



NEW LAWS AFFECTING SEXUAL ASSAULT FROM THE 2013 LEGISLATIVE SESSION

MNCASA Agenda

Presumptive Executed Sentence for Repeat Sex Offenders: Restores presumptive executed sentence for repeat sex offenders, correcting an inadvertent omission in earlier sentencing guideline changes. Stays of sentences are allowed only when certain circumstances are met. This section is effective August 1, 2013. See [Session Law Chapter 86](#).

Funding for Victim Services: The Public Safety Budget bill signed by Governor Dayton includes an increase of \$3 million over the biennium to the Office of Justice Programs. This amount must be distributed through an open and competitive grant process. The funds are for toward underserved populations, unmet needs and unserved areas of the state. This section is effective August 1, 2013. See [Session Law Chapter 86](#).

Sexual Violence Prevention: The Health and Human Services Budget bill states that by January 15, 2015 the Minnesota Department of Health commissioner must report to the legislature on its activities to prevent sexual violence, including coordination of existing state programs and services to achieve maximum impact on addressing the root causes of sexual violence. See [Session Law Chapter 108](#).

MNCASA Supported

Minnesota Child Victims Act: Changes the statute governing action for damages in sexual abuse cases by broadening the applicable types of crimes under the definition of sexual abuse, redefining "person" under the law, eliminating a requirement of any personal injury, changing the applicable statute of limitations periods, eliminating imputation of parent/guardian knowledge to minor and allowing claims of vicarious liability or respondent superior. Creates a three-year window filing period for cases occurring prior to enactment. This section became effective the day following enactment. See [Session Law Chapter 89](#).

Safe Harbors/Sexual Exploitation of Youth: Provides funding for training for law enforcement and other professionals, creates statewide trafficking coordinator and regional navigator positions in the Minnesota Department of Health, provides support for beds for sexually exploited youth, addresses temporary detention, child protection processes, and specifies that all sexually exploited youth up to age 18 are to be treated as victims. Sections become effective upon various dates including July 1, 2013; August 1, 2013; and January 1, 2014. See [Session Law Chapter 108](#) and [Session Law Chapter 86](#).

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Other Laws of Note

Orders for Protection: Removes the word “knowingly” from statute sections involving violations of orders for protection. Also expands venue availability when contact is made through telephonic or other electronic means. This section is effective August 1, 2013. See [Session Law Chapter 47](#).

Restitution: Authorizes a victim’s estate to authorize or enforce an order for restitution. This section became effective the day following enactment. See [Session Law Chapter 39](#).

Conditional Release: Clarifies when the conditional release terms of certain offenders begin (includes sex offenders). This section is effective August 1, 2013. See [Session Law Chapter 96](#).

Forfeiture: Provides for forfeiture of money used or intended for use in a prostitution or sex trafficking offense. This section is effective August 1, 2013. See [Session Law Chapter 80](#).

Same-Sex Marriage: Allows for civil marriage of same-sex couples. This section is effective August 1, 2013. See [Session Law Chapter 74](#).

Civil Commitment: Distinguishes and clarifies law regarding civil commitment of sexually dangerous persons and persons with psychopathic personalities from other civil commitments. This section is effective August 1, 2013. See [Session Law Chapter 49](#).

Underage Drinking: Provides immunity for underage possession or consumption of alcohol for a person calling 911 to seek assistance for another person. This section is effective August 1, 2013. See [Session Law Chapter 112](#).

Juvenile Court Records: Modifies provisions governing juvenile court records, specifically limiting access to electronic court records unless certain criteria are met. This section is effective January 1, 2014. See [Session Law Chapter 109](#).

Jury Service: Prohibits exclusion from jury service based on marital status or sexual orientation. This section is effective August 1, 2013. See [Session Law Chapter 90](#).

Safe at Home Data Protection: Regulates data protection for victims of violence under the Safe at Home Program, including limitations on when victim information can be shared and with whom. This section has three different effective dates: Sections 1-4 are effective August 1, 2013, section 5 is effective January 1, 2014 and sections 6-7 are effective July 1, 2013. See [Session Law Chapter 76](#).

Crime Victim Rights: Addresses notification service to victim when offender is arrested, detained or confined, replaces the term “harassment” with “stalking” and creates a restitution working group. This section is effective August 1, 2013. See [Session Law Chapter 34](#).

911 Emergency Calls: Updates penalties for calling the 911 center with the intent to report a fictitious emergency that prompts deployment of services, to hamper emergency services or to harass the operator receiving the call. This section is effective August 1, 2013. See [Session Law Chapter 20](#).