

*Adds Minn. Stat. § 256S.205, subd. 8*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

Prohibits a facility from pressuring, coercing, enticing, or otherwise unduly influencing a resident to become an elderly waiver participant. Requires each designated disproportionate share facility to submit a written attestation to the Department of Human Services every six months affirming that neither the facility nor any of its owners, operators, or employees pressured, coerced, enticed, or otherwise unduly influenced a resident to become an elderly waiver participant. Requires DHS to terminate the facility's designation as a disproportionate share facility if the facility: (1) fails to submit the required attestation; or (2) upon a credible allegation of a violation.

## **III. DEMENTIA SERVICES PROGRAM ESTABLISHED**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 1, Section 24*

*Omnibus Health Finance and Policy Bill*

*Adds Minn. Stat. § 144.063*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Directs the Department of Health to establish a dementia services program to, among other things, facilitate: (1) the coordination of state-funded Alzheimer's disease and dementia-related policies and programs; and (2) outreach programs and services between state agencies, local public health departments, Tribal Nations, educational institutions, and community groups.

## **IV. RIGHT TO DESIGNATED SUPPORT PERSON**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 2, Section 6*

*Omnibus Human Services Policy Bill*

*Amends Minn. Stat. § 144.651, subd. 10a*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Requires nursing homes and other health care facilities to allow at least one designated support person chosen by the resident to be physically present at times of the resident's choosing while the resident resides at the facility, except in circumstances when the facility may restrict or prohibit a designated support person's presence. Specifies this provision does not apply to a patient or resident at a state-operated treatment program.

## **EMPLOYMENT LAW**

### **I. REST BREAKS AND MEAL BREAKS**

*2025 Minn. Laws, First Special Session, Chapter 6, Article 5, Sections 1 - 6  
Omnibus Jobs and Economic Development Finance and Policy Bill  
Amends Minn. Stat. §§ 177.253 subd. 1; 177.254 subd. 1; and 177.27 subd. 5  
Effective January 1, 2026  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/6/>*

Replaces “adequate time” and “sufficient time” language with a specified period of time for rest breaks and meal breaks: 15 minutes every four hours for rest break time and at least a 30-minute meal break for every six (rather than the previous eight) consecutive hours worked. Provides civil remedies for an employee who experiences rest break or meal break violations.

### **II. EARNED SICK AND SAFE TIME**

*2025 Minn. Laws, First Special Session, Chapter 6, Article 5, sections 10 - 13  
Omnibus Jobs and Economic Development Finance and Policy Bill  
Amends Minn. Stat. §§ 181.9447 subds. 2 and 3; and 181.9448, subd. 1  
Effective January 1, 2026  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/6/>*

Gives employers more flexibility for requiring notice from employees of their need to use earned sick and safe time. Gives employers the right to require documentation to ensure eligibility where an employee misses two (rather than the previous three) consecutive scheduled work days. Permits employers to advance earned sick and safe time to an employee based on the number of hours the employee is anticipated to work for the remaining portion of an accrual year. Requires an employer to provide additional earned sick and safe time to make up the difference where the advanced amount is less than the amount the employee would have accrued based on the actual hours worked.

## **FAMILY LAW**

### **DOMESTIC ABUSE AND SEXUAL ASSAULT**

#### **I. DEFINITION OF “CUSTODIAN”**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 11, Section 12*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 518B.01, subd. 2*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Narrows the definition, enacted in the 2024 session, of “custodian” in Chapter 518B, changing the overly broad coverage of a person “who is under a legal obligation to provide care and support for a minor child of the petitioner” to a the more specific person “who has: (1) physical or legal custody under Chapter 257 or pursuant to any court order; (2) physical custody with the consent of a custodial parent; or (3) court-ordered parenting time.”

#### **II. DISCLOSURE OF INFORMATION BY A DOMESTIC VIOLENCE ADVOCATE**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 5, Section 13*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 595.02, subd. 1*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Amends the exceptions to the competency of witnesses to testify in a civil or criminal proceeding, prohibiting a domestic abuse advocate from disclosing any opinion or information received from or about the victim without the victim’s consent. (Prior to this change, the court could compel disclosure without the victim’s consent.)

#### **III. NOTICE TO SURVIVOR OF DECISION NOT TO PROSECUTE**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 6, Section 3*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 611A.0315, subds. 1 and 2*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Adds that prosecutors should make every reasonable effort to notify by telephone and email or regular mail the person protected under an order for protection (OFP), a domestic abuse no contact order (DANCO), or a harassment restraining order (HRO) that the prosecutor has decided to decline prosecution of a violation of any of those orders. Adds that prosecutor must make a record of the reason for the refusal to prosecute an OFP, DANCO, or HRO.

#### **IV. NOTICE OF RIGHTS TO SURVIVOR WHEN ABUSER IS ARRESTED**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 6, Section 5*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 629.341, subd. 3*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Revises into plain language the form required to be given to a survivor of domestic violence by the arresting officer when an abuser is arrested. Requires the form to list the statewide domestic abuse help line, in addition to the contact information for the area organizations providing services to survivors.

# **GUARDIANSHIP/CONSERVATORSHIP**

## **I. BILL OF RIGHTS FOR PERSONS SUBJECT TO GUARDIANSHIP OR CONSERVATORSHIP/POWERS AND DUTIES OF A GUARDIAN**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 11, Sections 13 and 15*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. §§ 524.5-120; and 524.5-313*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Adds that to restrict a subject’s communication, visitation, or interaction with others, a guardian must have good cause to believe that such communication, visitation, or interaction will pose a “substantial” risk of significant physical, psychological, or financial harm. Requires notice to the subject’s attorney if the guardian imposes a restriction and specifies contents of the notice.

## **II. EMERGENCY GUARDIANSHIP**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 11, Section 14*

*Omnibus Judiciary and Public Safety Policy Bill*

*Amends Minn. Stat. § 524.5-311*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Adds that: (1) “interested parties” must receive notice of the appointment of an emergency guardian; and (2) good faith efforts to provide notice to the potential subject of the guardianship and to the subject’s attorney must be attempted if a petition for an emergency guardianship is filed. Clarifies that the mere fact that the respondent is a patient in a hospital or a resident of a facility is not, in and of itself, sufficient evidence to support a risk of substantial harm to the person’s health, safety, or welfare to justify appointment of an emergency guardian.

## **III. ORDER FOR PROTECTION AGAINST FINANCIAL EXPLOITATION OF A VULNERABLE ADULT**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 11, Section 16*

*Omnibus Judiciary and Public Safety Policy Bill*

*Adds Minn. Stat. § 245D.10, subd. 1a*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Allows the following individuals to petition for an order for protection seeking injunctive or other equitable relief for a vulnerable adult who is currently experiencing or is in imminent danger of financial exploitation: (1) vulnerable adults; (2) their guardians or conservators; (3) persons or organizations acting with the consent of the vulnerable adult; (4) agents with power of attorney with specific authority granted in the power of attorney; and (5) persons filing for emergency conservatorship. Sets forth relief available, including freezing assets and lines of credit. Imposes a misdemeanor criminal penalty for violation of the order.

#### **IV. GUARDIANSHIP/CONSERVATORSHIP PROHIBITED AS CONDITION OF ADMISSION TO COMMUNITY RESIDENTIAL SETTING (GROUP HOME)**

*2025 Minn. Laws, Regular Session, Chapter 38, Article 1, Section 6*

*Omnibus Judiciary and Public Safety Bill*

*Amends Minn. Stat. § 524.5-420*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/38/>

Prohibits a community residential setting (group home) from requiring a person to have or obtain a guardian or conservator as a condition of receiving or continuing to receive services

#### **V. REPORTS FILED BY CONSERVATORS WITH THE COURT**

*2025 Minn. Laws, Regular Session, Chapter 35, Article 8, Section 5*

*Omnibus Judiciary and Public Safety Bill*

*Amends Minn. Stat. § 524.5-420*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>

Adds that a copy of the annual report required to be filed with court by conservators must be provided to the person subject to the conservatorship and to the interested persons of record with the court.



## **HEALTH LAW**

### **I. MINNESOTACARE: ELIBILITY OF UNDOCUMENTED MINNESOTANS**

*2025 Minn. Laws, First Special Session, Chapter 2*

*Amends Minn. Stat. § 256L.04, subd. 10*

*Effective June 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/2/>

#### **A. Undocumented Persons 18 Years of Age or Older**

Beginning January 1, 2026, eliminates eligibility for enrollment in MinnesotaCare for undocumented non-citizens adults who are over the age 18 or older.

#### **B. Undocumented Persons Under the Age of 18.**

Leaves intact eligibility and coverage for undocumented non-citizens under the age of 18.

### **II. MEDICAL ASSISTANCE**

#### **A. Coverage**

##### **1. Physical Therapy**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 10*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 256B.0625, subd. 8*

*Effective January 1, 2026, or upon federal approval, whichever is later.*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Limits the payment for physical therapy to 14 times per year unless the patient receives prior authorization for more visitations.

##### **2. Occupational Therapy**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 11*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 256B.0625, subd. 8a*

*Effective January 1, 2026, or upon federal approval, whichever is later.*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Limits the payment for occupational therapy to 24 times per year unless the patient receives prior authorization for more visitations.

**3. Chiropractic Services**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 12  
Omnibus Health Finance and Policy Bill  
Amends Minn. Stat. § 256B.0625, subd. 8e  
Effective January 1, 2026, or upon federal approval, whichever is later.  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>*

Limits chiropractic services to individuals under the age of 21 and limits coverage to one annual evaluation and 24 visits per year, unless the patient receives prior authorization for more visitations.

**4. Non-Emergency Medical Transportation (NEMT) Services**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Sections 7, 13, and 14  
Omnibus Health Finance and Policy Bill  
Amends Minn. Stat. § 256B.04, subd. 12; and 256B.0625, subd. 17  
Adds Minn. Stat. § 256B.0625, subd. 18i  
Repeals Minn. Stat. § 256B.0625, subds. 18e and 18h  
Effective July 1, 2026, for medical assistance fee-for-service and January 1, 2027, for prepaid medical assistance  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>*

Requires the Department of Human Services to contract either statewide or regionally for the administration of the NEMT program, including for managed care enrollees. Makes conforming changes regarding the new County-Administered Rural Medical Assistance Program (see below) and repeals existing provisions requiring a single administrative structure and delivery system and relating to managed care and county-based purchasing.

**5. Home Birth**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 17  
Omnibus Health Finance and Policy Bill  
Adds Minn. Stat. § 256B.0625, subd. 54a  
Effective January 1, 2026, or upon federal approval, whichever is later.  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>*

Adds coverage of birth services provided at home, provided the following conditions are met: (1) the birth services are provided by an eligible provider, who is experienced and licensed; (2) the patient is a low-risk patient for birth services; and (3) the recipient has a care plan. Adds definitions, including “birth services,” which is defined to mean “prenatal, labor, birth, and postpartum services.”

**6. Traditional Indigenous Health Care Practices**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 39  
Omnibus Health Finance and Policy Bill*

*Session Law*

*Effective January 1, 2027, or upon federal approval, whichever is later.*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Directs the Department of Human Services – in consultation with Tribes, Tribal organizations, and urban Indian organizations – to apply by October 1, 2025 to the Centers for Medicare and Medicaid Services for a waiver to allow MA coverage for traditional health care practices received through specified facilities. Limits MA coverage from a “qualified provider,” as defined in the bill.

**B. County-Administered Rural Medical Assistance Program (CARMA)**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Sections 25 and 37*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 256B.69, subd. 3a*

*Adds Minn. Stat. § 256B.69, subd. 3a*

*Effective January 1, 2027, or upon federal approval, whichever is later*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Establishes a CARMA program to provide an alternative to the prepaid medical assistance program (PMAP). Allows a county or group of counties to administer CARMA for any individuals as an alternative to other MA or MinnesotaCare programs. Gives rural counties the option of participating and an exemption from the procurement process. Specifies eligibility for CARMA programs and identifies the benefits and services that must be covered under CARMA. Effective June 15, 2025, directs the Department of Human Services to seek all federal waivers and authority necessary to implement CARMA.

**III. TELEHEALTH**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Sections 1 and 9*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. §§ 62A.673, subd.2; and 256B.0625, subd.3b*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Extends the use of audio-only telehealth for MA and MinnesotaCare enrollees until July 1, 2028.

## **IV. DENTAL ACCESS**

### **A. Dental Access for Medical Assistance and MinnesotaCare Recipients**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 6*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 256B.0371, subdivision 3*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Extends the date to January 1, 2028 (from January 1, 2026) that the Department of Human Services is required – for managed care plans only -- to contract with a dental administrator to administer dental services MA and MNCare recipients who are served under fee-for-service or through managed care plans if the plan fails to meet benchmarks. Requires the dental administrator to establish grievance and appeals processes for enrollees and providers.

### **B. Dental Access Working Group**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 36*

*Omnibus Health Finance and Policy Bill*

*Session Law*

*Effective July 1, 2025*

*Expires January 1, 2028*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Establishes a dental access working group as part of the Dental Services Advisory Committee to identify and make recommendations to the Department of Human Services on the state's goals, priorities, and processes for contracting with a dental administrator for Medical Assistance. Directs the working group to submit recommendations in stages to DHS by February and September, 2026, respectively, and directs DHS to submit a report and recommendations to the Legislature by March 1, 2027.

## **V. SPOKEN LANGUAGE HEALTH CARE WORK GROUP**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 1, Section 96*

*Omnibus Health Finance and Policy Bill*

*Session Law*

*Effective July 1, 2025*

*Expires November 2, 2026 or upon submission of a required report, whichever is earlier*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Establishes a spoken language health care interpreter work group. The work group is tasked with compiling recommendations to support and improve access to health care interpreting services statewide. Duties include: (1) recommending changing requirements for registered and certified interpreters to reflect changing needs, standards of training, competency, and testing; (2) addressing barriers for interpreters to gain access to the interpreter roster; (3) identifying gaps in interpreter services in rural areas; and (4) recommending relevant training, certification and continuing education programs. Requires a report and recommendations to the Legislature by November 1, 2026.

## **VI. REPEAL OF AUTHORIZATION TO FILE WAIVER FOR PUBLIC OPTION**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 8, Section 43*

*Omnibus Health Finance and Policy Bill*

*Repeals 2023 Minn. Laws, chapter 70, article 16, section 22*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Repeals the session law passed in 2023 authorizing the Department of Commerce to take steps submit a 1332 waiver application for a public option.

## **HOUSING LAW**

### **I. CONTRACT FOR DEED**

*2025 Minn. Laws, Regular Session, Chapter 9*

*Amends Minn. Stat. §§ 272.12; 559.21, subd. 4; 559A.01, subds. 3 and 5; 559A.03, subd. 3; and 559A.04, subd. 4*

*Adds Minn. Stat. § 559A.01, subd. 4a*

*Various Effective Dates*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/9/>

#### **A. Technical Corrections**

Makes a number of technical corrections to the Contract for Deed Reform Bill enacted in 2024.

*Effective August 1, 2025, except amendments to Minn. Stat. §§ 272.12; and 559.21, subd. 4, effective May 30, 2025*

#### **B. Substantive Change**

Adds two new exemptions from being an “investor seller” and thus subject to most of the requirements of Chapter 559A: (1) a state agency or political subdivision; and (2) an LLC whose sole owner is a person who is otherwise exempt.

*Amends Minn. Stat. § 559A.01, subdivision 5*

*Effective August 1, 2025*

### **II. COMMON INTEREST COMMUNITY OMBUDSPERSON**

*2025 Minn. Laws, First Special Session, Chapter 4, Article 7, Section 7*

*Omnibus Commerce Finance and Policy Bill*

*Adds Minn. Stat. § 45.0137*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/4/>

Creates a Common Interest Community (CIC) Ombudsperson position in the Department of Commerce to: (1) facilitate the resolution of disputes between homeowners and homeowner associations (HOAs); and (2) assist homeowners, tenants, and HOA board members in understanding their rights under the law governing HOAs (Chapter 515B) and the applicable governing documents of the CIC. Additional duties include: (1) creating plain language explanations of common provisions in governing documents; (2) compiling and analyzing complaints received to identify issues and trends; and (3) maintaining a Website with information and resources for homeowners and HOA boards.

### **III. PROTECTION OF INFORMATION PROVIDED BY VICTIMS OF DOMESTIC VIOLENCE**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 4, Section 5*

*Omnibus Housing Finance and Policy Bill*

*Amends Minn. Stat. § 504B.206, subd. 2*

*Effective May 21, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Clarifies that the confidentiality requirement under Minn. Stat. § 504B.206, subdivision 2, supersedes any previously signed document or form, including a general release of information form. (Landlords are required under that statute to keep confidential all information that a victim of domestic violence is required to provide under that statute to exercise the statutory right to break the lease.)

#### **IV. CLARIFICATION OF HEAT CODE REQUIREMENT**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 4, Section 4*

*Omnibus Housing Finance and Policy Bill*

*Amends Minn. Stat. § 504B.161, subd. 1*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Makes two modifications to the heat code statute added in 2023. Clarifies that during the period covered (October 1 through April 1) landlords must “equip” or furnish heat “capable of maintaining” at least 68 degrees Fahrenheit and specifies that this standard applies “in all places intended for habitation, including kitchens and bathrooms.”

#### **V. NOTICE TO LANDLORD IN RENT ESCROW OR TENANT REMEDIES ACTION**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 4, Sections 6 and 7*

*Omnibus Housing Finance and Policy Bill*

*Amends Minn. Stat. §§ 504B.385, subd. 1; and 504B.395, subd. 4*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Clarifies that the requirement that a tenant give a landlord notice of a violation when escrowing rent or taking a tenant remedies action, includes notice of new violations added in 2023, namely: (1) a violation of any applicable tenant rights and landlord obligations for public and subsidized tenancies under local, state, or federal law; or (2) a violation of an oral or written agreement, lease, or contract for the rental of a dwelling in a building.

## **VI. MINNESOTA HOUSING FINANCE AGENCY LANDLORD-TENANT GUIDE**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 3, Section 3*

*Omnibus Housing Finance and Policy Bill*

*Adds Minn. Stat. § 462A.07, subd. 21*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Requires Minnesota Housing Finance Agency to publish and display on the agency's website information on the rights and obligations of landlords and residential tenants, including promotion of the information on the legal rights and obligations published by the Attorney General.

## **VII. CITIES' OBLIGATION TO PROVIDE LINK TO LANDLORD-TENANT GUIDE**

*2025 Minn. Laws, Regular Session, Chapter 39, Article 6, Section 15*

*Omnibus State Government Finance Bill*

*Adds Minn. Stat. § 471.9994*

*Effective May 24, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/39/>

Requires a city that issues or renews a rental license, a registration or certificate of occupancy, or a similar document for rental property to provide the landlord with a link to the attorney general's website where an electronic version of the attorney general's landlord-tenant guide is published, and instructions explaining how to request the guide in an alternative format from the attorney general's office.

## **VIII. DISCHARGING RESTRICTIVE COVENANTS**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 4, Sections 8 and 9*

*Omnibus Housing Finance and Policy Bill*

*Adds Minn. Stat. § 507.18, subds. 5 and 6*

*Effective May 21, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Eliminates the recording fee for a homeowner to discharge a restrictive covenant.



## **IX. APPLICABILITY OF 2023 LANDLORD-TENANT LAW CHANGES TO RENEWALS AND TENANCIES AT WILL**

*2025 Minn. Laws, Regular Session, Chapter 32, Article 3, Sections 10 and 11  
Omnibus Housing Finance and Policy Bill*

*Amends Laws 2023, Chapter 52, Article 19, sections 90 and 102*

*Effective January 1, 2026, for leases renewed or extended on or after that date*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/32/>

Extends the applicability of the additions and amendments of the following statutes in the 2023 Session to leases renewed or extended on or after January 1, 2026: (1) prohibition of pet declawing and pet devocalization; (2) disclosure of fees; (3) requirement to provide and penalty for failing to provide an initial and move-out inspection; (4) entry by landlord into tenant's unit and penalty for violation; (5) right to counsel in public housing for breach of lease eviction actions; (6) terminating a tenancy at will; (7) requirement that a landlord must wait until six months prior to the expiration of a lease to request an early renewal from a tenant; and (8) reciprocal attorneys fees provision. Provides that that tenancies at will are deemed to be renewed or extended at the commencement of each rental period.

## **X. PENALTY FOR FAILURE TO PROVIDE CERTIFICATE OF RENT PAID (CRP)**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 8, Sections 13 and 14*

*Omnibus Tax Bill*

*Amends Minn. Stat. §§ 289A.60, subd. 12; 290.0693, subd. 4; and 290A.19*

*Effective for rent paid after December 31, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Imposes a penalty of \$50 for each failure to furnish a CRP on a: (1) landlord; (2) managing agent; or (3) manufactured home park owner. Allows the Department of Revenue to abate the penalty under its normal procedures if: (1) the failure is due to reasonable cause; or (2) the owner or manager is located in a presidentially declared disaster, a presidentially declared state of emergency area, or an area declared to be in a state of emergency by the governor.

## **XI. SOBER HOMES**

*2025 Minn. Laws, First Special Session, Chapter 9, Article 4, Sections 23, 38 - 44*

*Omnibus Human Services Finance Bill*

*Amends Minn. Stat. § 254B.01, subd. 11*

*Amends Minn. Stat. §§ 254B.21; 254B.211; 254B.212; 254B.213; 254B.214; 254B.215; and 254B.216*

*Effective July 1, 2027*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/9/>

### **A. Definitions**

Replaces the term “sober home” with “recovery residence” and adds new definitions in the new sober home governance section.

*Amends Minn. Stat. § 254B.01, subd. 11 (Chapter 245B definitions)*

*Adds Minn. Stat. § 254B.21 (new sober home definitions)*

**B. Sober Home (“Recovery Residence”) Requirements**

Adds 20 new requirements with which recovery residences must comply, including requirements for: (1) safety policies; (2) written policies regarding residency termination, including how length of stay is determined and procedures in case of evictions; and (3) the return of property within 60 days of discharge laces the term “sober home” with “recovery residence.”

*Adds Minn. Stat. § 254B.211*

**C. Sober Home (“Recovery Residence) Prohibitions**

Adds five prohibitions, including: (1) lending money to residents; and (2) selling merchandise to or buying merchandise from residents.

*Adds Minn. Stat. § 254B.211*

**D. Sober Home (“Recovery Residence”) Resident Rights**

Adds 12 new resident rights, including the right to: (1) be free from physical and verbal abuse, neglect, financial exploitation, and maltreatment; (2) assert their rights without retaliation; and (3) be provided with information about the right to file a complaint.

*Adds Minn. Stat. § 254B.211*

**E. Complaints to the Department of Human Services**

Allows complaints about recovery residences to be made to the Department of Human Services and requires DHS to investigate. Prohibits retaliation -- including interference, threats, coercion, harassment, or discrimination -- against recovery residence owner, operator, director, staff member, or resident for making any complaint.

*Adds Minn. Stat. § 254B.212*

**F. Certification of Sober Homes (“Recovery Residences”)**

Creates a system whereby a recovery residence may voluntarily apply for certification based on best practices as outlined by certification the American Society for Addiction Medicine and the Substance Abuse and Mental Health Services Administration. Establishes certification levels. Requires monitoring and inspection, and permits correction orders and decertification by DHS of certified facilities.

*Adds Minn. Stat. §§ 254B.213; 254B.214; and 254B.215*

## **PUBLIC BENEFITS LAW**

### **I. CONTINUED TECHNICAL REVISIONS IN ESTABLISHING THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES (DCYF)**

*2025 Minn. Laws, Regular Session, Chapter 21, Sections 1 - 95*

*2025 Minn. Laws, First Special Session, Chapter 3, Article 19, Sections 15 and 16*

*Amends and repeals various statutes*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/21/>

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Continues the recodification effort of statutes establishing DCYF. Makes technical and conforming statutory and reference changes. Maintains the continuity of authorities, powers, and duties that the transferred programs had at the originating agency. Updates statutory cross-references. Adds DCYF to state advisory councils. Requires reports to the Legislature on grant funding.

### **II. HEALTHY EATING, HERE AT HOME**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 2, Sections 22-26*

*Amends Minn. Stat. § 138.912, subds. 1 - 4*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Moves the “Healthy Eating, Here at Home” program from the Minnesota Humanities Center to the Minnesota Department of Health. Clarifies grant distribution and reporting responsibilities. Establishes that “SUN Bucks” (Summer EBT benefits) can be used for healthy purchases at Minnesota-based farmers’ markets. Clarifies that SUN Bucks eligibility is the same as SNAP eligibility for purposes of Healthy Eating, Here at Home.

### **III. HUNGER SOLUTIONS/FOOD GROUP MERGER**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 9, Section 2 and Article 22, Section 18*

*Amends Minn. Stat. § 142F.14*

*Various Effective Dates*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

#### **A. Transfer of Responsibility**

Assigns state food shelf grant distribution, management, and reporting responsibilities to The Food Group – which is the new parent organization of Hunger Solutions Minnesota.

*Amends Minn. Stat. § 142F.14*

*Effective June 15, 2025*

#### **B. Appropriation**

Appropriates \$5M in 2026.

*Effective July 1, 2025*

#### **IV. PREPARED MEAL GRANTS**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 9, Section 3 and Article 22, Section 18 Session Law*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Establishes a prepared meals food relief grant program in the Department of Children, Youth, and Families. Creates an application process for experienced anti-hunger and hunger relief non-profit organizations and Tribal governments. Requires targeted prepared meal distribution to individuals ages 18 to 61 and their dependents. Limits funding to organizations not receiving other state and federal funding for prepared meals. Requires grantees to prepare meals in a licensed commercial kitchen. Prioritizes applicants who use at least 50% local, Minnesota-sourced foods and donated foods. Appropriates \$1M in 2026.

#### **V. REGIONAL FOOD BANK GRANTS**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 9, Section 4 and Article 22, section 18 Session Law*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Establishes regional food bank grants in DCYF for regional food banks and Minnesota Tribal Governments. Appropriates \$5M in 2026.

## **TAX LAW**

### **I. COERCED DEBT TAX LIABILITY**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 1, Sections 5, 16, and 17  
Omnibus Tax Bil*

*Amends Minn. Stat. §§ 290.091, subd. 2 and 290A.03, subd. 3*

*Adds Minn. Stat. § 290.0131, subd. 36*

*Effective for taxable years beginning after December 31, 2024*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

#### **A. No Tax Liability for Cancelled Coerced Debt**

Provides that coerced debt relieved pursuant a court order obtained by a taxpayer/survivor of domestic violence under section 337.74, subd. 3, is not income and therefore there is no tax liability (for a cancelled or forgiven debt).

*Amends Minn. Stat. § 290.091, subd. 2*

*Adds Minn. Stat. § 290.0131, subd. 36*

#### **B. Cancelled Coerced Debt Not Income for Renters' Credit Purposes**

Amends the definition of "income" for alternative minimum tax and Renters' Credit purposes to exclude the amount of coerced debt relieved.

*Amends Minn. Stat. § 290A.03, subd. 3*

### **II. ALLIANCE HOUSING PROBLEM PARTIALLY ADDRESSED**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 2, Section 1*

*Omnibus Tax Bil*

*Amends Minn. Stat. § 272.02, subd. 7*

*Effective for property taxes payable in 2026 and thereafter*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Restores the interpretation prior to the *Alliance Housing* decision, providing for a multi-factor test specifying that rental housing property does not qualify for an exemption unless: (1) the use of the property is in furtherance of the tax-exempt charitable purpose of the organization; and (2) the use of the rental property does not further the tax-exempt charitable purpose of the organization solely by providing rental housing to income-eligible renters.

(In the *Alliance Housing* decision, the Minnesota Supreme Court ruled that Alliance Housing, a nonprofit provider of affordable housing, was eligible for full property tax exemption under the Institutions of Public Charity rule solely on the basis of its provision of affordable housing. All. Hous. Inc. v. Cnty. of Hennepin, 4 N.W.3d 355 (Minn. 2024). The unintended consequence for renters of units in these buildings was that they could be liable for property taxes under Minnesota tax law (lessees are considered owners subject to property tax)).

*Note: If the property does meet the multi-factor test, renters still may be liable for property taxes.*

### **III. EDUCATION TAX CREDIT**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 1, Section 4*

*Omnibus Tax Bill*

*Amends Minn. Stat. § 270C.445, subd. 3*

*Effective for taxable years beginning after December 31, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Eliminates the ability of a taxpayer to assign the K12 education credit to a third party.

### **IV. PENALTY FOR FAILURE TO PROVIDE CERTIFICATE OF RENT PAID (CRP)**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 8, Sections 13 and 14*

*Omnibus Tax Bill*

*Amends Minn. Stat. §§ 289A.60, subd. 12; 290.0693, subd. 4; and 290A.19*

*Effective for rent paid after December 31, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Imposes a penalty of \$50 for each failure to furnish a CRP on a: (1) landlord; (2) managing agent; or (3) manufactured home park owner. Allows the Department of Revenue to abate the penalty under its normal procedures if: (1) the failure is due to reasonable cause; or (2) the owner or manager is located in a presidentially declared disaster, a presidentially declared state of emergency area, or an area declared to be in a state of emergency by the governor.

### **V. TAX PREPARER STANDARDS OF CONDUCT**

*2025 Minn. Laws, First Special Session, Chapter 13, Article 11, Section 1*

*Omnibus Tax Bill*

*Amends Minn. Stat. § 270C.445, subd. 3*

*Effective for taxable years beginning after December 31, 2024*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/13/>

Adds that, unless the client's name is on the account, tax preparers are prohibited from: (1) taking control or ownership of a Revenue Department payment to a taxpayer; or (2) directing an electronic or direct deposit of a Revenue Department payment into an account.

## **UNEMPLOYMENT LAW**

### **I. PENALTY FOR EMPLOYER MISREPRESENTATION INCREASED**

*2025 Minn. Laws, First Special Session, Chapter 6, Article 4, Section 26*

*Omnibus Jobs, Labor Economic Development Finance and Policy Bill*

*Amends Minn. Stat. § 268.184, subd. 1*

*Effective for penalties imposed on or after October 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/6/>

Raises the penalty for employers who make false statements or representations or fail to disclose a material fact from \$500 or 50% to \$500 or 100% of the amount of: (1) any overpaid unemployment benefits to an applicant; (2) unemployment benefits not paid to an applicant that would otherwise have been paid; or (3) any payment required from the employer that was not paid.

### **II. IRON ORE MINING UNEMPLOYMENT INSURANCE PROGRAM**

*2025 Minn. Laws, First Special Session, Chapter 6, Article 4, Section 35*

*Omnibus Jobs, Labor Economic Development Finance and Policy Bill*

*Session Law*

*Effective retroactively from March 15, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/6/>

Establishes additional unemployment benefits for: (1) iron ore mining industry workers where 40% or more of the workforce were laid off between March 15, 2025, and June 16, 2025; or (2) related explosive manufacturing industry workers. Grants workers additional unemployment benefits through June 20, 2026, if certain criteria are met.

## **UTILITIES LAW**

### **I. REGULATED TELEPHONE COMPANY TRANSITION PLAN**

*2025 Minn. Laws, First Special Session, Chapter 4, Article 7, Section 17*

*Omnibus Commerce Finance and Policy Bill*

*Adds Minn. Stat. § 237.181*

*Effective July 1, 2026*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/4/>

Allows a telephone company regulated by the Public Utilities Commission to petition the PUC for approval of a customer transition plan to stop serving customers in an area where the company shows that customers in the affected area have access to one or more providers who offer fiber-to-the-home service with a minimum download speed. Requires the regulated company must continue all its current obligations to serve and maintain the lines if no qualified alternative carriers exist. Requires the regulated company to provide assistance to customers with the transition upon request of the customer and provides for a dispute resolution process if there is disagreement about whether an appropriate alternative carrier is available.

### **II. DEFINITION OF “LOW-INCOME” FOR UTILITY LOW-INCOME PROGRAMS**

*2025 Minn. Laws, First Special Session, Chapter 7, Article 3, Sections 2, 4, and 6*

*Omnibus Energy, Utilities, Environment and Climate Bill*

*Amends Minn. Stat. §§ 216B.16, subds. 14 and 15; and 216B.2402, subd. 16*

*Adds Minn. Stat. § 216B.16, subd. 1b*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/7/>

#### **A. Definition for Affordability Program Purposes**

Adds a definition of “low-income” to the Public Utilities Act. Defines “low-income” for these purposes to mean a household: (1) approved as qualified for energy assistance from the federal energy assistance program (LIHEAP); (2) with a household income that is 50% or less of the state median income; or (3) that meets another qualification established by the commission. (This definition was added because the current definition defines “low-income” only as a household that is receiving energy assistance from LIHEAP and the LIHEAP program’s funding and future was unknown and uncertain due to Congressional budget cuts. By including a more expansive definition, eligibility for the state’s Low-Income Affordability Program would remain intact regardless of the reduction or elimination of LIHEAP.)

*Adds Minn. Stat. § 216B.16, subd. 1b*



**B. Definition for Energy Efficiency Program Purposes**

Amends the definition of “low-income household” for the purposes of the state’s utility energy efficiency program (the “Energy Conservation and Optimization Program” or “ECO,” formerly the “Conservation Improvement Program” or “CIP”) from a household whose income is 80% or less than the area median household income as calculated by the U.S. Department of Housing and Urban Development (HUD) to a household whose income is 80% or less of the area’s median household income “as calculated by a body of the state or federal government.” (This definition was amended to account for unknown changes in the eligibility determination by HUD that would result in reduction or elimination of eligibility for some number of households for the state’s ECO program.)

*Amends Minn. Stat. §§ 216B.16, subds. 14 and 15; and 216B.2402, subd. 16*

## **YOUTH LAW**

### **I. ADMISSIBILITY OF RESTORATIVE PRACTICE PARTICIPANT DATA**

*2025 Minn. Laws, Regular Session, Chapter 24*

*Adds Minn. Stat. §§ 13.891 and 595.02, subd. 1b*

*Effective August 1, 2025*

<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/24/>

Clarifies how data on a restorative practice participant is classified and limits the admissibility of witness statements and documents in civil and criminal proceedings. (The Office of Restorative Practices was established by the Legislature in 2023 to promote the use of restorative practices across multiple disciplines, including but not limited to: (1) pretrial diversion programs; (2) delinquency, criminal justice, child welfare, and education systems; and (3) community violence prevention practices.)

#### **A. Data Practices Act**

Classifies data collected, created, or maintained by a government entity that identifies an individual as a restorative practice participant as private data on individuals. Allows disclosure as provided in Minn. Stat. § 595.02.

*Adds Minn. Stat. § 13.891*

#### **B. Admissibility of Documents and Witness Statements in Proceedings**

Makes statements made and documents offered in the course of a restorative practice not subject to discovery or admissible as evidence in a civil or criminal proceeding, except if the if: (1) the statements or documents are part of an adult or minor maltreatment report; (2) the statements or documents constitute evidence of professional misconduct by the participant acting in their professional or occupational capacity; or (3) if the participant believes disclosure was necessary to prevent reasonably certain death, great bodily harm, or a crime.

*Adds Minn. Stat. § 13.891*

### **II. JUVENILE SAFETY AND PLACEMENT**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Sections 13, 15 - 19*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. §§ 260C.001, subd. 2; 260C.141, subd. 1; 260C.150, subd. 3; 260C.178, subd. 1; and 260C.201, subds. 1 and 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

#### **A. Petition**

Adds a requirement that the CHIPS petition must contain a statement whether the petitioner has inquired of the parent or parents of the child, the child, and relatives about the child's heritage, including the child's Tribal lineage pursuant and the child's race, culture, and ethnicity.

*Amends Minn. Stat. § 260C.141, subd. 1*

**B. Proceeding**

Adds that an inquiry about the child's heritage, including the child's Tribal lineage and the child's race, culture, and ethnicity pursuant is part of the evaluation of how to best ensure appropriate permanency planning for children in foster care.

*Amends Minn. Stat. § 260C.001, subd. 2*

**C. Additional Requirement of Responsible Social Services Agency**

Requires the responsible social services agency to make diligent efforts to inquire about the child's heritage, including the child's Tribal lineage and the child's race, culture, and ethnicity.

*Amends Minn. Stat. § 260C.150, subd. 3*

**D. Hearings and Release Requirements / Dispositions/Written Findings**

Requires that if the court determines the child should be ordered into foster care and when making dispositions and written findings, the court must inquire about the child's heritage, including the child's Tribal lineage and the child's race, culture, and ethnicity.

*Amends Minn. Stat. §§ 260C.178, subd. 1 and 260C.201, subd. 1*

**III. “HABITUAL TRUANT” DEFINITION CHANGED**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Section 14*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 260C.007, subd. 19*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Changes the definition of “habitual truant” to a child “who is at least 12 years old and less than 18 years old” and, for a child under 12, and who “has been absent from school for seven school days without lawful excuse, based on a showing by clear and convincing evidence that the child's absence is not due to the failure of the child's parent, guardian, or custodian to comply with compulsory instruction laws.”

## IV. FOSTER CARE CHANGES

### A. Court Review for Children Placed in Foster Care

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Sections 20 and 21  
Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 260C.202, subd. 2*

*Adds Minn. Stat. § 260C.202, subds. 3 and 4*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

#### 1. Children Up to Age 18

Adds a requirement for court review of a child in foster care during the 90-day period immediately prior to the 18<sup>th</sup> birthday. Requires the responsible social services agency to file a report, and specifies the report's contents.

*Adds Minn. Stat. § 260C.202, subd. 3*

#### 2. Children Over the Age of 18

Requires a court with jurisdiction to conduct a review at least annually when a child remains in or returns to foster care.

*Adds Minn. Stat. § 260C.202, subd. 4*

### B. Permanency Progress Review for Children in Foster Care

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Sections 23 and 26*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. §§ 260C.204 and 260.223, subd. 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Prohibits the responsible social services agency from defining a foster family as the permanent home for a child until: (1) inquiry and Tribal notice requirements are satisfied; (2) inquiry about the child's heritage, including the child's race, culture, and ethnicity, has been completed; and (3) the court has determined that reasonable or active efforts toward completing the relative search requirements have been made.

### C. Notice Requirements to Relatives

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Section 24*

*Omnibus Health Finance and Policy Bill*

*Amends Minn. Stat. § 260C.221, subd. 2*

*Effective July 1, 2025*

<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>

Adds certain additional requirements to the notice the responsible social services agency must provide to relatives, including information advising a relative on access to legal services and support.

**D. Administrative or Court Review of Placements**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Section 29  
Omnibus Health Finance and Policy Bill  
Amends Minn. Stat. § 260C.451, subd. 9  
Effective July 1, 2025  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>*

Requires the responsible social services agency to file a report with the court and specifies the contents of the report.

**V. FAMILY REUNIFICATION ACT CHANGES**

*2025 Minn. Laws, First Special Session, Chapter 3, Article 10, Section 27  
Omnibus Health Finance and Policy Bill  
Amends Minn. Stat. § 260C.329, subds. 3 and 8  
Effective July 1, 2025  
<https://www.revisor.mn.gov/laws/2025/1/Session+Law/Chapter/3/>*

Allows a parent whose voluntary consent to adoption was accepted by the court to file a petition for the reestablishment of the legal parent-child relationship if: (1) the identified prospective adoptive parent did not finalize the adoption; or (2) the adoption was finalized but subsequently dissolved and the child returned to foster care and guardianship of the Department of Children, Youth, and Families.

**VI. OJP GRANT FOR LEGAL REPRESENTATION OF CHILDREN**

*2025 Minn. Laws, Chapter 35, Article 2, Section 3, Subdivision 7(a)  
Omnibus Judiciary and Public Safety Bill  
Effective July 1, 2025  
<https://www.revisor.mn.gov/laws/2025/0/Session+Law/Chapter/35/>*

Appropriates \$1,000,000 to the Department of Public Safety's Office of Justice Programs for a grant to an organization that provides legal representation for children in need of protection or services and children in out-of-home placement. The grant is contingent upon a match in an equal amount from nonstate funds. Provides that the match may be in kind, including the value of volunteer attorney time, in cash, or a combination of the two.