

1.1 Senator moves to amend the delete-everything amendment (SCS2673A-5)
1.2 to S.F. No. 2673 as follows:

1.3 Page 9, line 30, after the period, insert "In addition, the report must identify instances
1.4 in which a portion of the appropriation was used to reimburse or directly compensate peace
1.5 officers from other jurisdictions, specifying this by agency and amount."

1.6 Page 17, after line 18, insert:

1.7 "**(t) Prohibition on Supplanting**

1.8 Notwithstanding any contrary provision in
1.9 ordinance or contract, a local unit of
1.10 government may not use any money
1.11 appropriated or granted under this section to
1.12 supplant its funding of peace officer salaries,
1.13 salary ranges, or other compensation, or use
1.14 it in a manner that differs from the purposes
1.15 specified."

1.16 Page 32, delete section 14 and insert:

1.17 "Sec. 14. Minnesota Statutes 2020, section 609.1095, subdivision 2, is amended to read:

1.18 Subd. 2. **Increased sentences for dangerous offender who commits third violent**
1.19 **crime.** Whenever a person is convicted of a violent crime that is a felony, and the judge
1.20 presumption under the Sentencing Guidelines is imposing an executed sentence based on
1.21 a Sentencing Guidelines presumptive imprisonment sentence of imprisonment, the judge
1.22 may shall impose and execute a prison sentence with an aggravated durational departure
1.23 from the presumptive imprisonment sentence up to the statutory maximum sentence if:

1.24 (1) the offender was at least 18 years old at the time the felony was committed, and;

1.25 (2) the court determines on the record at the time of sentencing that the offender has
1.26 two or more prior convictions for violent crimes; and

1.27 (3) the fact finder determines that the offender is a danger to public safety. The fact
1.28 finder may base its determination that the offender is a danger to public safety on the
1.29 following factors:

1.30 (i) the offender's past criminal behavior, such as the offender's high frequency rate of
1.31 criminal activity or juvenile adjudications, or long involvement in criminal activity including
1.32 juvenile adjudications; or

2.1 (ii) the fact that the present offense of conviction involved an aggravating factor that
2.2 would justify a durational departure under the Sentencing Guidelines.

2.3 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
2.4 committed on or after that date."

2.5 Page 33, delete section 15 and insert:

2.6 "Sec. 15. Minnesota Statutes 2020, section 609.1095, subdivision 3, is amended to read:

2.7 Subd. 3. **Mandatory sentence for dangerous offender who commits third violent**
2.8 **felony.** (a) Unless a longer mandatory minimum sentence is otherwise required by law or
2.9 the court imposes and executes a longer aggravated durational departure under subdivision
2.10 2 or 4, a person who is convicted of a violent crime that is a felony ~~must~~ shall be committed
2.11 to the commissioner of corrections for a mandatory sentence of at least the length of the
2.12 presumptive sentence under the Sentencing Guidelines if the court determines on the record
2.13 at the time of sentencing that the person has two or more prior felony convictions for violent
2.14 crimes. The court shall impose and execute the prison sentence regardless of whether the
2.15 guidelines presume an executed prison sentence.

2.16 ~~Any person convicted and sentenced as required by this subdivision is not eligible for~~
2.17 ~~probation, parole, discharge, or work release, until that person has served the full term of~~
2.18 ~~imprisonment imposed by the court, notwithstanding sections 241.26, 242.19, 243.05,~~
2.19 ~~244.04, 609.12, and 609.135.~~

2.20 (b) For purposes of this subdivision, "violent crime" does not include a violation of
2.21 section 152.023 or 152.024.

2.22 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
2.23 committed on or after that date."

2.24 Page 34, delete section 16 and insert:

2.25 "Sec. 16. Minnesota Statutes 2020, section 609.1095, subdivision 4, is amended to read:

2.26 Subd. 4. **Increased sentence for offender who commits sixth felony.** Whenever a
2.27 person is convicted of a felony; and the judge presumption under the Sentencing Guidelines
2.28 ~~is imposing an executed sentence based on a Sentencing Guidelines presumptive~~
2.29 ~~imprisonment sentence of imprisonment~~, the judge ~~may~~ shall impose and execute a prison
2.30 sentence with an aggravated durational departure from the presumptive sentence up to the
2.31 statutory maximum sentence if the ~~factfinder~~ fact finder determines that the offender has

3.1 five or more prior felony convictions and that the present offense is a felony that was
3.2 committed as part of a pattern of criminal conduct.

3.3 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
3.4 committed on or after that date."