

## **S.F. No. 1950 – Probation Length Limits (as amended by author’s amendment (SCS1950A-1))**

**Author:** Senator Clare Oumou Verbeten

**Prepared by:** Kenneth P. Backhus, Senate Counsel (651/296-4396)

**Date:** March 2, 2023

---

**Sections 1 and 2** make conforming changes.

**Section 3** amends the statutory provision that provides maximum probation lengths. Under current law, the maximum probationary sentence for most felonies is four years or the statutory maximum for the offense, whichever is *longer*. Provides that the maximum will now be five years or the statutory maximum for the offense, whichever is *less*. Certain felonies (first- and second-degree murder, first-degree manslaughter, criminal vehicular homicide, and sex offenses) are excluded. For these offenses, the maximum length is the statutory maximum. Also lowers the maximum probationary sentence applicable to gross misdemeanor DWIs, criminal vehicular operation resulting in bodily harm, and fifth-degree criminal sexual conduct from six years to five years.

**Section 4** provides for retroactive application of the changes in section 1. If the person is still on probation and would have been subject to a shorter period under section 1, the person is eligible for resentencing to the shorter period or, where applicable, the probation term is considered to have expired. Resentencing may occur without a hearing.

**Section 5** requires the Sentencing Guidelines Commission to amend the guidelines to reflect the changes made in this bill.