SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 5247

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04/29/2026		Introduction and first reading Referred to Judiciary and Public Safety

A bill for an act

relating to public safety; protecting children and parental rights; prohibiting gender transition procedures for minors; establishing school transparency and parental consent requirements; prohibiting the sexualization of minors in educational settings; protecting therapeutic choice while prohibiting coercive, fraudulent, or aversive practices; creating the felony offense of grooming of a minor for sexual exploitation; requiring predatory offender registration for grooming; restoring home-state jurisdiction and removing certain sanctuary provisions; amending Minnesota Statutes 2024, sections 62Q.585, by adding a subdivision; 243.166, subdivision 1b; 518D.201; 518D.204; 518D.207; proposing coding for new law in Minnesota Statutes, chapters 120A; 145; 214; 260C; 609; repealing Minnesota Statutes 2024, sections 214.078; 260.925; 543.23.

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

ARTICLE 1

TITLE; FINDINGS; DEFINITIONS

Section 1. **SHORT TITLE.**

This act may be cited as the "Protecting Families and Children Act (PFCA)."

Sec. 2. **LEGISLATIVE FINDINGS AND PURPOSE.**

(a) The state has a compelling interest in safeguarding the health, bodily integrity, fertility, and future procreative capacity of minors. This act restricts specified irreversible medical interventions on minors and provides enforcement and remedies.

(b) Biological sex is objective and ascertainable, and public policy requires clear definitions to protect children. This act defines biological sex and protects sex-based privacy and safety in schools.

(c) Parents have the fundamental right and duty to direct the upbringing, education, and medical care of their children. This act establishes a parental bill of rights and school transparency and consent protections.

(d) The sexualization of minors in educational settings constitutes a direct harm to children and a violation of parental rights. This act prohibits instruction that sexualizes minors, promotes gender ideology, or undermines biologically defined sex in any school in Minnesota.

(e) Grooming is a patterned process used to manipulate minors, often online, before physical abuse occurs. This act creates a stand-alone felony grooming offense to enable early intervention and enhanced public safety.

(f) Bans written broadly can chill noncoercive counseling chosen by clients and parents. This act repeals and replaces Minnesota Statutes, section 214.078, to ban only coercive, fraudulent, or aversive practices while protecting noncoercive talk therapy and client-directed goals.

(g) Minnesota should not be used to circumvent lawful home-state child-custody jurisdiction through forum-shopping for disputed minor medical interventions. This act repeals specified provisions enacted as part of Minnesota's sanctuary approach and restores the presumption of home-state jurisdiction.

Sec. 3. **[145.999] DEFINITIONS.**

Subdivision 1. **Scope.** The terms in this section have the meanings given.

Subd. 2. **Minor.** "Minor" means an individual under 18 years of age.

Subd. 3. **Biological sex.** "Biological sex" means the sex recognized at birth, determined by genetics and reproductive anatomy.

Subd. 4. **Gender transition procedure.** "Gender transition procedure" means any medical or surgical service provided to a minor for the purpose of attempting to alter or affirm a perception of gender or sex discordant with the minor's biological sex, including:

(1) puberty blockers when prescribed for sex-discordant purposes;

(2) cross-sex hormones; and

(3) surgeries that alter or remove healthy sex organs or secondary sex characteristics.

Subd. 5. **Health care professional.** "Health care professional" includes a person licensed or otherwise authorized to provide health services.

Subd. 6. **School.** "School" includes public, charter, private, and religious kindergarten through grade 12 institutions operating in this state.

Subd. 7. **Sexual orientation.** For purposes of this act only, "sexual orientation" means an enduring pattern of romantic or sexual attraction to adult persons. For purposes of this act, sexual orientation does not include sexual interest in minors.

ARTICLE 2
HEALTH CARE PROTECTIONS FOR MINORS

Section 1. Minnesota Statutes 2024, section 62Q.585, is amended by adding a subdivision to read:

Subd. 1a. **Minors excluded; evidence-based necessity.** (a) Nothing in this section requires coverage of a gender transition procedure for a minor.

(b) A health plan company and an employer-sponsored plan must not provide coverage for gender transition procedures for minors.

(c) This subdivision does not limit coverage for the treatment of medically verifiable disorders of sex development or other nontransition care as provided in section 145.9992.

Sec. 2. **[145.9991] PROHIBITION ON GENDER TRANSITION PROCEDURES FOR MINORS.**

Subdivision 1. **Prohibited acts.** (a) A health care professional must not perform or cause to be performed a gender transition procedure on a minor.

(b) A health care professional must not refer a minor to another professional for a gender transition procedure.

Subd. 2. **Coverage and public funds.** (a) Insurance policies and health plans regulated by the state must not provide coverage for gender transition procedures for minors.

(b) Public funds must not be used, directly or indirectly, to pay for or subsidize gender transition procedures for minors.

Sec. 3. **[145.9992] EXCEPTIONS.**

(a) Section 145.9991 does not prohibit:

(1) treatment of a minor with a medically verifiable disorder of sex development where the minor's sex is indeterminate and treatment is intended to correct a physiological abnormality;

(2) treatment of precocious puberty consistent with established endocrine standards when not used for the purpose of gender transition; or

(3) procedures to treat a minor who has suffered an injury, disease, or physical disorder that would place the minor outside normal biological development, provided the treatment restores typical function consistent with biological sex.

(b) Psychological or psychiatric counseling that does not recommend or prepare for a prohibited procedure is permitted.

Sec. 4. **[145.9993] ENFORCEMENT AND REMEDIES.**

Subdivision 1. **Professional discipline.** A violation of section 145.9991 constitutes unprofessional conduct and is subject to discipline by the appropriate licensing board.

Subd. 2. **Attorney general enforcement.** The attorney general may bring an action to enjoin a violation and to prosecute criminal violations and recover civil penalties of not more than $25,000 per violation, plus costs and disbursements.

Subd. 3. **County attorney and local prosecutor enforcement.** A county attorney or local prosecutor for any county in Minnesota may bring an action to enjoin a violation and to prosecute criminal violations and recover civil penalties of not more than $25,000 per violation, plus costs and disbursements.

Subd. 4. **Private right of action.** (a) A minor who receives a gender transition procedure in violation of section 145.9991 may bring a civil action upon reaching 18 years of age and obtain ongoing payment of the costs for a lifetime of health care treating complications resulting from one or more gender transition procedures, including damages for pain and suffering.

(b) A parent or legal guardian may bring a civil action on behalf of the minor and obtain ongoing payment of the costs for a lifetime of health care treating complications resulting from one or more gender transition procedures, including damages for pain and suffering.

(c) Where both a minor under paragraph (a) and a parent or legal guardian under paragraph (b) bring claims arising from the same gender transition procedure, total combined recovery for lifetime health care costs shall not exceed a single lifetime-cost award against any one defendant or group of defendants jointly and severally liable for the same procedure, though each claimant may independently recover pain-and-suffering damages.

(d) The limitation period is the later of: (1) 20 years after the minor reaches the age of majority; or (2) 10 years after discovery of the injury.

(e) Remedies include actual damages, statutory damages of not less than $25,000, punitive damages for willful violations, pain and suffering, and reasonable attorney fees and costs.

(f) Health care institutions where gender transition procedures are conducted are liable for the full lifetime cost of medical treatments due to complications arising from gender transition procedures conducted at their health care institution or affiliate institutions.

Subd. 5. **Criminal penalties.** (a) Health care providers that participate directly in gender transition procedures, including but not limited to prescribing medications and performing surgeries, are subject to criminal penalties of not more than ten years and not less than 18 months per patient recipient of gender transition procedures.

(b) Hospital administrators at whose hospital gender transition procedures are performed, as well as senior management at clinics within or outside of hospitals where gender transition procedures are performed, are subject to criminal penalties of not more than five years and not less than 18 months per patient recipient of gender transition procedures at their respective hospitals or clinics.

(c) Persons who permit, authorize, or direct that gender transition procedures be performed in the health system under their leadership are subject to criminal penalties of not more than five years and not less than 18 months per patient recipient of gender transition procedures.

Subd. 6. **Whistleblower protection.** An employer is prohibited from retaliating against an employee for reporting a suspected violation of section 145.9991.

ARTICLE 3
EDUCATION; SCHOOL TRANSPARENCY; PARENTAL RIGHTS

Section 1. **[120A.475] SEX-BASED FACILITIES AND ACCOMMODATIONS.**

(a) A school must maintain sex-segregated bathrooms, locker rooms, and overnight accommodations based on biological sex.

(b) All school students and staff must use bathroom, locker room, and other school facilities according to their biological sex, and no separate accommodations shall be made or allowed to be made.

Sec. 2. **[120A.476] INTERSCHOLASTIC ATHLETICS.**

Participation on interscholastic sports teams must be determined by biological sex.

Sec. 3. **[120A.477] PROHIBITION OF SOCIAL TRANSITION; RECORDS; NOTICE.**

Subdivision 1. **Prohibition without consent.** A school employee or contractor must not implement a social transition of a minor at school or in the employee's or contractor's capacity as a school employee or contractor. Social transition includes but is not limited to adopting a name or pronouns inconsistent with the student's legal records or providing sex-inconsistent private facility access as an individualized intervention.

Subd. 2. **Records access.** Parents have the right to access all educational and counseling records maintained by the school relating to the student, including records regarding names, pronouns, counseling, accommodations, or plans.

Subd. 3. **Prompt notification.** A school must promptly notify a parent of a significant change in the student's mental, emotional, or physical health known to the school, including persistent distress indicators for any reason, including but not limited to gender or sexual orientation issues.

Subd. 4. **No compelled speech.** A school must not adopt or enforce a policy that compels speech by employees or students on matters of sex or gender in violation of sincerely held religious or moral convictions. For all purposes of communication with and about the student, schools must refer to the student using only terms consistent with the student's biological sex.

Sec. 4. **[120A.478] CURRICULUM TRANSPARENCY; OPT-OUT.**

(a) A school must post online, at least 14 days in advance, instructional materials concerning human sexuality. A school is prohibited from including in the school's educational curriculum any instruction in sexually explicit content, in the classroom, online, or in written materials. Instruction concerning biological reproduction or birth control must not be given to any student before the student reaches grade 7 and the age of 12. Instruction in gender ideology, concepts of gender identity, or sexual orientation is governed exclusively by section 120A.482 and is not subject to the opt-out mechanism in paragraph (b).

(b) A parent may opt a child out of instruction described in paragraph (a) concerning biological reproduction or birth control, without penalty.

Sec. 5. **[120A.479] PARENTAL BILL OF RIGHTS; PRIVATE REMEDY.**

Subdivision 1. **Rights affirmed.** Parents have the right to direct the upbringing, education, medical care, and moral formation of their children, including the rights specified in sections 120A.477 and 120A.478.

Subd. 2. **Civil remedy.** A parent may bring a civil action for declaratory and injunctive relief and recover reasonable attorney fees and costs for a knowing violation of section 120A.477 or 120A.478.

ARTICLE 4
PROHIBITION ON SEXUALIZATION OF MINORS IN EDUCATION

Section 1. **[120A.480] LEGISLATIVE FINDINGS.**

The legislature finds that the primary purpose of public education is academic instruction. The state has a compelling interest in protecting minors from age-inappropriate exposure to sexual content, gender ideology, and instruction that normalizes sexual activity among minors. Parents retain the fundamental right to guide the moral and sexual formation of their children. The legislature further finds that no institutional, religious, or ideological claim, including any claim that gender is fluid, nonbinary, or self-determined, constitutes a good-faith religious belief entitled to protection under section 120A.483, as such claims fall outside any historically recognized body of sincere religious doctrine and are instead ideological positions that this act is specifically designed to address.

Sec. 2. **[120A.481] DEFINITIONS.**

Subdivision 1. **School.** "School" means any public, charter, private, or religious kindergarten through grade 12 institution operating in this state, including any institution receiving state or local public funds and any institution not receiving public funds.

Subd. 2. **Minor.** "Minor" means any student who is under 18 years of age.

Subd. 3. **Knowingly.** "Knowingly" means that the individual has been informed of a specific violation or potential violation by written notice or at a public forum, and the reporting party has provided the means to investigate, including but not limited to copies of instructional materials, recordings, written communications, curriculum documents, or other evidence sufficient to identify the alleged violation. Delivery of notice and evidence to the individual, the individual's supervisor, or the individual's institution satisfies the knowingly threshold.

Subd. 4. **Public forum.** "Public forum" means any school board meeting, public hearing, community meeting, or other gathering open to the public at which the alleged violation was described and the accused individual or their institutional representative was present or duly notified and given the opportunity to attend.

Subd. 5. **Grade school.** "Grade school" means any school serving students in kindergarten through grade 6, or any school in which a substantial portion of enrolled students are under the age of 12.

Subd. 6. **Aggravated violation.** "Aggravated violation" means a violation of section 120A.482 that occurs in a grade school setting, involves repeated conduct directed at the same or multiple students, or involves deliberate concealment of prohibited conduct from parents or administrators.

Subd. 7. **Good-faith defense.** "Good-faith defense" means an affirmative defense available to a teacher or school employee who demonstrates that they:

(1) were not personally aware that the conduct at issue violated this section;

(2) received no written notice or training from their administrator identifying such conduct as prohibited; and

(3) did not act with deliberate disregard for the welfare of students.

The good-faith defense is not available to any individual who was personally warned in writing or at a public forum as provided in subdivision 4, nor to any individual whose administrator has fulfilled the compliance duty under subdivision 8 and obtained a signed written acknowledgment from that individual.

Subd. 8. **Administrator compliance duty.** "Administrator compliance duty" means the affirmative obligation of every school principal, superintendent, and other school administrator to:

(1) provide written notice to all teachers, staff, counselors, contractors, and volunteers under the administrator's supervision of the specific conduct prohibited by this article, including a plain-language summary of the prohibitions, the penalties for violation, and the mandatory reporting obligations imposed by this act;

(2) obtain a signed written acknowledgment from each individual under clause (1) confirming receipt, review, and understanding of the prohibitions and reporting duties;

(3) distribute notice and obtain acknowledgments no later than 30 days after the effective date of this section and annually thereafter, and within ten business days of any new hire or contractor engagement; and

(4) maintain copies of all such acknowledgments on file and make them available to the attorney general, licensing authorities, or law enforcement upon request.

Failure to fulfill the compliance duty bars the administrator from invoking any defense premised on lack of notice to teachers and constitutes an independent offense as provided in section 120A.484, subdivision 3, paragraph (a).

Sec. 3. **[120A.482] PROHIBITED INSTRUCTION.**

Subdivision 1. **Prohibited content.** A school, school employee, administrator, school board member, contractor, or volunteer operating within any school in Minnesota is prohibited from providing, facilitating, permitting, or funding instruction, programming, counseling, or materials that:

(1) promote, endorse, or present as valid any gender identity other than biological sex as determined at birth;

(2) suggest or assert that biological sex is fluid, changeable, or a matter of personal choice or perception;

(3) describe, depict, or discuss sexual practices, sexual preferences, or sexual acts in any form;

(4) instruct minors on how to consent to, solicit, or engage in sexual activity with another person; or

(5) introduce or affirm concepts of sexual orientation or gender identity to students in kindergarten through grade 12. This clause constitutes the exclusive governing provision for all instruction in sexual orientation or gender identity across all grade levels kindergarten through grade 12 and supersedes any opt-out mechanism otherwise available under section 120A.478 with respect to the content.

Subd. 2. **Scope.** The prohibitions in this section apply to all classroom instruction, assemblies, counseling sessions, extracurricular programming, guest presentations, and any school-sponsored digital, online, or printed content distributed to students.

Sec. 4. **[120A.483] RELIGIOUS SCHOOLS; NARROW SAVINGS CLAUSE.**

Subdivision 1. **Limited exemption.** Nothing in sections 120A.480 to 120A.484 prohibits a religious institution from teaching doctrinal beliefs that are historically grounded in an established religious tradition, including teachings that sexual activity is reserved for marriage between a man and a woman, or that marriage is a sacred covenant between biological males and biological females.

Subd. 2. **Exemption strictly limited.** The savings clause in subdivision 1 does not exempt any school or individual from the prohibitions of section 120A.482 with respect to:

(1) any claim that gender is fluid, nonbinary, self-determined, or exists outside biological sex as defined at birth, regardless of how the claim is characterized;

(2) any explicit instruction in sexual practices, sexual acts, or sexual consent as prohibited by section 120A.482, subdivision 1, clauses (3) and (4); or

(3) any conduct that has been the subject of a written notice or public forum warning under section 120A.481, subdivision 3, regardless of the religious character of the institution.

Subd. 3. **Good-faith religious claim standard.** To invoke the savings clause, an institution must demonstrate that the claimed religious belief:

(1) is historically documented in the written doctrine, scripture, or authoritative teaching of the institution's established religious tradition;

(2) predates the enactment of this statute; and

(3) does not, in its application, expose students to content prohibited under section 120A.482, subdivision 1, clause (3), (4), or (5).

The burden of establishing a good-faith religious claim rests on the institution asserting the exemption. No claim of religious exemption is available to any institution or individual that has received a written notice or public forum warning under section 120A.481, subdivision 4, with respect to the conduct for which the exemption is sought.

Sec. 5. **[120A.484] CRIMINAL PENALTIES; LICENSE REVOCATION; INSTITUTIONAL LIABILITY.**

Subdivision 1. **Standard of culpability.** All criminal liability under this section attaches upon a showing that the accused acted knowingly as defined in section 120A.481, subdivision 3. A written warning delivered to the accused, or a public forum at which the violation was described with supporting evidence presented and which the accused attended or was notified

of and given reasonable opportunity to attend, establishes the knowingly threshold as a matter of law for all subsequent conduct of the same character.

Subd. 2. **Teacher and instructor criminal penalties.** (a) A school employee or contractor who, having been warned in writing or at a qualifying public forum, continues to engage in conduct in violation of section 120A.482 is guilty of a felony. Each separate category of prohibited conduct for which a warning was given and subsequently ignored constitutes a distinct offense for purposes of charging and sentencing.

(b) A school employee or contractor who violates section 120A.482 is subject to the following:

(1) for a first offense after written or public notice, imprisonment of not less than 18 months and not more than three years, a fine of $5,000 per distinct warned-and-ignored offense, or both;

(2) for a violation occurring in a grade school setting or otherwise meeting the definition in section 120A.481, subdivision 6, imprisonment of not less than three years and not more than five years, a fine of $10,000 per distinct warned-and-ignored offense, or both; or

(3) for a second or subsequent conviction under this section, imprisonment of not less than five years and not more than ten years, a fine of $15,000 per offense, or both. The court must consider the age of students exposed, the frequency of violations, and the degree of deliberate concealment as factors supporting the upper range of sentencing.

(c) Upon conviction under this section, the offender's teaching license or professional credential must be permanently and irrevocably revoked. The offender must be permanently disqualified from employment as a teacher, instructor, aide, counselor, contractor, or volunteer in any school in this state.

(d) A teacher or school employee may assert the good-faith defense as defined in section 120A.481, subdivision 7. If successfully established, the good-faith defense is a complete defense to criminal liability under this subdivision. The good-faith defense does not bar civil liability under subdivision 7, nor does it bar professional discipline or license review by the appropriate licensing board.

Subd. 3. **Administrator criminal penalties and compliance duty.** (a) An administrator who fails to fulfill the compliance duty under section 120A.481, subdivision 8, is guilty of a gross misdemeanor, punishable by imprisonment of no more than one year, a fine of no more than $5,000, or both, for each annual cycle or hiring instance in which the duty was not fulfilled. Failure to fulfill the compliance duty also permanently bars the administrator

from invoking any defense premised on lack of notice to teachers or lack of knowledge of a teacher's conduct.

(b) An administrator who, having received written notice or having attended or been duly notified of a public forum at which a violation was presented with supporting evidence, fails to investigate, remedy, or report the violation within ten business days is guilty of a felony subject to the same penalties and aggravated penalty provisions as provided in subdivision 2, without eligibility for the good-faith defense.

(c) Upon conviction under paragraph (b), the administrator must be permanently removed from any administrative position in any school in this state and must forfeit any applicable professional license or certification.

Subd. 4. **School board member criminal penalties.** (a) A school board member who, having received written notice or having attended or been duly notified of a public forum at which a violation was presented with supporting evidence, votes to approve, fund, or continue prohibited programming, or who fails to initiate corrective action within ten business days of receiving such notice, is guilty of a felony subject to the same penalties and aggravated penalty provisions as provided in subdivision 2.

(b) Upon conviction, the board member must be immediately removed from office and permanently disqualified from serving on any school board or in any school administrative capacity in Minnesota.

Subd. 5. **Mandatory reporting.** (a) Any teacher, counselor, aide, or other school employee who directly observes or receives credible evidence of a violation of section 120A.482 must report the violation in writing to the school's principal or superintendent within ten business days of observation or discovery.

(b) Any school administrator who receives a report under paragraph (a), or who directly observes or discovers a violation independently, must report the violation in writing to the school board and to the office of the attorney general within ten business days of receiving the report or making the discovery.

(c) A school employee who in good faith relies on representations made by an administrator that specific conduct is lawful, and who later discovers that such representations were false or incomplete, satisfies the mandatory reporting duty by reporting directly to the attorney general within ten business days of discovering the discrepancy. A report under this paragraph constitutes a whistleblower disclosure for purposes of subdivision 8.

(d) Failure to report as required under paragraph (a) or (b) is a gross misdemeanor for a first offense, punishable by imprisonment of not more than one year, a fine of not more than $3,000, or both. A second or subsequent failure to report is a felony, punishable by imprisonment of not less than one year and not more than three years, a fine of not more than $10,000, or both.

(e) The mandatory reporting obligation does not require the reporting party to have personal knowledge that a criminal violation has occurred. A good-faith belief that prohibited conduct may have taken place is sufficient to trigger the reporting duty.

Subd. 6. **Institutional penalties.** A school that by official action, policy, or deliberate indifference approves, funds, or fails to remedy a known violation of section 120A.482 is subject to:

(1) a civil penalty of not less than $10,000 and not more than $100,000 per violation, recoverable by the attorney general; and

(2) loss of state education funding in an amount determined by the commissioner of education not to exceed 25 percent of the district's or institution's annual state aid or public funding, until the violation is remedied and the institution certifies compliance in writing to the commissioner.

Subd. 7. **Private right of action.** A parent or legal guardian of a minor subjected to prohibited instruction may bring a civil action for declaratory relief, injunctive relief, and damages of not less than $5,000 per incident, plus reasonable attorney fees and costs.

Subd. 8. **Whistleblower protection; indemnification; reward.** (a) A school employee, parent, student, or any other individual must not be retaliated against for reporting a suspected violation of this article to a supervisor, school board, licensing authority, the attorney general, or law enforcement.

(b) Any individual whose report of a violation results in the collection of a civil or criminal fine under this section shall receive 30 percent of all fines collected as a direct result of that report, paid from the collected fines before remittance to the state. Where the reporting individual is a minor student, the 30 percent reward shall be held in trust by the attorney general and disbursed in full to the student upon reaching the age of 18, without reduction, offset, or condition.

(c) Any whistleblower, including a student, parent, school employee, or any other individual, who is named as a defendant or respondent in any civil, administrative, or other legal proceeding brought by or on behalf of a school, school district, administrator, board

member, or school employee, and where the proceeding arises directly or indirectly from the whistleblower's report of a violation under this article, must be fully indemnified by the school district in which the reported violation occurred. Such indemnification shall cover all reasonable attorney fees, court costs, damages awarded against the whistleblower, and any other costs or expenses arising from the retaliatory proceeding. The obligation to indemnify attaches upon the filing of the retaliatory proceeding and is not contingent upon a preliminary or final determination of liability. A school district that fails to provide indemnification within 30 days of written demand by the whistleblower is subject to a civil penalty of not less than $5,000 per month of noncompliance, recoverable by the attorney general.

(d) Retaliation against a whistleblower, including but not limited to termination, demotion, harassment, filing of retaliatory legal proceedings, or any other adverse action, is a gross misdemeanor for a first offense and a felony for a second or subsequent offense, subject to the same penalties as provided in subdivision 2, paragraph (b), clause (1).

ARTICLE 5
THERAPEUTIC CHOICE; PROHIBITION OF ABUSIVE PRACTICES

Section 1. **[214.079] THERAPEUTIC CHOICE AND YOUTH COUNSELING SAFEGUARDS.**

Subdivision 1. **Purpose.** The purpose of this section is to protect client-directed and freedom-respecting counseling while prohibiting coercive, fraudulent, or aversive practices.

Subd. 2. **Protected counseling; no discipline solely for goals.** (a) A licensing board must not discipline a licensee solely for providing noncoercive talk therapy, open-ended exploration, or counseling requested by:

(1) an adult client; or

(2) for a minor, the minor and the minor's parent or legal guardian.

Where the counseling is directed toward the client's stated goals, including reducing unwanted sexual behaviors, addressing distress, strengthening family relationships, or pursuing counseling consistent with sincerely held religious beliefs.

(b) A licensing board must not require a predetermined ideological outcome as a condition of licensure, and must not discipline a licensee for declining to recommend or prepare a minor for a procedure prohibited under section 145.9991.

Subd. 3. **Prohibited practices; unprofessional conduct.** It is unprofessional conduct for a licensee to engage in coercive, fraudulent, or aversive practices, including physical force; threats; intimidation; blackmail; or humiliating, degrading, or physically aversive techniques.

Subd. 4. **Enforcement.** This section may be enforced through existing disciplinary authority of licensing boards and by the attorney general for injunctive relief against systemic violations.

Sec. 2. **REPEALER.**

Minnesota Statutes 2024, section 214.078, is repealed.

ARTICLE 6
CRIMES AGAINST CHILDREN; GROOMING

Section 1. Minnesota Statutes 2024, section 243.166, subdivision 1b, is amended to read:

Subd. 1b. **Registration required.** (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, paragraph (a), clause (2);

(ii) kidnapping under section 609.25;

(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3, paragraph (b); or 609.3453;

(iv) indecent exposure under section 617.23, subdivision 3; or

(v) surreptitious intrusion under the circumstances described in section 609.746, subdivision 1, paragraph (h);

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision 1, paragraph (b);

(ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in the sex trafficking of a minor in violation of section 609.322;

(iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

(iv) soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1);

(v) using a minor in a sexual performance in violation of section 617.246; or

(vi) possessing or disseminating a pornographic work involving a minor in violation of section 617.247;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was charged with or petitioned for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to an offense or involving similar circumstances to an offense described in clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances.

(b) A person also shall register under this section if:

(1) the person was charged with or petitioned for an offense in another state similar to an offense or involving similar circumstances to an offense described in paragraph (a), clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer or for an aggregate period of time exceeding 30 days during any calendar year; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

(e) A person shall also register under this section if the person is charged with and convicted of a violation of section 609.3521.

Sec. 2. **[609.3521] GROOMING OF A MINOR FOR SEXUAL EXPLOITATION.**

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

(b) "Minor" means an individual under 18 years of age.

(c) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence by wire, radio, electromagnetic, photoelectronic, or photo-optical systems, including text messages, email, social media, messaging apps, and Internet-based platforms.

(d) "Pattern" means two or more acts occurring over any period of time, however short, that evidence a continuity of purpose.

Subd. 2. **Crime.** A person is guilty of grooming of a minor for sexual exploitation if the person purposely or knowingly engages in a pattern of conduct, in person or by electronic communication, directed at a minor or the minor's parent or legal guardian, with intent to:

(1) manipulate, coerce, or entice the minor into sexual conduct, actual or simulated;

(2) distribute, facilitate access to, or solicit sexually explicit material involving the minor;

(3) arrange or attempt to arrange a meeting for the purpose of committing a sexual offense; or

(4) exploit a position of trust or authority to develop an intimate, secret, or controlling relationship with the minor for sexual exploitation.

Subd. 3. **No meeting requirement.** Any offense under subdivision 2 does not require physical contact or an in-person meeting.

Subd. 4. **Law enforcement decoy clause; mistake as to age.** It is not a defense that the intended victim was a law enforcement officer or decoy, provided the actor believed or had reasonable grounds to believe the individual was a minor. It is not a defense that the actor was mistaken about the victim's age if the actor believed or had reasonable grounds to believe the victim was a minor.

Subd. 5. **Close-in-age limitation.** This section does not apply if:

(1) the minor is at least 14 years of age;

(2) the actor is not more than 24 months older than the minor;

(3) the actor is not in a position of trust or authority over the minor; and

(4) the conduct does not involve threats, coercion, or distribution of sexually explicit material.

Subd. 6. **Penalties.** (a) For a base offense, felony; imprisonment for no more than ten years or a fine of no more than $20,000, or both.

(b) For an aggravated offense, felony; imprisonment for no more than 20 years or a fine of no more than $40,000, or both, if any of the following apply:

(1) the minor is under 16 years of age;

(2) the actor used a position of trust or authority; or

(3) the actor distributed or facilitated access to sexually explicit material.

(c) For a severe offense, felony; imprisonment for no more than 30 years or a fine of no more than $60,000, or both, if any of the following apply:

(1) the minor is under 13 years of age; or

(2) the grooming involved arranging travel or repeated conduct involving multiple victims.

Sec. 3. **REVISOR INSTRUCTION.**

The revisor of statutes must prepare and submit to the chairs of the judiciary and public safety committees proposed conforming amendments to align child-protection definitions across Minnesota Statutes, chapters 609 and 617, so that "minor" means an individual under 18 years of age, with graduated penalties by age where appropriate, and to ensure cross-references to "sexual conduct" and related terms remain clear.

ARTICLE 7
RESTORE HOME-STATE JURISDICTION; REPEAL SANCTUARY PROVISIONS

Section 1. **[260C.999] NO ADVERSE CUSTODY OR CHILD-PROTECTION ACTION SOLELY FOR REFUSAL.**

A parent's good-faith decision to decline puberty blockers, cross-sex hormones, sex-trait-altering procedures, or other gender transition procedures for a minor does not, by itself, constitute abuse or neglect or grounds for an adverse custody determination, provided the parent supplies necessary care, protection, and support.

Sec. 2. Minnesota Statutes 2024, section 518D.201, is amended to read:

518D.201 INITIAL CHILD CUSTODY JURISDICTION.

(a) Except as otherwise provided in section 518D.204, a court of this state has jurisdiction to make an initial child custody determination only if:

(1) this state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state;

(2) a court of another state does not have jurisdiction under clause (1), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under section 518D.207 or 518D.208, and:

(i) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and

(ii) substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;

(3) all courts having jurisdiction under clause (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under section 518D.207 or 518D.208; or

(4) no court of any other state would have jurisdiction under the criteria specified in clause (1), (2), or (3).

(b) Paragraph (a) is the exclusive jurisdictional basis for making a child custody determination by a court of this state.

(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination.

~~(d) The presence of a child in this state for the purpose of obtaining gender-affirming health care as defined in section 543.23, paragraph (b), is sufficient to meet the requirements of paragraph (a), clause (2), item (i).~~

Sec. 3. Minnesota Statutes 2024, section 518D.204, is amended to read:

518D.204 TEMPORARY EMERGENCY JURISDICTION.

(a) A court of this state has temporary emergency jurisdiction if the child is present in this state and:

(1) the child has been abandoned; or

(2) it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse~~; or~~.

~~(3) the child has been unable to obtain gender-affirming health care as defined in section 543.23, paragraph (b).~~

(b) If there is no previous child custody determination that is entitled to be enforced under this chapter, and a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 518D.201 to 518D.203, a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under sections 518D.201 to 518D.203. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under sections 518D.201 to 518D.203, a child custody determination made under this section becomes a final determination, if it so provides and this state becomes the home state of the child.

(c) If there is a previous child custody determination that is entitled to be enforced under this chapter, or a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 518D.201 to 518D.203, any order issued by a court of this state

under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under sections 518D.201 to 518D.203. The order issued in this state remains in effect until an order is obtained from the other state within the period specified or the period expires.

(d) A court of this state which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of a state having jurisdiction under sections 518D.201 to 518D.203, shall immediately communicate with the other court. A court of this state which is exercising jurisdiction pursuant to sections 518D.201 to 518D.203, upon being informed that a child custody proceeding has been commenced in, or a child custody determination has been made by, a court of another state under a statute similar to this section shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child, and determine a period for the duration of the temporary order.

Sec. 4. Minnesota Statutes 2024, section 518D.207, is amended to read:

518D.207 INCONVENIENT FORUM.

(a) A court of this state which has jurisdiction under this chapter to make a child custody determination may decline to exercise its jurisdiction at any time if it determines that it is an inconvenient forum under the circumstances and that a court of another state is a more appropriate forum. The issue of inconvenient forum may be raised upon motion of a party, the court's own motion, or request of another court.

(b) Before determining whether it is an inconvenient forum, a court of this state shall consider whether it is appropriate for a court of another state to exercise jurisdiction. For this purpose, the court shall allow the parties to submit information and shall consider all relevant factors, including:

(1) whether domestic violence has occurred and is likely to continue in the future and which state could best protect the parties and the child;

(2) the length of time the child has resided outside this state;

(3) the distance between the court in this state and the court in the state that would assume jurisdiction;

(4) the relative financial circumstances of the parties;

(5) any agreement of the parties as to which state should assume jurisdiction;

(6) the nature and location of the evidence required to resolve the pending litigation, including testimony of the child;

(7) the ability of the court of each state to decide the issue expeditiously and the procedures necessary to present the evidence; and

(8) the familiarity of the court of each state with the facts and issues in the pending litigation.

(c) If a court of this state determines that it is an inconvenient forum and that a court of another state is a more appropriate forum, it shall stay the proceedings upon condition that a child custody proceeding be promptly commenced in another designated state and may impose any other condition the court considers just and proper.

(d) A court of this state may decline to exercise its jurisdiction under this chapter if a child custody determination is incidental to an action for marriage dissolution or another proceeding while still retaining jurisdiction over the marriage dissolution or other proceeding.

~~(e) In a case where the provision of gender-affirming health care for a child is at issue, a court of this state shall not determine that this state is an inconvenient forum if the law or policy of the other state that may take jurisdiction limits the ability of a parent to obtain gender-affirming health care as defined in section 543.23, paragraph (b), for the parent's child.~~

Sec. 5. **REPEALER.**

Minnesota Statutes 2024, sections 260.925; and 543.23, are repealed.

ARTICLE 8
CONSTRUCTION; SEVERABILITY; EFFECTIVE DATE

Section 1. **CONSTRUCTION.**

This act shall be construed to protect minors and parental rights consistent with the Minnesota Constitution and United States Constitution. Nothing in this act may be construed to criminalize or punish mere viewpoints or religious beliefs. This act regulates specified conduct and establishes protections and remedies.

Sec. 2. **SEVERABILITY.**

If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application.

Sec. 3. **EFFECTIVE DATE.**

This act is effective 90 days after final enactment.

APPENDIX
Article locations for 26-08026

ARTICLE 1	TITLE; FINDINGS; DEFINITIONS	Page.Ln 1.14
ARTICLE 2	HEALTH CARE PROTECTIONS FOR MINORS	Page.Ln 3.6
ARTICLE 3	EDUCATION; SCHOOL TRANSPARENCY; PARENTAL RIGHTS	Page.Ln 5.21
ARTICLE 4	PROHIBITION ON SEXUALIZATION OF MINORS IN EDUCATION	Page.Ln 7.8
ARTICLE 5	THERAPEUTIC CHOICE; PROHIBITION OF ABUSIVE PRACTICES	Page.Ln 14.15
ARTICLE 6	CRIMES AGAINST CHILDREN; GROOMING	Page.Ln 15.10
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214.078 PROTECTION FROM CONVERSION THERAPY.

Subdivision 1. **Definitions.** (a) "Client" for purposes of this section means a person requesting or receiving services from a mental health practitioner or mental health professional within the context of a relationship that a reasonable person would construe as a professional relationship. A client may include a child, adolescent, adult, couple, family, group, organization, community, or other entity.

(b) "Conversion therapy" means any practice by a mental health practitioner as defined in section 245I.02, subdivision 26, or mental health professional as defined in section 245I.02, subdivision 27, that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy does not include counseling, practice, or treatment that provides assistance to an individual undergoing gender transition, or counseling, practice, or treatment that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling, practice, or treatment does not seek to change an individual's sexual orientation or gender identity.

Subd. 2. **Prohibition.** (a) No mental health practitioner or mental health professional shall engage in conversion therapy with a client younger than 18 years of age or with a client who is a vulnerable adult as defined in section 626.5572, subdivision 21.

(b) Conversion therapy attempted by a mental health practitioner or mental health professional with a client younger than 18 years of age or with a client who is a vulnerable adult shall be considered unprofessional conduct that may subject the mental health practitioner or mental health professional to disciplinary action by the licensing board of the mental health practitioner or mental health professional.

260.925 APPLICATION OF LAWS; GENDER-AFFIRMING HEALTH CARE.

A law of another state that authorizes a state agency to remove a child from the child's parent or guardian because the parent or guardian allowed the child to receive gender-affirming health care, as defined in section 543.23, paragraph (b), is against the public policy of this state and must not be enforced or applied in a case pending in a court in this state. A court order for the removal of a child issued in another state because the child's parent or guardian assisted the child in receiving gender-affirming care in this state must not be enforced in this state.

543.23 UNENFORCEABLE SUBPOENAS.

(a) No subpoena shall be issued and no foreign subpoena shall be recognized in this state in a criminal or civil matter if the subpoena is related to a violation of another state's laws when the other state's laws are designed to interfere with an individual's right to receive gender-affirming health care. Failure to comply with a subpoena seeking information related to a person or entity allowing or assisting a child or an adult to receive gender-affirming health care when the information is being requested to enforce another state's laws that allow a civil or criminal action to be brought against a person for allowing or providing gender-affirming health care must not be the basis for contempt under section 588.01.

(b) "Gender-affirming health care" means medically necessary health care or mental health care that respects the gender identity of the patient, as experienced and defined by the patient, and that may include but is not limited to:

(1) interventions to suppress the development of endogenous secondary sex characteristics;

(2) interventions to align the patient's appearance or physical body with the patient's gender identity;

(3) interventions to alleviate the patient's symptoms of clinically significant distress resulting from gender dysphoria as defined in the current version of the Diagnostic and Statistical Manual of Mental Disorders; and

(4) developmentally appropriate exploration and integration of the patient's gender identity, reduction of the patient's distress, adaptive coping, and strategies to increase family acceptance of the patient's gender identity.