

SENATE

STATE OF MINNESOTA

NINETY-THIRD SESSION

S.F. No. 5337

(SENATE AUTHORS: LATZ)		
DATE	D-PG	OFFICIAL STATUS
04/08/2024	13532	Introduction and first reading
		Referred to Judiciary and Public Safety
04/24/2024		Comm report: To pass as amended and re-refer to Finance

1.1

A bill for an act

1.2

relating to public safety; providing for funding and related policy changes to the

1.3

Department of Public Safety, Department of Corrections, judiciary, and the

1.4

Clemency Review Commission; requiring reports; appropriating money; amending

1.5

Minnesota Statutes 2022, sections 260B.198, subdivision 1; 260B.225, subdivision

1.6

9; 260B.235, subdivision 4; 299A.73, subdivision 4; 609.02, by adding a

1.7

subdivision; Minnesota Statutes 2023 Supplement, sections 244.41, subdivisions

1.8

6, 14, by adding a subdivision; 244.46, subdivisions 1, 2; 299A.49, subdivisions

1.9

8, 9; 299A.95, subdivision 5; 401.10, subdivision 1; 609A.06, subdivision 2;

1.10

638.09, subdivision 5; Laws 2023, chapter 52, article 2, sections 3, subdivision 5;

1.11

6, subdivisions 1, 4; article 8, section 20, subdivision 3; Laws 2023, chapter 63,

1.12

article 5, section 5; proposing coding for new law in Minnesota Statutes, chapter

1.13

241.

1.14

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

1.15

ARTICLE 1

1.16

APPROPRIATIONS

1.17

Section 1. APPROPRIATIONS.

1.18

The sums shown in the columns marked "Appropriations" are added to or, if shown in

1.19

parentheses, subtracted from the appropriations in Laws 2023, chapter 52, articles 1 and 2,

1.20

to the agencies and for the purposes specified in this article. The appropriations are from

1.21

the general fund, or another named fund, and are available for the fiscal years indicated for

1.22

each purpose. The figures "2024" and "2025" used in this article mean that the addition to

1.23

or subtraction from the appropriation listed under them is available for the fiscal year ending

1.24

June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The

1.25

second year" is fiscal year 2025. Supplemental appropriations and reductions to

1.26

appropriations for the fiscal year ending June 30, 2024, are effective the day following final

1.27

enactment.

2.1					<b><u>APPROPRIATIONS</u></b>
2.2					<b><u>Available for the Year</u></b>
2.3					<b><u>Ending June 30</u></b>
2.4					<b><u>2024</u></b> <b><u>2025</u></b>
2.5	Sec. 2. <b><u>SUPREME COURT</u></b>	\$		<b><u>-0-</u></b> \$	<b><u>5,750,000</u></b>
2.6	<b><u>(a) Court Cyber Security</u></b>				
2.7	<u>\$5,250,000 the second year is for the judicial</u>				
2.8	<u>branch cyber security program. This is a</u>				
2.9	<u>onetime appropriation and is available until</u>				
2.10	<u>June 30, 2027.</u>				
2.11	<b><u>(b) Safe and Secure Courthouses</u></b>				
2.12	<u>\$500,000 the second year is for a competitive</u>				
2.13	<u>grant program for courthouse safety and</u>				
2.14	<u>security improvements. This is a onetime</u>				
2.15	<u>appropriation.</u>				
2.16	Sec. 3. <b><u>DISTRICT COURTS</u></b>	\$		<b><u>6,627,000</u></b> \$	<b><u>23,623,000</u></b>
2.17	<b><u>(a) Psychological Services</u></b>				
2.18	<u>\$5,317,000 the first year and \$15,951,000 the</u>				
2.19	<u>second year are for the psychological and</u>				
2.20	<u>psychiatric examiner services program, which</u>				
2.21	<u>delivers statutorily mandated psychological</u>				
2.22	<u>examinations for civil commitment, criminal</u>				
2.23	<u>competency, and criminal responsibility</u>				
2.24	<u>evaluations. The appropriation in the second</u>				
2.25	<u>year is onetime and is available until June 30,</u>				
2.26	<u>2027.</u>				
2.27	<b><u>(b) Psychological Examiners Pay Rate Increase</u></b>				
2.28	<u>\$1,203,000 the second year is to increase the</u>				
2.29	<u>hourly pay rate of psychological examiners.</u>				
2.30	<b><u>(c) Court Interpreters</u></b>				
2.31	<u>\$1,290,000 the first year and \$3,870,000 the</u>				
2.32	<u>second year are for court interpreters. The</u>				
2.33	<u>appropriation in the second year is onetime</u>				
2.34	<u>and is available until June 30, 2027.</u>				

3.1 **(d) Court Interpreters Pay Rate Increase**

3.2 \$235,000 the second year is to increase the  
3.3 hourly pay rate of court interpreters. The base  
3.4 for this appropriation is \$297,000 beginning  
3.5 in fiscal year 2026.

3.6 **(e) Increased Cost of Jury Programs**

3.7 \$20,000 the first year and \$2,364,000 the  
3.8 second year are for increased costs of jury  
3.9 programs. The appropriation in the second  
3.10 year is onetime and is available until June 30,  
3.11 2027.

3.12 **Sec. 4. PUBLIC SAFETY**

3.13 **Subdivision 1. Total**  
3.14 **Appropriation**

\$	<u>7,000,000</u>	\$	<u>10,000,000</u>
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3.15 **Appropriations by Fund**

	<u>2024</u>	<u>2025</u>
3.16 <u>General</u>	<u>0</u>	<u>10,000,000</u>
3.17 <u>911 Fund</u>	<u>7,000,000</u>	<u>0</u>

3.19 The amounts that may be spent for each  
3.20 purpose are specified in the following  
3.21 subdivisions.

3.22 **Subd. 2. Crime Victim Services**

3.23 \$9,200,000 the second year is from the general  
3.24 fund for grants for direct services and  
3.25 advocacy for crime victims. Up to five percent  
3.26 of the appropriation is available for grant  
3.27 administration. This is a onetime  
3.28 appropriation.

3.29 **Subd. 3. Preventing Violence Against Latina**  
3.30 **Women Report**

3.31 \$250,000 the second year is from the general  
3.32 fund for a grant to Esperanza United to  
3.33 complete the report on preventing violence  
3.34 against Latina women and queer Latines

4.1 described in section 10. This is a onetime  
4.2 appropriation.

4.3 **Subd. 4. Youth Support Service Grants**

4.4 \$500,000 the second year is from the general  
4.5 fund for youth support service grants under  
4.6 section 11. This is a onetime appropriation.

4.7 **Subd. 5. Hmong American Mediation Center**

4.8 \$50,000 the second year is from the general  
4.9 fund for a grant to the Hmong American  
4.10 Mediation Center to provide mediation and  
4.11 restorative justice services. This is a onetime  
4.12 appropriation.

4.13 **Subd. 6. Digital Geographic Information System**  
4.14 **Mapping For School Facilities**

4.15 (a) \$7,000,000 the first year from the state  
4.16 government special revenue fund for 911  
4.17 emergency telecommunications services is to  
4.18 issue grants to the regional emergency  
4.19 communications boards as defined by  
4.20 Minnesota Statutes, section 403.392. This is  
4.21 a onetime appropriation and is available until  
4.22 June 30, 2026.

4.23 (b) If awarded a grant, a regional  
4.24 communications board must use the grant  
4.25 funds exclusively to create digital geographic  
4.26 information system mapping data of facilities  
4.27 managed by a school district; charter school;  
4.28 intermediate school district or cooperative unit  
4.29 under Minnesota Statutes, section 123A.24,  
4.30 subdivision 2; the Perpich Center for Arts  
4.31 Education; the Minnesota State Academies;  
4.32 private schools; or a Tribal contract school  
4.33 that serves children in early childhood or  
4.34 prekindergarten programs or students enrolled

5.1 in kindergarten through grade 12 within the  
5.2 regional emergency communications board's  
5.3 jurisdiction.

5.4 (c) The data created pursuant to paragraph (b)  
5.5 must be:

5.6 (1) compatible with software platforms used  
5.7 by local, state, and federal public safety  
5.8 agencies that provide emergency services to  
5.9 the specific school for which the data is  
5.10 provided without requiring such agencies to  
5.11 purchase additional software or requiring a  
5.12 fee to view or access the data;

5.13 (2) compatible with security software  
5.14 platforms in use by the specific school for  
5.15 which the data is provided without requiring  
5.16 the local law enforcement agencies or school  
5.17 districts to purchase additional software or  
5.18 requiring a fee to view or access the data;

5.19 (3) verified for accuracy following a physical  
5.20 walkthrough; and

5.21 (4) perpetually available to schools and law  
5.22 enforcement agencies mapped pursuant to a  
5.23 grant and the Department of Public Safety.

5.24 (d) The statewide emergency communications  
5.25 board may implement further requirements at  
5.26 their discretion.

5.27 (e) At the conclusion of work completed  
5.28 pursuant to a grant under this section, the  
5.29 board must deliver all data created, collected,  
5.30 or maintained under this section to the school  
5.31 without payment, and in a manner that the  
5.32 school may own, control, use, and access the  
5.33 data without limitation. The data must be

6.1 provided in a form that permits the school to  
 6.2 share the data with a law enforcement agency.

6.3 (f) Each regional emergency communication  
 6.4 board that receives a grant must complete the  
 6.5 mapping project and report completion to the  
 6.6 commissioner on or before July 1, 2026. Upon  
 6.7 request, the commissioner may grant a  
 6.8 reasonable extension of time to the requesting  
 6.9 regional emergency communication board to  
 6.10 complete the project.

6.11 (g) Regional emergency communications  
 6.12 boards shall work collaboratively with schools  
 6.13 and public safety agencies to include local law  
 6.14 enforcement, fire agencies, EMS, and 911  
 6.15 during the procurement process.

6.16 (h) Any data created under this section is  
 6.17 classified as nonpublic data as defined in  
 6.18 Minnesota Statutes, section 13.02, subdivision  
 6.19 9.

6.20 **Sec. 5. CORRECTIONS**

6.21 **Subdivision 1. Total**  
 6.22 **Appropriation**

**\$ 5,900,000 \$ 1,990,000**

6.23 The amounts that may be spent for each  
 6.24 purpose are specified in the following  
 6.25 subdivisions.

6.26 **Subd. 2. Facility Operation**

**5,900,000 1,990,000**

6.27 \$5,900,000 the first year and \$1,990,000 the  
 6.28 second year are for the operation of  
 6.29 correctional facilities. The base for this  
 6.30 appropriation is \$7,091,000 beginning in fiscal  
 6.31 year 2026.

6.32 **Sec. 6. CLEMENCY REVIEW COMMISSION \$**

**-0- \$ 986,000**

7.1 \$986,000 the second year is for the Clemency  
7.2 Review Commission described in Minnesota  
7.3 Statutes, section 638.09. Of this amount,  
7.4 \$200,000 the second year is for grants to  
7.5 support outreach and clemency application  
7.6 assistance.

7.7       Sec. 7. Laws 2023, chapter 52, article 2, section 3, subdivision 5, is amended to read:

7.8	Subd. 5. <b>Fire Marshal</b>	17,013,000	17,272,000
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7.9	Appropriations by Fund		
7.10	General	4,184,000	4,190,000
7.11	Special Revenue	12,829,000	13,082,000

7.12       The special revenue fund appropriation is from  
7.13       the fire safety account in the special revenue  
7.14       fund and is for activities under Minnesota  
7.15       Statutes, section 299F.012. The base  
7.16       appropriation for this account is \$13,182,000  
7.17       in fiscal year 2026 and \$13,082,000 in fiscal  
7.18       year 2027.

7.19       **(a) Hazardous Materials and Emergency**  
7.20       **Response Teams**

7.21       \$1,695,000 the first year and \$1,595,000 the  
7.22       second year are from the fire safety account  
7.23       for hazardous materials and emergency  
7.24       response teams. The base for these purposes  
7.25       is \$1,695,000 in the first year of future biennia  
7.26       and \$1,595,000 in the second year of future  
7.27       biennia.

7.28       **(b) Bomb Squad Reimbursements**

7.29       \$250,000 from the fire safety account and  
7.30       \$50,000 from the general fund each year are  
7.31       for reimbursements to local governments for  
7.32       bomb squad services.

7.33       **(c) Nonresponsible Party Reimbursements**

8.1 \$750,000 each year from the fire safety

8.2 account is for nonresponsible party hazardous

8.3 material, Urban Search and Rescue, Minnesota

8.4 Air Rescue Team, and bomb squad incident

8.5 reimbursements. Money appropriated for this

8.6 purpose is available for one year.

8.7 **(d) Hometown Heroes Assistance Program**

8.8 \$4,000,000 each year from the general fund

8.9 is for grants to the Minnesota Firefighter

8.10 Initiative to fund the hometown heroes

8.11 assistance program established in Minnesota

8.12 Statutes, section 299A.477.

8.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

8.14 Sec. 8. Laws 2023, chapter 52, article 2, section 6, subdivision 1, is amended to read:

8.15	Subdivision 1. <b>Total</b>				<b>826,661,000</b>
8.16	<b>Appropriation</b>	<b>\$</b>	<b>12,643,000</b>	<b>\$</b>	<b>797,937,000</b>
				<b>\$</b>	<b><u>825,675,000</u></b>

8.17 The amounts that may be spent for each

8.18 purpose are specified in the following

8.19 subdivisions.

8.20 Sec. 9. Laws 2023, chapter 52, article 2, section 6, subdivision 4, is amended to read:

8.21	Subd. 4. <b>Organizational, Regulatory, and</b>			<b>74,287,000</b>
8.22	<b>Administrative Services</b>		<b>73,586,000</b>	<b><u>73,301,000</u></b>

8.23 **(a) Public Safety Data Infrastructure**

8.24 \$22,914,000 the first year and \$22,915,000

8.25 the second year are for technology

8.26 modernization and the development of an

8.27 information-sharing and data-technology

8.28 infrastructure. The base for this purpose is

8.29 \$4,097,000 beginning in fiscal year 2026. Any

8.30 unspent funds from the current biennium do

8.31 not cancel and are available in the next

8.32 biennium.



9.1 **(b) Supervised Release Board**

9.2 \$40,000 each year is to establish and operate  
9.3 the supervised release board pursuant to  
9.4 Minnesota Statutes, section 244.049.

9.5 **(c) Recruitment and Retention**

9.6 \$3,200,000 the first year and \$400,000 the  
9.7 second year are for recruitment and retention  
9.8 initiatives. Of this amount, \$2,800,000 the first  
9.9 year is for staff recruitment, professional  
9.10 development, conflict resolution, and staff  
9.11 wellness, and to contract with community  
9.12 collaborative partners who specialize in trauma  
9.13 recovery.

9.14 **(d) Clemency Review Commission**

9.15 \$986,000 ~~each year~~ the first year is for the  
9.16 clemency review commission described in  
9.17 Minnesota Statutes, section 638.09. Of this  
9.18 amount, \$200,000 each year is for grants to  
9.19 support outreach and clemency application  
9.20 assistance. Any unencumbered balance  
9.21 remaining in the first year does not cancel, but  
9.22 must be transferred to the Clemency Review  
9.23 Commission by July 1, 2024. Funds  
9.24 transferred under this paragraph are available  
9.25 until June 30, 2025.

9.26 **(e) Accountability and Transparency**

9.27 \$1,000,000 each year is for accountability and  
9.28 transparency initiatives. The base for this  
9.29 appropriation is \$1,480,000 beginning in fiscal  
9.30 year 2026.

9.31 **(f) Organizational, Regulatory, and**  
9.32 **Administrative Services Base Budget**

10.1 The base for organizational, regulatory, and  
10.2 administrative services is ~~\$55,849,000~~  
10.3 \$54,863,000 in fiscal year 2026 and  
10.4 ~~\$55,649,000~~ \$54,663,000 in fiscal year 2027.

10.5 Sec. 10. **REPORT PREVENTING VIOLENCE AGAINST LATINA WOMEN AND**  
10.6 **QUEER LATINES IN MINNESOTA.**

10.7 (a) The commissioner of public safety shall provide a grant to Esperanza United to  
10.8 develop a report that provides preliminary research and recommendations to reduce, prevent,  
10.9 and end violence against Latina women and girls, including queer Latines, in Minnesota.  
10.10 The Department of Public Safety shall provide support and technical assistance to Esperanza  
10.11 United as requested.

10.12 (b) The report may include recommended strategies to disrupt the pathways toward  
10.13 gender-based violence and help prevent violence before it occurs, such as outreach and  
10.14 communication, public engagement, and public campaigns to address and educate local  
10.15 communities about self confidence, leadership skills, family support, and healthy  
10.16 relationships. The report may identify:

10.17 (1) ways to effectively connect programs and services provided by state agencies,  
10.18 counties, and nongovernmental organizations to improve services to victims and survivors,  
10.19 and their families and communities;

10.20 (2) systemic causes behind violence impacting Latina women and girls, including queer  
10.21 Latines, and patterns and underlying factors explaining disproportionality, including  
10.22 underlying historical, social, economic, religious, institutional, immigration, and cultural  
10.23 factors that may contribute to the violence;

10.24 (3) appropriate methods for tracking and collecting data on violence against Latinas and  
10.25 queer Latines, including data and research on prevention methods;

10.26 (4) policies and institutional practices in education, labor, child welfare, coroner practices,  
10.27 policing, health care, civil and criminal legal systems, and other practices impacting victims;

10.28 (5) measures necessary to address and reduce violence, including public awareness,  
10.29 research, community awareness campaigns, youth education, and family support practices;  
10.30 and

10.31 (6) measures to help victims and survivors, and their families and communities, prevent  
10.32 and heal from violence, including recommendations to expand existing programs; identify  
10.33 new strategies that educate young people in effective communication, training in self

11.1 confidence, leadership skills, and healthy relationships; and general innovative strategies  
11.2 that strengthen relationships with families and networks of support.

11.3 (c) The report shall be submitted to the chairs and ranking minority members of the  
11.4 legislative committees with jurisdiction over public safety by January 1, 2025.

11.5 **Sec. 11. YOUTH SUPPORT SERVICES GRANTS.**

11.6 Subdivision 1. **Grants to counties.** The commissioner of public safety shall issue grants  
11.7 to Anoka County, Hennepin County, and Ramsey County for the purposes described in  
11.8 subdivision 2. Of the total amount appropriated for this purpose, 20 percent is for a grant  
11.9 to Anoka County, 40 percent is for a grant to Hennepin County, and 40 percent is for a grant  
11.10 to Ramsey County.

11.11 Subd. 2. **Grants to community organizations; eligibility.** (a) A county that receives a  
11.12 grant pursuant to subdivision 1 must use the money received to issue subgrants to community  
11.13 organizations or community-rooted programs to provide intervention and support services  
11.14 for youth who come into contact with peace officers and are suspected to have committed  
11.15 a juvenile petty offense or delinquent act. A subgrantee must disclose to the county the  
11.16 number of cases and the types of offenses they are able to accept. A subgrantee may also  
11.17 use a subgrant to provide stipends or salaries to employ eligible youth. A county may retain  
11.18 up to five percent of the amount received for administrative costs.

11.19 (b) To qualify for a subgrant under this section, a program must provide services that:

11.20 (1) were in operation before July 1, 2024;

11.21 (2) may be used as an alternative to arrest pursuant to Minnesota Statutes, section  
11.22 260B.1755;

11.23 (3) promote personal accountability, prosocial connections, and positive youth  
11.24 development;

11.25 (4) include wraparound services to educate and support families of participating youth;  
11.26 and

11.27 (5) utilize data-supported practices.

11.28 (c) Eligible programs may utilize restorative practices or qualify as a pretrial diversion  
11.29 program for juveniles pursuant to Minnesota Statutes, section 388.24.

11.30 (d) In issuing subgrants, counties must prioritize programs that incorporate employment  
11.31 or jobs skills training and programs that collaborate with local law enforcement agencies  
11.32 and accept referrals for intervention from local law enforcement agencies.

Subd. 3. **Return of grant money.** Any portion of a grant issued to a county pursuant to subdivision 1 that is unspent or unencumbered on December 31, 2025, must be returned to the commissioner of public safety. Any money returned to the commissioner pursuant to this subdivision must be treated as a canceled appropriation and deposited in the general fund.

Subd. 4. **Reports.** By April 15, 2026, the counties receiving grants under this section must report to the commissioner of public safety on the programs that received subgrants. At a minimum, the report must include:

(1) the recipients of any subgrants;

(2) the programs and services provided by each recipient;

(3) the number of youth served by each recipient and the respective referring agency, if applicable;

(4) aggregated demographic data regarding youth participating in programs provided by each recipient;

(5) if applicable, the number and percentage of youth who successfully completed a program or were still participating in a program at the time of the report; and

(6) the total number of unique youth referrals, and additional referrals for youth for new delinquent offenses after youth began participating in a program or receiving services.

## ARTICLE 2

### PUBLIC SAFETY

Section 1. Minnesota Statutes 2022, section 260B.198, subdivision 1, is amended to read:

Subdivision 1. **Court order, findings, remedies, treatment.** (a) If the court finds that the child is delinquent, it shall enter an order making any of the following dispositions of the case which are deemed necessary to the rehabilitation of the child:

(1) counsel the child or the parents, guardian, or custodian;

(2) place the child under the supervision of a probation officer or other suitable person in the child's own home under conditions prescribed by the court including reasonable rules for the child's conduct and the conduct of the child's parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child, or with the consent of the commissioner of corrections, in a group foster care facility which is under the management and supervision of said commissioner;

- 13.1 (3) if the court determines that the child is a danger to self or others, subject to the  
13.2 supervision of the court, transfer legal custody of the child to one of the following:
- 13.3 (i) a child-placing agency;
- 13.4 (ii) the local social services agency;
- 13.5 (iii) a reputable individual of good moral character. No person may receive custody of  
13.6 two or more unrelated children unless licensed as a residential facility pursuant to sections  
13.7 245A.01 to 245A.16;
- 13.8 (iv) a county home school, if the county maintains a home school or enters into an  
13.9 agreement with a county home school; or
- 13.10 (v) a county probation officer for placement in a group foster home established under  
13.11 the direction of the juvenile court and licensed pursuant to section 241.021;
- 13.12 (4) transfer legal custody by commitment to the commissioner of corrections;
- 13.13 (5) if the child is found to have violated a state or local law or ordinance which has  
13.14 resulted in damage to the person or property of another, the court may order the child to  
13.15 make reasonable restitution for such damage and may offer the child an opportunity to  
13.16 participate in a restorative process to satisfy the restitution obligation, where available;
- 13.17 (6) require the child to pay a fine of up to \$1,000. The court shall order payment of the  
13.18 fine in accordance with a time payment schedule which shall not impose an undue financial  
13.19 hardship on the child;
- 13.20 (7) if the child is in need of special treatment and care for reasons of physical or mental  
13.21 health, the court may order the child's parent, guardian, or custodian to provide it. If the  
13.22 parent, guardian, or custodian fails to provide this treatment or care, the court may order it  
13.23 provided;
- 13.24 (8) if the court believes that it is in the best interests of the child and of public safety  
13.25 that the driver's license of the child be canceled until the child's 18th birthday, the court  
13.26 may recommend to the commissioner of public safety the cancellation of the child's license  
13.27 for any period up to the child's 18th birthday, and the commissioner is hereby authorized  
13.28 to cancel such license without a hearing. At any time before the termination of the period  
13.29 of cancellation, the court may, for good cause, recommend to the commissioner of public  
13.30 safety that the child be authorized to apply for a new license, and the commissioner may so  
13.31 authorize;

(9) if the court believes that it is in the best interest of the child and of public safety that the child is enrolled in school, the court may require the child to remain enrolled in a public school until the child reaches the age of 18 or completes all requirements needed to graduate from high school. Any child enrolled in a public school under this clause is subject to the provisions of the Pupil Fair Dismissal Act in chapter 127;

(10) if the child is petitioned and found by the court to have committed a controlled substance offense under sections 152.021 to 152.027, the court shall determine whether the child unlawfully possessed or sold the controlled substance while driving a motor vehicle. If so, the court shall notify the commissioner of public safety of its determination and order the commissioner to revoke the child's driver's license for the applicable time period specified in section 152.0271. If the child does not have a driver's license or if the child's driver's license is suspended or revoked at the time of the delinquency finding, the commissioner shall, upon the child's application for driver's license issuance or reinstatement, delay the issuance or reinstatement of the child's driver's license for the applicable time period specified in section 152.0271. Upon receipt of the court's order, the commissioner is authorized to take the licensing action without a hearing;

(11) if the child is petitioned and found by the court to have committed or attempted to commit an act in violation of section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.746, subdivision 1; 609.79; or 617.23, or another offense arising out of a delinquency petition based on one or more of those sections, the court shall order an independent professional assessment of the child's need for sex offender treatment. An assessor providing an assessment for the court must be experienced in the evaluation and treatment of juvenile sex offenders. If the assessment indicates that the child is in need of and amenable to sex offender treatment, the court shall include in its disposition order a requirement that the child undergo treatment. Notwithstanding section 13.384, 13.85, 144.291 to 144.298, or 260B.171, or chapter 260E, the assessor has access to the following private or confidential data on the child if access is relevant and necessary for the assessment:

(i) medical data under section 13.384;

(ii) corrections and detention data under section 13.85;

(iii) health records under sections 144.291 to 144.298;

(iv) juvenile court records under section 260B.171; and

(v) local welfare agency records under chapter 260E.

15.1 Data disclosed under this clause may be used only for purposes of the assessment and  
15.2 may not be further disclosed to any other person, except as authorized by law; or

15.3 (12) if the child is found delinquent due to the commission of an offense that would be  
15.4 a felony if committed by an adult, the court shall make a specific finding on the record  
15.5 regarding the juvenile's mental health and chemical dependency treatment needs.

15.6 (b) Any order for a disposition authorized under this section shall contain written findings  
15.7 of fact to support the disposition ordered and shall also set forth in writing the following  
15.8 information:

15.9 (1) why the best interests of the child are served by the disposition ordered; and

15.10 (2) what alternative dispositions were considered by the court and why such dispositions  
15.11 were not appropriate in the instant case. Clause (1) does not apply to a disposition under  
15.12 subdivision 1a.

15.13 Sec. 2. Minnesota Statutes 2022, section 260B.225, subdivision 9, is amended to read:

15.14 Subd. 9. **Juvenile major highway or water traffic offender.** If the juvenile court finds  
15.15 that the child is a juvenile major highway or water traffic offender, it may make any one or  
15.16 more of the following dispositions of the case:

15.17 (1) reprimand the child and counsel with the child and the parents;

15.18 (2) continue the case for a reasonable period under such conditions governing the child's  
15.19 use and operation of any motor vehicles or boat as the court may set;

15.20 (3) require the child to attend a driver improvement school if one is available within the  
15.21 county;

15.22 (4) recommend to the Department of Public Safety suspension of the child's driver's  
15.23 license as provided in section 171.16;

15.24 (5) if the child is found to have committed two moving highway traffic violations or to  
15.25 have contributed to a highway accident involving death, injury, or physical damage in excess  
15.26 of \$100, the court may recommend to the commissioner of public safety or to the licensing  
15.27 authority of another state the cancellation of the child's license until the child reaches the  
15.28 age of 18 years, and the commissioner of public safety is hereby authorized to cancel the  
15.29 license without hearing. At any time before the termination of the period of cancellation,  
15.30 the court may, for good cause, recommend to the commissioner of public safety, or to the  
15.31 licensing authority of another state, that the child's license be returned, and the commissioner  
15.32 of public safety is authorized to return the license;

16.1 (6) place the child under the supervision of a probation officer in the child's own home  
16.2 under conditions prescribed by the court including reasonable rules relating to operation  
16.3 and use of motor vehicles or boats directed to the correction of the child's driving habits;

16.4 (7) if the child is found to have violated a state or local law or ordinance and the violation  
16.5 resulted in damage to the person or property of another, the court may order the child to  
16.6 make reasonable restitution for the damage and may offer the child an opportunity to  
16.7 participate in a restorative process to satisfy the restitution obligation, where available;

16.8 (8) require the child to pay a fine of up to \$1,000. The court shall order payment of the  
16.9 fine in accordance with a time payment schedule which shall not impose an undue financial  
16.10 hardship on the child; or

16.11 (9) if the court finds that the child committed an offense described in section 169A.20,  
16.12 the court shall order that a chemical use assessment be conducted and a report submitted to  
16.13 the court in the manner prescribed in section 169A.70. If the assessment concludes that the  
16.14 child meets the level of care criteria for placement under rules adopted under section 254A.03,  
16.15 subdivision 3, the report must recommend a level of care for the child. The court may require  
16.16 that level of care in its disposition order. In addition, the court may require any child ordered  
16.17 to undergo an assessment to pay a chemical dependency assessment charge of \$75. The  
16.18 court shall forward the assessment charge to the commissioner of management and budget  
16.19 to be credited to the general fund. The state shall reimburse counties for the total cost of  
16.20 the assessment in the manner provided in section 169A.284.

16.21 Sec. 3. Minnesota Statutes 2022, section 260B.235, subdivision 4, is amended to read:

16.22 Subd. 4. **Dispositions.** If the juvenile court finds that a child is a petty offender, the court  
16.23 may:

16.24 (1) require the child to pay a fine of up to \$100;

16.25 (2) require the child to participate in a community service project;

16.26 (3) require the child to participate in a drug awareness program;

16.27 (4) order the child to undergo a chemical dependency evaluation and if warranted by  
16.28 this evaluation, order participation by the child in an outpatient chemical dependency  
16.29 treatment program;

16.30 (5) place the child on probation for up to six months or, in the case of a juvenile alcohol  
16.31 or controlled substance offense, following a determination by the court that the juvenile is



17.1 chemically dependent, the court may place the child on probation for a time determined by  
17.2 the court;

17.3 (6) order the child to make restitution to the victim, which may be satisfied through  
17.4 participation in a restorative process, where available; or

17.5 (7) perform any other activities or participate in any other outpatient treatment programs  
17.6 deemed appropriate by the court.

17.7 In all cases where the juvenile court finds that a child has purchased or attempted to  
17.8 purchase an alcoholic beverage in violation of section 340A.503, if the child has a driver's  
17.9 license or permit to drive, and if the child used a driver's license, permit, Minnesota  
17.10 identification card, or any type of false identification to purchase or attempt to purchase the  
17.11 alcoholic beverage, the court shall forward its finding in the case and the child's driver's  
17.12 license or permit to the commissioner of public safety. Upon receipt, the commissioner shall  
17.13 suspend the child's license or permit for a period of 90 days.

17.14 In all cases where the juvenile court finds that a child has purchased or attempted to  
17.15 purchase tobacco in violation of section 609.685, subdivision 3, if the child has a driver's  
17.16 license or permit to drive, and if the child used a driver's license, permit, Minnesota  
17.17 identification card, or any type of false identification to purchase or attempt to purchase  
17.18 tobacco, the court shall forward its finding in the case and the child's driver's license or  
17.19 permit to the commissioner of public safety. Upon receipt, the commissioner shall suspend  
17.20 the child's license or permit for a period of 90 days.

17.21 None of the dispositional alternatives described in clauses (1) to (6) shall be imposed  
17.22 by the court in a manner which would cause an undue hardship upon the child.

17.23 Sec. 4. Minnesota Statutes 2023 Supplement, section 299A.49, subdivision 8, is amended  
17.24 to read:

17.25 Subd. 8. **State emergency response asset.** "State emergency response asset" means any  
17.26 team or teams defined under this section and that has entered into a contractual agreement  
17.27 with the State Fire Marshal Division.

17.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

17.29 Sec. 5. Minnesota Statutes 2023 Supplement, section 299A.49, subdivision 9, is amended  
17.30 to read:

17.31 Subd. 9. **Urban search and rescue team (USAR) (US&R).** "Urban search and rescue  
17.32 team" or "USAR" "US&R" means a ~~team trained and equipped to respond to and carry out~~

18.1 ~~rescue and recovery operations at the scene of a collapsed structure. A USAR team may~~  
18.2 ~~include strategically located fire department assets combined under one joint powers~~  
18.3 ~~agreement~~ multihazard discipline that involves the location, extrication, and initial medical  
18.4 stabilization of victims trapped or missing because of a man-made or natural disaster.

18.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

18.6 Sec. 6. Minnesota Statutes 2022, section 299A.73, subdivision 4, is amended to read:

18.7 Subd. 4. **Administrative costs.** The commissioner may use up to ~~two~~ ten percent of the  
18.8 biennial appropriation for grants-in-aid to the youth intervention program to pay costs  
18.9 incurred by the department in administering the youth intervention program.

18.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

18.11 Sec. 7. Minnesota Statutes 2023 Supplement, section 299A.95, subdivision 5, is amended  
18.12 to read:

18.13 Subd. 5. **Grants.** (a) Within available appropriations, the director shall award grants to  
18.14 establish and support restorative practices initiatives. An approved applicant must receive  
18.15 a grant of up to \$500,000 each year.

18.16 (b) On an annual basis, the Office of Restorative Practices shall establish a minimum  
18.17 number of applications that must be received during the application process. If the minimum  
18.18 number of applications is not received, the office must reopen the application process.

18.19 (c) Grants may be awarded to private and public nonprofit agencies; local units of  
18.20 government, including cities, counties, and townships; local educational agencies; and Tribal  
18.21 governments. A restorative practices advisory committee may support multiple entities  
18.22 applying for grants based on community needs, the number of youth and families in the  
18.23 jurisdiction, and the number of restorative practices available to the community. Budgets  
18.24 supported by grant funds can include contracts with partner agencies.

18.25 (d) Applications must include the following:

18.26 (1) a list of willing restorative practices advisory committee members;

18.27 (2) letters of support from potential restorative practices advisory committee members;

18.28 (3) a description of the planning process that includes:

18.29 (i) a description of the origins of the initiative, including how the community provided  
18.30 input; and

(ii) an estimated number of participants to be served; and

(4) a formal document containing a project description that outlines the proposed goals, activities, and outcomes of the initiative including, at a minimum:

(i) a description of how the initiative meets the minimum eligibility requirements of the grant;

(ii) the roles and responsibilities of key staff assigned to the initiative;

(iii) identification of any key partners, including a summary of the roles and responsibilities of those partners;

(iv) a description of how volunteers and other community members are engaged in the initiative; and

(v) a plan for evaluation and data collection.

(e) In determining the appropriate amount of each grant, the Office of Restorative Practices shall consider the number of individuals likely to be served by the local restorative practices initiative.

(f) The Office of Restorative Practices may award grants to provide restitution funds that allow a victim of a juvenile offense, juvenile petty offense, or major traffic offense as defined in section 260B.225, subdivision 1, paragraph (b), committed by a juvenile to obtain monetary compensation to satisfy the restitution obligations of a child who participates in a restorative process to address harm.

### ARTICLE 3 CORRECTIONS

#### Section 1. **[241.253] REPORTING ON INMATE COMMUNICATION SERVICES REQUIRED.**

(a) By February 1 of each year, each county and regional correctional facility in the state, including a jail, juvenile detention center, workhouse, or lockup, must report to the commissioner of corrections on their communications contracts for incarcerated people. The report must include the total number of phone calls, phone call minutes, video visits, and e-messages initiated or received by incarcerated people in such facilities during the preceding calendar year. The report must also include the total amount of revenue generated by vendors at each facility in the preceding calendar year. The report must also include the total amount of commissions earned by each county and regional correctional facility,

20.1 including a jail, juvenile detention center, workhouse, or lockup, during the preceding  
20.2 calendar year. The report must also include how the commissions were spent.

20.3 (b) For the purposes of this section, "commission" means any form of monetary payment,  
20.4 in-kind payment requirement, gift, exchange of services or goods, fee, or technology  
20.5 allowance.

20.6 (c) By March 1 of each year, the commissioner must compile the county and regional  
20.7 jail communications data collected under paragraph (a) into a single report and submit the  
20.8 report to the chairs and ranking minority members of the legislative committees with  
20.9 jurisdiction over criminal justice policy.

20.10 Sec. 2. Minnesota Statutes 2023 Supplement, section 244.41, is amended by adding a  
20.11 subdivision to read:

20.12 Subd. 3a. **Conditional release.** As used in sections 244.40 to 244.51, "conditional  
20.13 release" has the meaning given in section 609.02, subdivision 18.

20.14 Sec. 3. Minnesota Statutes 2023 Supplement, section 244.41, subdivision 6, is amended  
20.15 to read:

20.16 Subd. 6. **Earned compliance credit.** "Earned compliance credit" means a one-month  
20.17 reduction from the period during active supervision of the supervised release term for every  
20.18 two months that a supervised individual exhibits compliance with the conditions and goals  
20.19 of the individual's supervision plan. Earned compliance credit also applies to a conditional  
20.20 release term.

20.21 Sec. 4. Minnesota Statutes 2023 Supplement, section 244.41, subdivision 14, is amended  
20.22 to read:

20.23 Subd. 14. **Supervision abatement status.** "Supervision abatement status" means an end  
20.24 to active correctional supervision of a supervised individual without effect on the legal  
20.25 expiration date of the individual's executed sentence less any earned incentive release credit  
20.26 or the expiration date of a conditional release term.

20.27 Sec. 5. Minnesota Statutes 2023 Supplement, section 244.46, subdivision 1, is amended  
20.28 to read:

20.29 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**  
20.30 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

21.1 (b) Except as otherwise provided in the act, once the time served on active supervision  
21.2 plus earned compliance credits equals the total length of the supervised release term, the  
21.3 commissioner must place the individual on supervision abatement status for the remainder  
21.4 of the supervised release term and, if applicable, the conditional release term.

21.5 Sec. 6. Minnesota Statutes 2023 Supplement, section 244.46, subdivision 2, is amended  
21.6 to read:

21.7 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates  
21.8 the conditions of release while on supervision abatement status, the commissioner may:

21.9 (1) return the individual to active supervision for the remainder of the supervised release  
21.10 or conditional release term, with or without modifying the conditions of release; or

21.11 (2) revoke the individual's supervised release or conditional release in accordance with  
21.12 section 244.05, subdivision 3.

21.13 Sec. 7. Minnesota Statutes 2023 Supplement, section 401.10, subdivision 1, is amended  
21.14 to read:

21.15 Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,  
21.16 the community supervision subsidy paid to each county, the commissioner for supervision  
21.17 of non-CCA jurisdictions served by the Department of Corrections, and each applicable  
21.18 Tribal Nation under paragraph (e) equals the sum of:

21.19 (1) a base funding amount equal to \$150,000; and

21.20 (2) a community supervision formula equal to the sum of:

21.21 (i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied  
21.22 by the sum of the county's or Tribal Nation's adult felony population, adult supervised  
21.23 release and parole populations, and juvenile supervised release and parole populations as  
21.24 reported in the most recent probation survey published by the commissioner, multiplied by  
21.25 365; and

21.26 (ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under  
21.27 juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied  
21.28 by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile  
21.29 populations as reported in the most recent probation survey published by the commissioner,  
21.30 multiplied by 365.

(b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), the base funding amount must be shared equally between the jurisdiction and the commissioner for the provision of felony supervision under section 244.20.

(c) If in any year the total amount appropriated for the purpose of this section is more than or less than the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal Nation's base funding plus community supervision formula funding is adjusted by the ratio of amounts appropriated for this purpose divided by the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

(e) For each Tribal Nation, a funding amount of \$250,000 is allotted annually to purchase probation services or probation-related services, including contracted services, but a Tribal Nation that becomes a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under paragraphs (a) to (c) and:

(1) has the Tribal Nation's funding amount of \$250,000 transferred to the total community supervision subsidy amount appropriated for the purposes of this section; and

(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under paragraph (a), clause (2).

(f) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

23.1 Sec. 8. Minnesota Statutes 2022, section 609.02, is amended by adding a subdivision to  
23.2 read:

23.3 Subd. 18. **Conditional release.** "Conditional release" means a court-ordered mandatory  
23.4 term of community supervision as prescribed by sections 169A.276, subdivision 1, paragraph  
23.5 (d) (first-degree DWI); 243.166, subdivision 5a (violating predatory offender registration  
23.6 requirements); 609.2231, subdivision 3a, paragraph (d) (assault on secure treatment facility  
23.7 staff); 609.3455, subdivisions 6 and 7 (criminal sexual conduct); 617.246, subdivision 7  
23.8 (use of minors in sexual performances); and 617.247, subdivision 9 (possession of child  
23.9 pornography). Conditional release is in addition to any applicable supervised release term.

23.10 Sec. 9. Minnesota Statutes 2023 Supplement, section 609A.06, subdivision 2, is amended  
23.11 to read:

23.12 Subd. 2. **Executive director.** (a) The governor must appoint the initial executive director  
23.13 of the Cannabis Expungement Board. The executive director must be knowledgeable about  
23.14 expungement law and criminal justice. The executive director serves at the pleasure of the  
23.15 board in the unclassified service as an executive branch employee. Any vacancy shall be  
23.16 filled by the board.

23.17 ~~(b) The executive director's salary is set in accordance with section 15A.0815, subdivision~~  
23.18 ~~3.~~

23.19 ~~(e)~~ (b) The executive director may obtain office space and supplies and hire administrative  
23.20 staff necessary to carry out the board's official functions, including providing administrative  
23.21 support to the board and attending board meetings. Any additional staff serve in the classified  
23.22 service.

23.23 ~~(d)~~ (c) At the direction of the board, the executive director may enter into interagency  
23.24 agreements with the Department of Corrections or any other agency to obtain material and  
23.25 personnel support necessary to carry out the board's mandates, policies, activities, and  
23.26 objectives.

23.27 Sec. 10. Minnesota Statutes 2023 Supplement, section 638.09, subdivision 5, is amended  
23.28 to read:

23.29 Subd. 5. **Executive director.** (a) The board must appoint a commission executive director  
23.30 knowledgeable about clemency and criminal justice. The executive director serves at the  
23.31 pleasure of the board in the unclassified service as an executive branch employee.

24.1 ~~(b) The executive director's salary is set in accordance with section 15A.0815, subdivision~~  
24.2 ~~3.~~

24.3 ~~(e)~~ (b) The executive director may obtain office space and supplies and hire administrative  
24.4 staff necessary to carry out the commission's official functions, including providing  
24.5 administrative support to the board and attending board meetings. Any additional staff serve  
24.6 in the unclassified service at the pleasure of the executive director.

24.7 Sec. 11. Laws 2023, chapter 52, article 8, section 20, subdivision 3, is amended to read:

24.8 Subd. 3. **Department administrative assistance.** Beginning August 1, 2023, through  
24.9 ~~February 29, 2024~~ June 30, 2024, the Department of Corrections must provide the Clemency  
24.10 Review Commission with administrative assistance, technical assistance, office space, and  
24.11 other assistance necessary for the commission to carry out its duties under sections 4 to 20.

24.12 **EFFECTIVE DATE.** This section is effective retroactively from February 28, 2024.

24.13 Sec. 12. Laws 2023, chapter 63, article 5, section 5, is amended to read:

24.14 Sec. 5. **TRANSITION PERIOD.**

24.15 Beginning August 1, 2023, through ~~March 1, 2024~~ August 1, 2024, the Department of  
24.16 Corrections must provide the Cannabis Expungement Board with administrative assistance,  
24.17 technical assistance, office space, and other assistance necessary for the board to carry out  
24.18 its duties under Minnesota Statutes, section 609A.06. The Cannabis Expungement Board  
24.19 shall reimburse the Department of Corrections for the services and space provided.

24.20 **EFFECTIVE DATE.** This section is effective retroactively from February 28, 2024.