



**VIOLENCE FREE**  
**MINNESOTA**  
THE COALITION TO END RELATIONSHIP ABUSE

## State Legislative Update (April 10, 2020)

### Workers Compensation Bill – [HF4537](#) (Bill passed and signed into law - 4/7/20)

- Addresses workers' compensation claims for employees who contract COVID-19 during their duties
  - Includes health care workers (including home health care workers and or other health care workers who have direct contact with patients), nurses, paramedics, emergency medical technicians, police officers and firefighters, correctional facility officers, security counselors
  - Also includes child care workers providing care for the children of health care workers and first responders
- Coronavirus exposure would be presumed to have occurred on the job, and workers would no longer need to prove the circumstances in order to make a claim
  - But workers do need to provide a positive test result or the diagnosis of a physician, physician's assistant or nurse, based upon the employee's symptoms
- Not sure how it will be paid for – assumed that some of it will come from money from the federal relief package
  - Cost estimates from \$320 million to \$596 million (state Department of Labor and Industries)
  - Added cost would be borne not by all employers who pay into the system, but by the employers of the covered workers
  - Cities and counties would pay more if their police and firefighters get COVID-19, as would private and nonprofit hospitals and other healthcare entities.
- Calls to create a taskforce to work on the issue.
- Other workers not covered by the bill can still make a claim that they were infected on the job, but must show a connection to their jobs, that their illness was “arising out of and in the course of employment.”
- Is not retroactive – only covering cases diagnosed on or after the day following enactment. It would sunset on May 1, 2021.

### Public Safety Informational Hearing – [Violence Free Minnesota](#) Testified

Liz Richards and Artika Roller (MNCASA) testified jointly at the Public Safety and Criminal Justice Reform Finance and Policy Committee on Monday, April 6<sup>th</sup>. They took the opportunity to describe the needs of domestic and sexual violence program and survivor needs. They also testified in support of the [omnibus intermediate emergency COVID-19 response bill](#). The bill was heard on an informational basis.



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- Key provisions:
  - Give the corrections commissioner authority to grant early conditional release to an inmate who has 180 days or less to serve provided that the Corrections Department
    - Includes “notice to victims who requested notice of the inmate's release.”
  - Only inmates deemed a “a low risk to reoffend and do not present a foreseeable risk to public safety” would be eligible
  - Domestic abuse and victim advocates included (among first responders, including law enforcement officers, firefighters) in prioritization of COVID test results
  - Includes a bill to address stalking
  - Requires the corrections commissioner and sheriffs to post daily inmate population numbers for prisons, jails, and juvenile detention centers on publicly accessible websites administered by the agencies
  - Requires the commissioner of corrections to report to the Legislature within 180 days of the expiration of the peacetime COVID-19 emergency any emergency powers that were exercised, when the powers were exercised, and an explanation for why the powers were necessary
  - Permits coroners and medical examiners to access the criminal justice data communications network to identify a dead person
  - Directs the commissioner of corrections to grant inmates free external phone calls and video conferences if visitors are prohibited because of the COVID-19 pandemic

### Vote by mail – [Proposed language](#) – Brought to the legislature from Secretary of State Steve Simon's proposal

- Every registered voter in Minnesota would automatically receive a ballot in the mail (all vote-by-mail) during, or immediately following, periods of peacetime emergency due to infectious disease outbreaks
  - Every voter in Minnesota, not just the 130,000 who currently get a mail ballot every election because they live in small towns and townships with fewer than 400 voters, would receive a ballot in the mail
- There would still be some voting centers open on election day for same-day registration or for voters who need assistance voting, there would be far fewer physical polling locations than the 3,000 that the state currently uses.
- Controversial and partisan, informational hearing only
- Those proposed measures include:
  - “substantially” conducting voting by mail, with ballots sent out to all registered voters;
  - allowing the secretary of state's office to close and consolidate polling places – many of which are located in nursing homes and assisted living facilities;
  - changing deadlines to allow more time for processing mail-in ballots;



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- allowing non-major parties to get electronic signatures, so they don't have to go from door to door if they want to appear on the ballot;
- allowing trained employees at health care facilities to aid with absentee voting, limiting the risk of infection; and
- authorizing \$17.18 million in federal funding provided through the Help America Vote Act to improve the administration and security of elections.

### Bills that passed out of House Judiciary and Civil Law Committee – 4/8/20

Three bills were approved and sent to the House Floor with no dissenting votes:

- [HF798 \(as amended\)](#) – Child support payment rates
  - Extends the deadline a child support payer has to file a motion to contest a cost-of-living increase to June 30, 2020
  - A court would also be permitted to use its discretion if someone cannot file by that date due to the COVID-19 pandemic, but files by Oct. 31, 2020.
  - Background:
    - By [statute](#), court-ordered child support is subject to a COLA increase every two years based on the Consumer Price Index. This year's increase is 4.7%, effective May 1. This year's change notices have been sent to payees, who typically have until the increase's effective date to file a motion to contest the increase.
  - The bill specifies that any cost-of-living adjustment would be effective May 1, 2020, unless the court chooses an alternate date.
  - Senate companion ([SFI72](#)) bill will be heard by the Senate COVID-19 Response Working Group on Monday, April 13<sup>th</sup>.
- [HF197 \(as amended\)](#) – Court deadlines
  - Suspends the ruling of statutory deadlines that govern district and appellate court proceedings
  - Applies to deadlines that had not expired as of March 13, 2020 or begun on or after that date, and the suspension would last until 60 days after the peacetime emergency ends
  - Background:
    - There are different statutory limitation periods on a variety of cases, and some of those may be approaching the deadline to be filed in court. Recent judicial orders in reaction to the COVID-19 pandemic have stopped new trials from starting and encouraged remote hearings in others, which has led to delays.
  - Senate Companion ([SFI431](#)) bill will be heard by the Senate COVID-19 Response Working Group on Monday, April 13<sup>th</sup>.



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- [HF1196 \(as amended\)](#) – Harmless error for will, estate planning
  - Temporarily allows nonconforming wills to be probated if execution defects are shown to be harmless by clear and convincing evidence
  - The change would apply to documents executed between March 13, 2020, and Feb. 15, 2021
  - Senate companion ([SF1432](#)) bill will be heard by the Senate COVID-19 Response Working Group on Monday, April 13<sup>th</sup>.
  
- Filing to wed - [proposal](#) only, not yet introduced as a bill
  - It would let local registrars accept electronic filings, mailed or faxed marriage applications during a peacetime emergency related to the COVID-19 pandemic
  - Also allows examination of the parties under oath using audio or video
  - Background:
    - [Current statute](#) requires at least one of the parties appear in person when submitting the application
  - This change would expire when the peacetime emergency ends, but no later than Jan. 15, 2021.