

Minnesota Fathers & Families Network Bill Tracking 2010 – Updated February 23, 2010

Description	Senate File # & Current Action	House File # & Current Action	Why MFFN is tracking
<p>*MFFN is tracking bills that would affect fathers or fatherhood professionals. This is not an exhaustive list nor does tracking the bill imply MFFN's endorsement or opposition, except where it is indicated. Please contact Melissa Froehle, Policy and Program Director at MFFN, at (651) 222-7432 or mfoehle@mnfathers.org with any questions. Language in bold is new activity.*</p>			
<p>FAMILY LAW & CHILD SUPPORT LEGISLATION</p>			
<p>Expands grandparent visitation rights, specifies procedures; requires mediation (Authors Mullery, Urdahl, Greiling, Doty), Compare to House File 542, similar topic</p>	<p>No Senate companion bill at this time.</p>	<p>HF46, Referred to the Committee on Civil Justice.</p>	<p>Would affect parents' [fathers] custody rights and grandparents' [grandfathers] and great grandparents parenting time rights.</p>
<p>Provides for gender-neutral marriage laws; enacts the Marriage and Family Protection Act</p>	<p>SF120, 1/15/09 Referred to the Committee on Judiciary</p>	<p>HF893, 2/16/09 Referred to Civil Justice. Hearing 2/22 in Civil Justice 4:30 pm.</p>	<p>Would affect gay fathers (and families)</p>
<p>Requires collection service fees to be paid by obligor in child support cases</p>	<p>SF135, 1/22/09 Referred to the Committee on Judiciary. Hearing 2/23 in Judiciary 3pm.</p>	<p>HF887, Referred to Civil Justice. Heard in Civil Justice on 3/2/09 and withdrawn by author for further study (due to a concern about complying with federal requirements on child support collections).</p>	<p>Would affect parents who pay or receive child support; would change child support collection fees to now be paid exclusively by the obligor in all cases.</p>
<p>Provides for the Uniform Child Abduction Prevention Act</p>	<p>SF410, Referred to the Committee on Judiciary.</p>	<p>HF1133, 2/2 Referred to Public Safety Policy and Oversight Committee.</p>	<p>Would help parents whose children are at risk of abduction.</p>
<p>Grandparent visitation rights on behalf of child provided, grandparent visitation rights expanded, procedures specified, and mediation required (Authors: Smith, Davids, Nornes, Demmer, Kiffmeyer, Urdahl, Shimanski) - Compare to HF 46, similar topic</p>	<p>No companion bill at this time.</p>	<p>HF542, 2/5/09 Referred to Civil Justice Committee.</p>	<p>Would affect parents' [fathers] custody rights and grandparents' [grandfathers] and great grandparents parenting time rights.</p>
<p>Relating to child support; changing certain provisions and deadlines; redirecting payment of child support (see also SF1292) (see also SF1508 – redirection bill)</p>	<p>SF521, 2/9/09 Referred to Judiciary.</p>	<p>HF543, 2/5/09 Referred to Civil Justice.</p>	<p>Would allow for administrative redirection of child support to a caregiver who is receiving public assistance, or who has legal responsibility of a child through a voluntary placement agreement under 260C.212, subd. 8, or who has custody of a child through a court-ordered placement that does not address redirection of child support. <i>Supported by MFFN</i> The bill also would provide that child support judgments do not expire.</p>

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Parentage presumption and right to custody provisions modified and clarified, and prebirth parentage orders or judgments provided in certain cases	SF436, 2/5/09 Referred to Judiciary. Hearing 2/23 in Judiciary 3pm.	HF890, Referred to Civil Justice. Hrg 3/16/09. Committee report, to pass as amended. 3/18/09 Second Reading.	Would apply to fathers and families, in which pregnancies are initiated by means other than sexual intercourse, to allow for maternal or paternal presumptions in cases involving express agreements among all known presumptive parents
Father and child relationship nonexistence declaration modification	SF882, 2/23/09 Referred to Judiciary.	No House Companion bill at this time.	Would allow for a court action to declare the non-existence of father-child relationship at any time (would expand law in this area) in cases of certain presumed fathers relating to marriage, where the presumed father and the mother of the child did not cohabit or engage in sexual intercourse with each other during the probable time of conception; and (2) the presumed father never openly held out the child as his biological child.
Marriage dissolution minimum parenting time rebuttable presumption; parenting expense adjustment	SF1223, 3/5/09 Referred to Judiciary.	HF1003, Referred to Civil Justice. Heard in committee on 3/2/09 and held over.	Would increase current 25% rebuttable presumption of parenting time to 40%, require the court to provide written findings if the presumption is rebutted, and would add another tier of parenting expense adjustment for child support for those cases where parenting time is between 30 – 45% of time. (This change to the law would apply in all cases, not just divorces.)
Changes certain child custody and support provisions and presumptions; amends Minnesota Statutes 2008, sections 518.17, subdivisions 2, 3; 518.175, subdivision 5	SF1248, Referred to Judiciary.	HF1183, Referred to Civil Justice.	Would provide no presumption for sole or joint physical or legal custody and require courts to decide these issues and include findings based on the best interests of the child; would also require a significant change in circumstances to modify a court's order on parenting time and impose certain time limits on bringing a motion to modify parenting time; and would require courts to consider parties' agreements as soon as possible without requiring the parties to submit to any other program as a prerequisite to court consideration.
Establishes a Minnesota divorce reconciliation project; redirecting disposition of a portion of the marriage license fee; requiring participation in a marriage dissolution education program before commencing marriage dissolution proceedings involving minor children; appropriating money ALSO SEE SF 2383	SF1227, 3/5/09 Referred to Judiciary.	HF1942, 3/19/09 referred to Civil Justice.	Would create a divorce reconciliation project through the University of Minnesota to develop, evaluate and disseminate best practices for promoting successful reconciliation between married people contemplating divorce, would require divorcing parents to complete a divorce education program before filing for divorce; set aside part of the marriage license fee to help fund program, and delineates what qualifies as a divorce education program.

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Modifying the grounds for marriage dissolution; requiring two-year waiting period in certain instances	SF1281, 3/9 /09 Referred to Judiciary.	HF1428, 3/9/09 Referred to Civil Justice.	Would require two-year waiting period before granting divorces or certain other grounds would be necessary (essentially ending no-fault divorces)
Providing for administrative redirection of child support in certain cases; providing that child support judgments do not expire (see also SF521/HF543) (see also SF1508 – redirection bill)	SF1292, 3/9/09 Referred to Judiciary.	No House Companion bill at this time.	Would allow for administrative redirection of child support to a caregiver who is receiving public assistance, or who has legal responsibility of a child through a voluntary placement agreement under 260C.212, subd. 8, or who has custody of a child through a court-ordered placement that does not address redirection of child support. <i>Supported by MFFN.</i> The bill also would provide that child support judgments do not expire.
Adding a requirement for full compliance with payment agreements	SF1398, 3/12/09 Referred to Judiciary.	HF1185, 3/2/09 Referred to Civil Justice.	Would amend child support enforcement remedies, such as driver's license suspension, occupational license suspension and administrative seek employment orders to require <i>full</i> compliance with written payment agreements in order to avoid the enforcement remedy
Changing certain provisions; redirecting payment of child support (see also SF521/HF543) (see also SF1292)	SF1508, 3/12/09 Referred to Judiciary.	HF1771, Referred to Civil Justice. Committee report to pass as amended and re-refer to Finance. Referred by chair to Health Care and Human Services Finance Division, 4/7 pass and return to Finance.	Would allow for administrative redirection of child support to a caregiver who is receiving public assistance, or who has legal responsibility of a child through a voluntary placement agreement under 260C.212, subd. 8, or who has custody of a child through a court-ordered placement that does not address redirection of child support. <i>Supported by MFFN.</i>
Prohibiting withdrawal of denial of a passport restriction based on child support arrearages	SF1553, 3/16/09 Referred to Judiciary.	HF1911, 3/19/09 referred to Civil Justice.	Would affect child support enforcement remedy of revocation or limitation of passports. Would not allow the child support office to withdraw certification if a child support obligor's passport is revoked or limited or an application for a passport is denied because the public authority has certified that the obligor owes arrearages of child support in excess of the amount specified under United States Code, title 42, section 652(k), regardless of whether the obligor is in compliance with a written payment agreement under section 518A.69.

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Changing provisions for nonpublic assistance IV-D services	SF2164 (Hann), Introduced 5/18/09, Referred to Health, Housing and Family Security.	HF2384 (Scott), Introduced 5/13/09, Referred to Health Care, Human Services Policy and Oversight.	Redefines and limits non-public assistance cases eligible for government child support services to those cases where the applicant would be potentially eligible for public assistance if child support is not received. The bill does not define what is meant by potentially eligible.
Marriage dissolution and legal separation education requirements in proceedings involving minor children; online program children in the middle as a qualifying education program	SF2382 (Dille), Introduced 2/8/10, Referred to Judiciary. Hearing 2/25 in Judiciary 3pm.	No House companion.	Requires parents in divorce or separation actions, with minor children, to take an online course before they can start divorce (before service is deemed complete). The online program must be "Children in the Middle" or another course that has demonstrated scientific evidence of effectiveness in reducing parental conflict and improving children's adjustment.
Establishing a couples on the brink project and redirecting disposition of a portion of the marriage license fee	SF2383 (Dille), Introduced 2/8/10, Referred to Judiciary. Hearing 2/25 in Judiciary 3pm.	No House companion.	Would create and provide funding for development of a project for Minnesota couples on the brink, to develop, evaluate, and disseminate best practices for promoting successful reconciliation between married persons who are considering or have commenced a marriage dissolution proceeding and who choose to pursue reconciliation; would be implemented through the University of Minnesota
Access to certain information provisions modified in child support enforcement, certain actions by a public authority authorized, and child support judgement survival provided	SF2562 (Betzold), Introduced 2/11/10. Referred to Judiciary. Hearing 2/23 in Judiciary 3pm.	HF2831 (Hayden), Introduced 2/11/10. Referred to Civil Justice.	Would expand/clarify child support agency's requests to employers for information, including address, home, cell phone etc.; and would allow for administrative redirection of child support to a caregiver who is receiving public assistance, or who has legal responsibility of a child through a voluntary placement agreement under 260C.212, subd. 8, or who has custody of a child through a court-ordered placement that does not address redirection of child support. <i>Supported by MFFN.</i> The bill also would provide that child support judgments do not expire.
Relating to guardians ad litem; establishing the State Guardian Ad Litem Board; appropriating money	No Senate companion.	HF2990 (Hilstrom), Introduced 2/16/10. Referred to Civil Justice.	Would change the way the Guardian ad Litem system is run—creating a State GAL Board that is in the judiciary but not subject to the administrative control of the judiciary;

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Noncustodial parent allowed to provide child care, and deviation from child support guidelines permitted.	No Senate companion.	HF3040 (Rukavina), Introduced 2/18/10, Referred to Civil Justice.	Changes language from “may” to “shall”, that the court shall allow the parent with whom the joint child does not reside to care for the joint child while the parent with whom the joint child resides is working or attending school, when it is reasonable in the best interests of the child, and there is no verified history of domestic abuse; and allows it to be a factor to deviate from the guidelines.
Requiring funds from revenue recapture to be applied only to arrears	No Senate companion.	HF3136 (Rukavina), Introduced 2/22/10, Referred to Civil Justice.	Requires tax returns funds recaptured from state or federal taxes to be used only to reduce the amount of arrears owed by a child support obligor (or debt owed for maintenance—ie alimony).
EARLY CHILD HOOD LEGISLATION			
For a comprehensive review of early childhood legislation, including bill-tracking, see Ready4K at www.ready4k.org .			
Establishes an early childhood program for at-risk four-year-olds	SF1334. Introduced 3/9 and referred to Finance Committee.	HF15, Referred to the Committee on Finance; 1/12 Referred to Committee on Early Childhood Finance and Policy Division	This bill requires an emphasis on professional development and home visiting. <u>“An emphasis must be placed on ongoing professional development, focusing on the areas of teaching English language learners; cultural, ethnic, and race differences; and encouraging and improving parent involvement.”</u> and <u>“The program must include home visits by program staff and parent education in early literacy activities.”</u>
“SECOND CHANCE” LEGISLATION – Legislation supported by a coalition of over 40 nonprofits and individuals, including MFFN, advocating for fair and responsible laws, policies, and practices that allow those who have committed crimes to redeem themselves, fully support themselves and their families, and to contribute to their communities to their full potential. Refer to www.mnsecondchancecoalition.org for more details.			
CHILD WELFARE (CHILD PROTECTION) LEGISLATION			
Requiring comprehensive child welfare quality assurance system	SF770, 2/16/09 Referred to Health, Housing and Family Security.	HF790, 2/16/09 Referred to Health Care and Human Services Policy and Oversight.	Would require Minnesota to conduct quality assurance review process for the child welfare system based on the federally mandated Child and Family Services Reviews. (Federal reviews have indicated the need to better engage and work with fathers in the child protection system)
Providing for public defender representation for juveniles, children in need of protection, and other persons [including noncustodial parents]	SF1018, 3/2/09 Referred to Judiciary.	HF892, Referred to Committee on Civil Justice. Committee report to pass and re-refer to Finance. 3/18/09 Referred by chair to Public Safety Finance Division.	Would provide for a right to counsel, and for county reimbursement to the public defenders, for representing noncustodial parents [many fathers] from the time the noncustodial parent is made a party to the child protection proceeding or permanent placement proceedings. This would clarify and expand law for fathers (mostly).

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<p>Driver's license requirements modified for foster children, in-court reviews required, and definition of parent expanded for child protection proceedings</p> <p>**MFFN and other groups involved in this bill**</p>	<p>SF2690 (Torres Ray, Lourey, Marty, Dibble). Introduced 2/18/10. Referred to Health, Housing and Family Security.</p> <p>(See also SF2687 "vision bill")</p>	<p>HF3039 (Hayden, Abeler, Fritz, Hosch, Rosenthal, Loeffler), Introduced 2/18/10. Referred to Health Care and Human Services Policy and Oversight.</p> <p>(See also HF3019 "vision bill")</p>	<p>Bill contains many provisions, including MFFN language improving child welfare laws to benefit fathers and kids. See our homepage, www.mnfathers.org for more details.</p>
HEALTH LEGISLATION			
<p>Establishes a public awareness campaign for postpartum depression</p>	<p>No Senate companion bill at this time.</p>	<p>HF43, Referred to the Committee on Health Care and Human Services Policy and Oversight.</p>	<p>Requires, among other things, physicians and others providing prenatal or postnatal care to mothers to include fathers in education and treatment process</p>
<p>"Minnesota Pregnant Women and Parent Support Act"</p>	<p>SF1278, referred to Health, Housing and Family Security.</p>	<p>HF1601, Referred to the Committee on Health Care and Human Services Policy and Oversight.</p>	<p>Prohibiting policy waiting periods for prenatal and maternity health insurance benefits; eliminating pregnancy as a preexisting condition; <u>establishing a parenting support grant program</u>; establishing an informational hotline on available pregnancy, adoption, and <u>parental support</u> agencies; requiring information on alpha-feto protein testing be provided; requiring adoption referral information be provided; requiring adoption and parenting counseling be provided; establishing an adoption tax credit; establishing civil penalties; repealing the MFIP family cap; appropriating money</p>
SERVICES			
<p>Establishes a crisis nursery grant program; and appropriates money</p>	<p>SF127, Referred to the Committee on Finance.</p>	<p>HF460, Referred to the Committee on Health Care and Human Services Policy and Oversight.</p>	<p>Would provide grant money to crisis nursery programs that could be used by fathers. (Crisis nursery programs <u>"offer services and temporary care to families experiencing crisis situations including children who are at high risk of abuse and neglect, children who have been abused and neglected, and children who are in families receiving child protective services."</u>)</p>
<p>Establishes the county jail reentry project; appropriates money</p>	<p>SF317, Referred to the Committee on Finance.</p>	<p>HF524 (Mullery), Referred to Public Safety Policy and Oversight.</p> <p>Passed committee 2/22/10 and referred to Public Safety Finance Division.</p>	<p>Would help fathers reintegrate into communities by providing grant monies to fund services "to individuals confined in jails and county regional jails who are identified as having mental illness, traumatic brain injury, chemical dependency, or being homeless."</p> <p><i>Supported by MFFN.</i></p>

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Establishing collaborative services for high-risk children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256 (see also SF762/ HF1065)	SF634, Referred to Finance Committee.	HF714, Referred to Health Care, Human Services Policy and Oversight	Would provide early intervention collaborative services to children who are at high risk for child maltreatment, substance use, mental illness, and serious and violent offending, but not subject to the delinquency provisions of chapter 260B, among other things would provide intensive in-home and community casework
Parents' fair share program funding provided, and money appropriated	SF706, Referred to Finance Committee.	HF947, Referred to Health Care and Human Services Finance Division.	Would appropriate money for the parents' fair share program to assist unemployed, noncustodial parents with job search and parenting skills. <i>Supported by MFFN.</i>
Establishing collaborative services for high-risk children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256 (see also SF634/ HF714)	SF762, Referred to Health, Housing and Family Security.	HF1065, Referred to Health Care, Human Services Policy and Oversight.	Would provide early intervention collaborative services to children who are at high risk for child maltreatment, substance use, mental illness, and serious and violent offending, but not subject to the delinquency provisions of chapter 260B, among other things would provide intensive in-home and community casework
Working Family Resource Center grant provided and money appropriated.	No Senate companion at this time.	HF1430, 3/9 Referred to Finance. Referred by Chair to Early Childhood Finance and Policy Division.	Would appropriate money to the Working Family Resource Center to provide parent and family-life education to working parents in the workplace