



**INFORM
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CHILDREN'S LAW CENTER OF MINNESOTA

2026 Minnesota Legislative Updates Affecting Child Welfare Practice

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AGENDA



Legislative session overview



Policy changes directly affecting foster youth



Child welfare related legislative changes



Notable bills that did not pass & looking ahead



Questions

2026 Legislative Session

- Second term of the biennium, typically a “policy” year
- Breakdown
 - 67-67 split in the House and power-sharing agreement
 - 34-33 split in the Senate, DFL majority
- Shaped by recent events
 - The killing of former Speaker Melissa Hortman and her husband and attempted killing of Senator John Hoffman and his wife
 - Annunciation school shooting
 - Operation Metro Surge
 - Fraud in social services programs



Children and Families Finance & Policy Committee

- House Children and Families Finance and Policy Committee did not pass an omnibus bill this session

<https://www.house.mn.gov/sessiondaily/Story/19097>

- Health and Human Services Supplemental Appropriations Omnibus Bill did pass



Policy Changes Directly Affecting Foster Youth



Minnesota African American Family Preservation and Child Welfare Disproportionality Act

Sess. L. Ch. 127 – Health and Human Services Omnibus Bill ([SF 4612](#))

Who qualifies under MAAFPCWDA:

- Revises definition of disproportionately represented child to remove “culture” – four categories remain: race, ethnicity, disability status, and low-income socioeconomic status
- Adds definition for disability:
 - “a physical, sensory, or mental impairment that materially limits one or more major life activities, including an impairment that is episodic or in remission and would materially limit a major life activity when active”
- Adds a definition for low-income socioeconomic status:
 - When the child's household income is below 300 percent of the federal poverty guidelines or receives benefits from a means-tested public assistance program
- Status in one of these categories is determined through a child’s self-identification or parent’s report
- Repeals the definition of “disproportionality” and makes conforming changes.

Minnesota African American Family Preservation and Child Welfare Disproportionality Act

DCYF's determination

- Requires DCYF to define “disproportionately overrepresented communities” by Sept. 1, 2026 and every other year following.
 - Requires African American Child and Family Well-Being Advisory Council (AACFWB Council) to submit recommendations to DCYF first.
 - Notification to counties, AACFWB Council, and Children's Justice Initiative
 - Notification to include the list of communities that are disproportionately represented and the methods/data used to make the determination
- Requires counties to use DCYF's determination and document efforts when determining whether a child meets the definition of disproportionately represented child.



Minnesota African American Family Preservation and Child Welfare Disproportionality Act

Funding

- Appropriates \$15M to counties for MAAFPCWDA implementation
 - At least \$100k to each county

Deadlines

- Extends effective date of county case reviews from January 1, 2027, to July 1, 2027
- Adds expiration date for Statewide Work Group to December 31, 2026

Training

- Assigns creation of trainings to the MN Child Welfare Training Academy
- Priority for trainings given to child welfare workers but can be made available to attorneys, juvenile court judges, guardians ad litem, and family law judges

Extended Foster Care (EFC)

- **Sess. L. Ch. 127 – Health and Human Services Omnibus Bill ([SF 4612](#))**
 - Allows a monthly face-to-face caseworker contact to be conducted via video conference, for a youth 18 or older, with the youth's informed consent (Minn. Stat. [260C.212](#), subd. 4a).
 - Requires an Independent Living Plan for youth in EFC – not when a youth requests an updated plan; the updated plan must be submitted to the court (Minn. Stat. [260C.451](#), subd. 2)
 - Notices to terminate EFC must be sent to DCYF; the agency must “engage with” (not “shall work with”) the youth to develop a transition plan.



A photograph of a classroom. In the background, a large blackboard with a wooden frame is mounted on a light blue wall. In the foreground, there are several wooden desks with orange plastic chairs. The floor is covered with grey square tiles.

EFC Eligibility

- Removes a section that precluded youth receiving services under Minn. Stat. 256B.092 (services for persons with developmental disabilities) from joining EFC.
- Expands EFC eligibility:
 - Education requirement now includes public or private transition programs
 - Youth receiving benefits under Paid Family Leave are eligible for EFC.

Early Childhood & School-Age Programming

- **Sess. L. Ch. 127 – Health and Human Services Omnibus Bill ([SF 4612](#))**
- Establishes priority for children in foster care to be enrolled in school-age care, youth after-school enrichment, or other before and after school programming
- Makes foster youth eligible for school readiness programs
- Includes foster parents and custodians under a TPLPC as a priority for childcare sliding fee assistance program
- Requires out-of-home placement plan to include efforts to ensure educational stability for children in early childhood education or childcare, including that the child remains in the same program and when not feasible, enrolled in a similar program
- Requires agencies to provide information on early childhood education and childcare resources for foster parents.



Licensing Notices

- Sess. L. Ch. 127 – Health and Human Services Omnibus Bill ([SF 4612](#))
- Licensing agencies must provide information to foster care license applicants on the background study process and the procedure for reconsideration of a background study disqualification





Fostering Independence Grants

- **Sess. L. Ch. 116 – Higher Education Finance and Policy Bill ([HF 4252](#))**
- Provides funding for FIG
 - Gap for 2026
 - Funding for 2027

[Imprint article on FIG](#)



Child Welfare Related Legislative Changes



Supreme Court Council on Child Protection and Maltreatment Prevention Extension

- **Sess. L. Ch. 71 – Supreme Court Council on Child Protection Extension ([HF 3875/SF 4064](#))**
- Council extended to June 30, 2027
- Final report due December 15, 2026

Human Services Systems Modernization

Sess. L. Ch. 120 –
Human Services Systems
Modernization Bill
([SF 334](#))



Creates a Human Services Systems Modernization Advisory Council



Creates a Legislative Commission on Human Services Systems



Establishes a modernization fund and eligible uses



Requires reports on project status and developments, recommendations including draft legislation and federal financial opportunities



Appropriations - \$90 million package



For more info:

<https://www.house.mn.gov/NewLaws/story/2026/5754>

Uniform Procedure Regarding Firearm Restrictions

- **Sess. L. Ch. 75 – Firearms** ([HF 4075](#))
- Creates a uniform procedure for imposing, implementing, and overseeing firearms restrictions in criminal convictions and other judicial orders, including CHIPS petitions
- Modifies the requirements for a CHIPS petition
 - A description of the types and locations of any firearms of the responding party or in the home of the child
- Provides procedure for transferring firearms
- Applies to domestic abuse ([518B.01](#)), domestic assault ([609.2242](#)), harassment/stalking ([609.749](#)), and pretrial release ([629.715](#)).

Juvenile Detention Facilities

- **Sess. L. Ch. 97 – Public Safety Omnibus Policy Bill ([SF 4760](#))**
- Addresses licensing for juvenile & adult community-based residential correctional facilities (Minn. Stat. 241.012)
- Requires commissioner of corrections to inspect and license juvenile correctional facilities every two years
- Commissioner of Education must approve education plans before a facility license is issued (Minn. Stat. 241.013)
- Juvenile facilities must notify commissioner when a juvenile is placed in separation >7 days (Minn. Stat. Ch. 241).
- Death review team required for any juvenile death in a facility (Minn. Stat. 241.011).

Office of the Inspector General

Sess. L. Ch. 92 – ([SF 856](#))

Creates the Office of the Inspector General as an independent oversight body for state executive branch agencies, including the Department of Children, Youth and Families

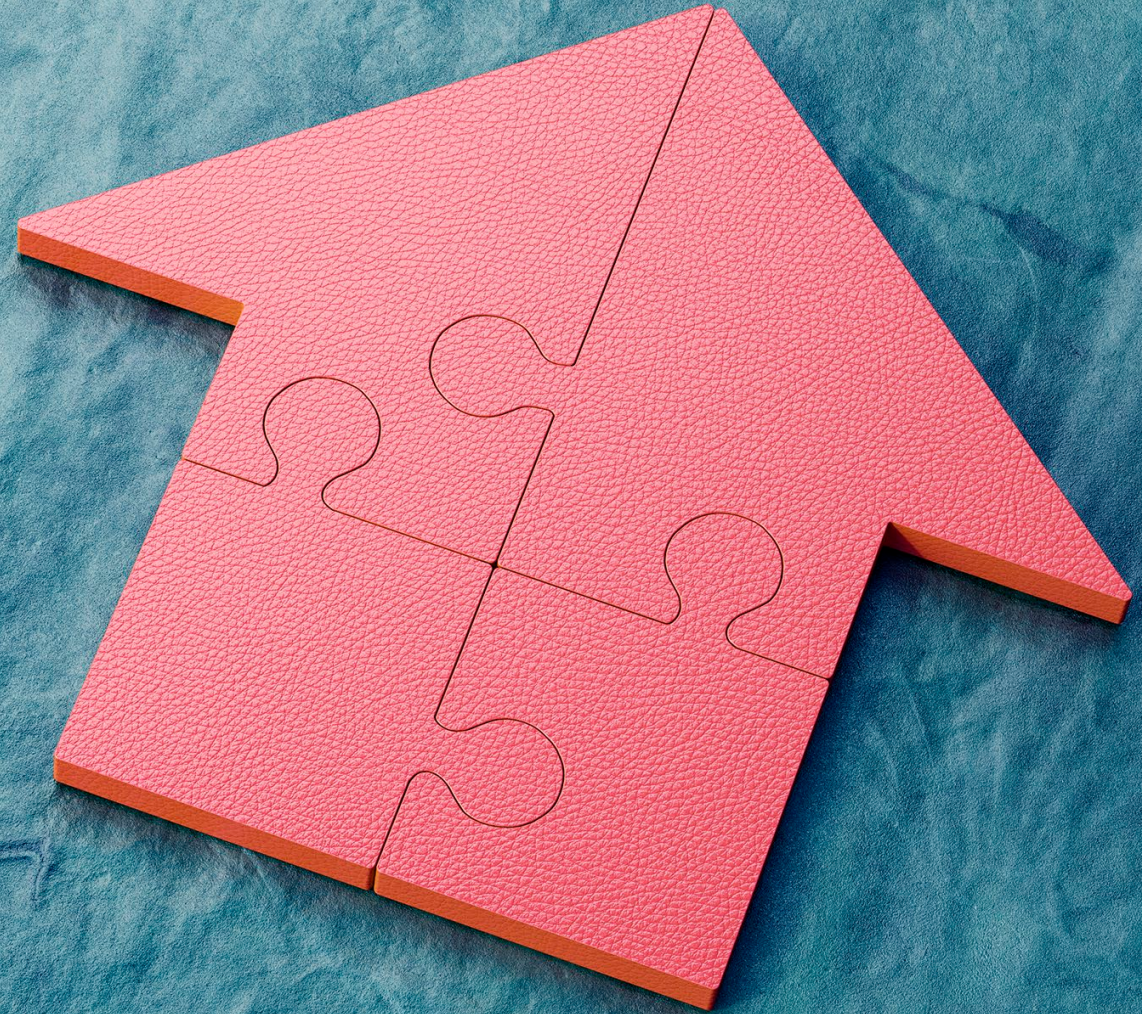
Victim Notification in Criminal Matters

- **Sess. L. Ch. 97 – Public Safety Omnibus Policy Bill ([SF 4760](#))**
- At plea hearing, court required to ask prosecutor if victim was notified of plea agreement recommendation, plea hearing and right to express objections to the plea agreement
- At sentencing hearing, court required to ask prosecutor if victim was notified of the hearing and right to submit a victim impact statement



Protections for Minors in Eviction Actions

- Sess. L. Ch. 81 – Eviction Protections ([SF 4171](#))
- Minor children of residential tenants cannot be named or listed in eviction actions (Minn. Stat. 504B.2136).





Notable Bills that Did Not Pass & Looking Ahead



Bills that did NOT Pass

- Foster Youth Bill of Rights ([HF 3024](#)/ [SF 3154](#))
- MAAFPCWDA – Replacing “Active Efforts” with “Reasonable Efforts” ([SF 3920](#)/ [SF 3995](#))
- EFC Grant Program for Youth Ages 21-27 ([HF 4206](#)/ [SF 4360](#))
- Trust for Social Security and Survivor Benefits for Foster Youth ([HF 4872](#)/ [SF 4635](#))

Update on the Supreme Court Council

- MN Supreme Court Council on Child Protection and Maltreatment Prevention created in 2024:
 - “To develop a comprehensive blueprint to improve Minnesota's child protection system and prevent unnecessary entry of children and families into the system”
- Identifying concerns through
 - presentations,
 - focus groups, and
 - surveys
- Recommendations for potential solutions
- Final report due December 15, 2026

Concerns Identified by the Council



General concerns:

- Communities need to be involved
- Trauma when children are moved from schools or foster placements
- Not enough time in court hearings



Workforce concerns:

- Lack of people
- Significant turnover
- Lack of training



Funding concerns

- Property taxes as main source of funding
- Variation in county tax bases



Lack of resources

- Services to help families who are doing their best
- Affordable and stable housing
- Daycare costs for single parents
- Mental health and chemical health treatment centers

Challenges	Potential Solutions
Public awareness, stigma in seeking help	Community hubs, peer mentors, outreach campaigns
Resource scarcity	Expanded in-home services, non-county providers
Communication complexity	Simplified case plans and orders, multilingual/visual materials
Inconsistent standards	Uniform training, statewide screening harmonization
Workforce training and retention	Peer-support networks, competitive pay, continuing education
Placement shortages	Recruit/train foster families, expand group & PRTF
Cultural stigma and mistrust	Cultural brokers, tribal partnerships, trust building



Questions?

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Thank you!