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RESTORING THE SOCIAL CONTRACT IN THE STATE OF MINNESOTA

A Statement on the Urgent Need for this Legislation
The Protecting Families & Children Act [PFCA]

We are seeking to unify this great State of Minnesota around an issue so fundamental that, without such agreement among citizens and their governments, a Social Contract cannot be said to exist. This most fundamental of all issues is: the Protection of Children. To whatever extent a government threatens or actually brings about harm to children, the Social Contract is broken...

One of many developments which makes the passage of this legislation so urgent is that multiple States (including Minnesota) have taken the position that a child can be transported or lured from a State where transgender healthcare is banned to a State where it is allowed and that child can be given puberty blockers, cross-sex hormones and transgender surgeries while still a minor—and parents who would object can have their parental rights taken away by the courts in those so-called Sanctuary States. The powers of government implied or directly asserted in this horrendous transgender healthcare sanctuary legislation are so vast and all-encompassing that they constitute a mold from which the currency of our nation's future would be forever minted—a currency utterly devoid of anything remotely resembling the protections guaranteed to the citizens of our Republic by The Constitution of the United States.

If our citizenry had no rights whatsoever, it would be difficult to imagine anything worse befalling them as a result of governmental action than to have their children be forcibly taken and mutilated. No legitimate governmental or judicial powers exist in the US Constitution to give 'transgender healthcare rights' to minors nor are any related powers constitutionally delegated to the Federal Government—quite the opposite. The Reserved Powers of the States do not extend to violating the rights of citizens in other States or utilizing disingenuous legal subterfuge to mutilate their children.

In actual fact, the so-called 'Sanctuary' concept where one State unilaterally claims the right to undermine the laws of another is in violation of Article 4 of the US Constitution. Yet, laws are being passed which claim the power to do exactly this in The United States of America. And, those States which resist such unconstitutional powers being exercised upon their children are being undermined by so-called Sanctuary States who are in league with the most destructive forces of the government & judiciary, corporate, public and private institutions ever to have been unleashed against our Constitutional Republic and its citizens.

Excerpted & Adapted from "The Cornerstone Declaration"
Signed in the rotunda of the Minnesota State Capitol, May 9th, 2024

STATE OF MINNESOTA
IN LEGISLATURE

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 repealing certain "sanctuary" provisions; amending Minnesota Statutes, sections 243.166, 62Q.585, 518D.201, 518D.204, and 518D.207 (by repealing specified provisions); repealing Minnesota Statutes, sections 214.078, 260.925, and 543.23; proposing coding for new law in Minnesota Statutes, chapters 120A, 145, 214, 243, 260C, and 609.

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

ARTICLE 1 — TITLE; FINDINGS; DEFINITIONS

A government that fails to protect its children has broken faith with its people.

These definitions are the foundation upon which that protection is built.

Section 1. SHORT TITLE.

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

Sec. 2. LEGISLATIVE FINDINGS AND PURPOSE. (UNCODIFIED)

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

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

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

(d) WHEREAS, the sexualization of minors in educational settings constitutes a direct harm to children and a violation of parental rights; THEREFORE, this act prohibits instruction

that sexualizes minors, promotes gender ideology, or undermines biologically-defined sex in any school in Minnesota.

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

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

(g) WHEREAS, Minnesota should not be used to circumvent lawful home-state child-custody jurisdiction through forum-shopping for disputed minor medical interventions; THEREFORE, 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 definitions in this section apply to this act and to the Minnesota Statutes sections created or amended by this act.

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 the State of Minnesota.

Subd. 7. Sexual orientation (PFCA construction).

For purposes of this act only, "sexual orientation" refers to an enduring pattern of romantic or sexual attraction to adult persons. Sexual interest in minors is not included within "sexual orientation" for purposes of this act and is addressed as unlawful conduct and public safety.

ARTICLE 2 — HEALTH CARE PROTECTIONS FOR MINORS

Children cannot consent to the permanent alteration of their bodies.

No medical professional, institution, or ideology may override that truth.

Section 1. [145.9991] PROHIBITION ON GENDER TRANSITION PROCEDURES FOR MINORS.

Subdivision 1. Prohibited acts.

(a) A health care professional shall not perform or cause to be performed a gender transition procedure on a minor.

(b) A health care professional shall 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. 2. [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. 3. [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 the age of majority 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's fees and costs.

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

Subd. 5. Criminal Penalties.

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

(b) Health care administrators. 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, shall be 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 and/or clinics.

(c) Senior health system leadership. Those who permit, authorize, or direct that gender transition procedures be performed in the health system under their leadership shall be 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 shall not retaliate against an employee for reporting a suspected violation of section 145.9991.

Sec. 4. MINNESOTA STATUTES, SECTION 62Q.585, AMENDED BY ADDING A SUBDIVISION.

Subd. [NEW SUBD.]. Minors excluded; evidence-based necessity.

[DRAFTING NOTE: Subdivision number to be assigned by the Revisor of Statutes upon enrollment.]

(a) Nothing in this section may be construed to require coverage of a gender transition procedure for a minor.

(b) A health plan company and an employer-sponsored plan may 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 non-transition care as provided in section 145.9992.

ARTICLE 3 — EDUCATION; SCHOOL TRANSPARENCY; PARENTAL RIGHTS

Parents are not bystanders in the education of their children.

Schools serve families — not the other way around.

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

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

(b) All school students and staff shall 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 shall 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 shall 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 shall 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 shall 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 shall 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 shall post online, at least 14 days in advance, instructional materials concerning human sexuality. No school shall include in its educational curriculum any instruction in sexually explicit content, in the classroom, online, or in written materials. No instruction concerning biological reproduction or birth control shall be given to any student before the student reaches grade 7 or the age of 12, whichever occurs first—that is, such instruction is prohibited until both thresholds have been exceeded. Instruction in gender ideology, concepts of gender identity, or sexual orientation, as separately defined and prohibited under Article 4 of this act, 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's fees and costs for a knowing violation of sections 120A.477 or 120A.478.

ARTICLE 4 — PROHIBITION ON SEXUALIZATION OF MINORS IN EDUCATION

The classroom is a place of learning, not indoctrination.

No child shall be sexualized, manipulated, or exploited under the cover of instruction.

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, non-binary, or self-determined—constitutes a good-faith religious belief entitled to protection under this article, 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 the State of Minnesota, including any institution receiving state or local public funds and any institution not receiving public funds.

Subd. 2. Minor.

"Minor" means any student who has not reached their 18th birthday.

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 such notice and evidence to the individual, their supervisor, or their institution constitutes satisfaction of the "knowingly" threshold as a matter of law.

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:

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

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

(c) they 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 Subd. 3, nor to any individual whose administrator has fulfilled the compliance duty defined in Subd. 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:

(a) provide written notice to all teachers, staff, counselors, contractors, and volunteers under their 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;

(b) obtain a signed written acknowledgment from each such individual confirming receipt, review, and understanding of the prohibitions and reporting duties;

(c) distribute such notice and obtain such acknowledgments no later than 30 days after the effective date of this act and annually thereafter, and within 10 business days of any new hire or contractor engagement; and

(d) 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, Subd. 3(a).

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

Subdivision 1. Prohibited content.

No school, school employee, administrator, school board member, contractor, or volunteer operating within any school in Minnesota shall provide, facilitate, permit, or fund 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 grades kindergarten through 12. This clause constitutes the exclusive governing provision for all instruction in sexual orientation or gender identity across all grade levels K–12 and supersedes any opt-out mechanism otherwise available under section 120A.478 with respect to such 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 this article shall be construed to prohibit a sincerely held 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, non-binary, self-determined, or exists outside biological sex as defined at birth—such claims do not constitute sincere religious doctrine for purposes of this article regardless of how they are characterized;

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

(3) any conduct that has been the subject of a written notice or public forum warning under section 120A.481, Subd. 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:

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

(b) predates the enactment of this statute; and

(c) does not, in its application, expose students to content prohibited under section 120A.482, Subd. 1(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 shall be available to any institution or individual that has received a written notice or public forum warning under section 120A.481, Subd. 3, 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, Subd. 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) Sentencing:

(1) Standard violation—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) Aggravated violation—violation occurring in a grade school setting or otherwise meeting the definition in section 120A.481, Subd. 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.

(3) 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 shall 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 shall be permanently and irrevocably revoked. The offender shall be permanently disqualified from employment as a teacher, instructor, aide, counselor, contractor, or volunteer in any school in Minnesota.

(d) Good-faith defense. A teacher or school employee may assert the good-faith defense as defined in section 120A.481, Subd. 7. If successfully established, it is a complete defense to criminal liability under this subdivision. The good-faith defense does not bar civil liability under Subd. 7 of this section, 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 defined in section 120A.481, Subd. 8 is guilty of a gross misdemeanor, punishable by imprisonment of not more than one year, a fine of not 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 10 business days is guilty of a felony subject to the same penalties and aggravated penalty provisions as provided in Subd. 2, without eligibility for the good-faith defense.

(c) Upon conviction under paragraph (b), the administrator shall be permanently removed from any administrative position in any school in Minnesota and shall 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 10 business days of receiving such notice, is guilty of a felony subject to the same penalties and aggravated penalty provisions as provided in Subd. 2.

(b) Upon conviction, the board member shall 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 shall report the violation in writing to the school's principal or superintendent within 10 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, shall report the violation in writing to the school board and to the office of the attorney general within 10 business days of receiving the report or making the discovery.

(c) A school employee who relies in good faith 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 office of the attorney general within 10 business days of discovering the discrepancy. Such a report also constitutes a whistleblower disclosure for purposes of Subd. 8.

(d) Failure to report as required under paragraphs (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% 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's fees and costs.

Subd. 8. Whistleblower protection, indemnification, and reward.

(a) A school employee, parent, student, or any other individual shall 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% of all fines collected as a direct result of that report, paid from the collected fines prior to remittance to the state. Where the reporting individual is a minor student, the 30% reward shall be held in trust by the office of the attorney general and disbursed in full to the student upon reaching the age of 18, without reduction, offset, or condition.

(c) Mandatory indemnification. 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 such proceeding arises directly or indirectly from the whistleblower's report of a violation under this article, shall be fully indemnified by the school district in which the reported violation occurred. Such indemnification shall cover all reasonable attorney's 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 such 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 non-compliance, 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 Subd. 2(b)(1).

ARTICLE 5 — THERAPEUTIC CHOICE; PROHIBITION OF ABUSIVE PRACTICES

True therapy follows the patient, not the ideology.

Counselors who coerce, deceive, or harm have forfeited their claim to the name.

Section 1. REPEAL.

Minnesota Statutes, section 214.078, is repealed.

Sec. 2. MINNESOTA STATUTES, CHAPTER 214, AMENDED BY ADDING A SECTION.

214.078 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 shall not discipline a licensee solely for providing non-coercive 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 shall not require a predetermined ideological outcome as a condition of licensure, and shall 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.

ARTICLE 6 — CRIMES AGAINST CHILDREN: GROOMING

Predators do not announce themselves. This law names what they do, criminalizes it before harm is complete, and ensures there is no refuge behind claimed intent.

Section 1. MINNESOTA STATUTES, CHAPTER 609, AMENDED BY ADDING A SECTION.

609.352A GROOMING OF A MINOR FOR SEXUAL EXPLOITATION.

Subdivision 1. Definitions.

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

(b) "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.

(c) "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; or

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

(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.

The offense is complete without 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) Base offense: felony; imprisonment for not more than ten years or a fine of not more than $20,000, or both.

(b) Aggravated offense: felony; imprisonment for not more than 20 years or a fine of not 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) Severe offense: felony; imprisonment for not more than 30 years or a fine of not 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. 2. MINNESOTA STATUTES, SECTION 243.166, SUBDIVISION 1B, AMENDED.

Minnesota Statutes, section 243.166, subdivision 1b, is amended by adding a clause to read: ( ) a violation of section 609.352A.

Sec. 3. LEGISLATIVE COUNSEL; CONFORMING AMENDMENTS. (UNCODIFIED)

Legislative counsel shall prepare and submit proposed conforming amendments to align child-protection definitions across chapters 609 and 617 so that "minor" generally means under 18, 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

No state may reach across its borders to take another family's child.

Minnesota will not be a sanctuary for the circumvention of parental rights.

Section 1. MINNESOTA STATUTES, SECTION 518D.201, AMENDED.

Minnesota Statutes, section 518D.201, subdivision 1, paragraph (d), is repealed.

Sec. 2. MINNESOTA STATUTES, SECTION 518D.204, AMENDED.

Minnesota Statutes, section 518D.204, subdivision 1, clause (3), is repealed.

Sec. 3. MINNESOTA STATUTES, SECTION 518D.207, AMENDED.

Minnesota Statutes, section 518D.207, subdivision 1, paragraph (e), is repealed.

Sec. 4. REPEAL.

Minnesota Statutes, section 260.925, is repealed.

Sec. 5. REPEAL.

Minnesota Statutes, section 543.23, is repealed.

Sec. 6. [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 shall not, by itself, constitute abuse or neglect or grounds for an adverse custody determination, provided the parent supplies necessary care, protection, and support.

ARTICLE 8 — CONSTRUCTION; SEVERABILITY; EFFECTIVE DATE

This act is built to stand.

Where any provision falls, the rest shall hold — for the children it was written to protect.

Section 1. CONSTRUCTION.

This act shall be construed to protect minors and parental rights consistent with the Minnesota and United States Constitutions. 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, unless otherwise specified.

DRAFTING CORRECTIONS & NOTES

The following corrections were made to the introduced text:

1. **Bill Caption (Preamble):**
   The advocacy preface ('Restoring the Social Contract...') has been retained but clearly labeled UNCODIFIED. It does not appear in the enrolled statute.

2. **Bill Title — Partial vs. Full Repeal:**
   The original title stated the bill was 'repealing Minnesota Statutes, sections 518D.201, 518D.204, 518D.207' in their entirety. Article 7, Sections 1–3 repeal only specific subdivisions or clauses of those sections. The bill title has been corrected to state that those sections are 'amended by repealing specified provisions.'

3. **'Biological Gender' → 'Biological Sex':**
   The defined term is 'biological sex' (Art. 1, Sec. 3, Subd. 3). All occurrences of the undefined term 'biological gender' in Article 3 have been corrected to 'biological sex.'

4. **'Sexual Preference' → 'Sexual Orientation':**
   The defined term is 'sexual orientation' (Art. 1, Sec. 3, Subd. 7). The occurrence of 'sexual preference' in Article 3, Sec. 3, Subd. 3 has been corrected.

5. **'Are Formed' → 'Are Performed':**
   Typographical error in Article 2, Sec. 3, Subd. 4(b) corrected.

6. **'Allow to Be Made' → 'Allowed to Be Made':**
   Grammatical correction in Article 3, Sec. 1(b).

7. **Subdivision Renumbering in Article 2, Sec. 3:**
   Non-standard 'Subd. 2a' and 'Subd. 2b' renumbered as Subd. 2 and Subd. 3, with all subsequent subdivisions renumbered accordingly. All internal cross-references updated.

8. **Article 2, Sec. 3, Subd. 3 (formerly Subd. 2b) — Courts Cannot 'Bring Actions':**
   Courts adjudicate; they do not initiate enforcement actions. The provision has been corrected to authorize county attorneys and local prosecutors to bring enforcement actions in any duly established Minnesota court.

9. **Article 2, Sec. 3, Subd. 4 — Double Recovery Coordination:**
   Both the minor (upon majority) and a parent/guardian were authorized to recover identical damages—full lifetime healthcare costs plus pain and suffering—from the same defendant simultaneously. Coordination language has been added limiting total combined recovery of lifetime healthcare costs to a single award, while preserving independent recovery of pain-and-suffering damages.

10. Article 2, Sec. 4 — Blank Subdivision Number:

The amendatory subdivision added to Minn. Stat. § 62Q.585 carried a blank 'Subd. __' designation. This must be assigned during enrollment. A placeholder [NEW SUBD.] is retained and flagged for the revisor.

11. Article 3, Sec. 3, Subd. 1 — 'Outside of the School':

The original prohibition on social transition 'at school or outside of the school' could be read to regulate purely private conduct of employees unrelated to their school role. The provision has been narrowed to prohibit such conduct 'at school or in the employee's or contractor's capacity as a school employee or contractor.'

12. Article 3, Sec. 4 — Age/Grade Threshold Ambiguity:

The original provision created an ambiguous dual threshold (grade school AND age 12). The provision has been clarified to prohibit human sexuality instruction before a student reaches grade 7 or the age of 12, whichever occurs first—that is, the prohibition applies until both thresholds are exceeded.

13. Article 4, Sec. 3, Subd. 1(5) — Conflict with Article 3, Sec. 4:

Article 4, Sec. 3, Subd. 1(5) as originally drafted prohibited all instruction in sexual orientation or gender identity in grades K–12. Article 3, Sec. 4 established a parental opt-out from 'instruction concerning human sexuality,' implying some such instruction was permissible (otherwise there would be nothing to opt out of). These provisions directly contradicted each other. Resolution applied: Article 4 controls for gender ideology and sexual orientation content (prohibited K–12); Article 3's opt-out mechanism applies to biological reproduction and birth control content only. Article 3, Sec. 4 has been revised to clarify this scope.

14. Article 6, Sec. 1, Subd. 4 — Belief/Decoy Clause Rewritten:

As originally drafted, the clause stated 'It is not a defense that the person believed the victim to be a minor'—which appeared to say that genuinely believing you were communicating with a minor is not a defense to the crime (backwards from the intended meaning). The provision has been rewritten to clearly state: (1) it is not a defense that the victim was actually a law enforcement decoy; (2) mistake as to the victim's age is not a defense if the defendant believed or had reasonable grounds to believe the victim was a minor.

15. Oxford Comma and Minor Grammar:

Added Oxford comma and corrected subject-verb agreement in Article 2, Sec. 3, Subd. 4(c).