

1.1 Senator moves to amend the delete-everything amendment (SCS1098A-1)
1.2 to S.F. No. 1098 as follows:

1.3 Page 35, line 6, delete "act" and insert "article"

1.4 Page 69, line 30, strike the colon

1.5 Page 69, line 31, strike "(1)"

1.6 Page 69, line 32, strike "; and" and insert a period

1.7 Page 70, line 1, strike the old language

1.8 Page 70, after line 1, insert:

1.9 "Sec. 32. Minnesota Statutes 2024, section 244.19, subdivision 1d, is amended to read:

1.10 Subd. 1d. **Commissioner of corrections; reimbursing CPO and non-CPO jurisdictions**
1.11 **jurisdiction**. As calculated by the community supervision formula under section 401.10,
1.12 the commissioner must:

1.13 (1) reimburse a CPO jurisdiction for the cost that the jurisdiction assumes under this
1.14 section for providing probation services, including supervising juveniles committed to the
1.15 commissioner of corrections; ~~and,~~

1.16 (2) ~~reimburse a non-CPO jurisdiction for the commissioner's provision of probation~~
1.17 ~~services to the jurisdiction under this section.~~

1.18 Sec. 33. Minnesota Statutes 2024, section 244.19, subdivision 5, is amended to read:

1.19 Subd. 5. **Commissioner ~~compensation to~~ duties for non-CPO jurisdiction.** (a) For a
1.20 non-CPO jurisdiction, the commissioner must, ~~out of appropriations provided under~~
1.21 ~~subdivision 5a, paragraph (b),~~ pay probation officers the salary and all benefits fixed by the
1.22 state law or applicable bargaining unit and all necessary expenses, including secretarial
1.23 service, office equipment and supplies, postage, telephone services, and travel and
1.24 subsistence.

1.25 (b) Except as provided under section 401.115, the commissioner must pay the items
1.26 under paragraph (a) using appropriations provided under section 401.10.

1.27 Sec. 34. Minnesota Statutes 2024, section 244.19, subdivision 5a, is amended to read:

1.28 Subd. 5a. **Department of Corrections ~~billing; CPO and non-CPO jurisdiction~~**
1.29 **reimbursement annual reporting**. (a) At least ~~every six months~~ annually, the commissioner
1.30 must ~~bill for the total cost and expenses incurred by the commissioner on behalf of each~~

2.1 ~~non-CPO jurisdiction that has received probation services. The commissioner must notify~~
2.2 ~~each CPO and non-CPO jurisdiction of the total cost and expenses, and the jurisdiction must~~
2.3 ~~pay to the commissioner the amount due for reimbursement incurred by the commissioner~~
2.4 ~~on behalf of each CPO and non-CPO jurisdiction that has received probation services.~~

2.5 ~~(b) Each CPO and non-CPO jurisdiction must reimburse the Department of Corrections~~
2.6 ~~for the total cost and expenses of the probation services as incurred by the commissioner,~~
2.7 ~~excluding the cost and expense of services provided under the state's obligation for adult~~
2.8 ~~felony supervision in section 244.20. Money received under this paragraph from a non-CPO~~
2.9 ~~jurisdiction must be annually appropriated to the commissioner for providing probation~~
2.10 ~~services to the jurisdiction.~~

2.11 ~~(c) Objections by a non-CPO jurisdiction to all allocation of cost and expenses must be~~
2.12 ~~presented to and determined by the commissioner.~~

2.13 ~~(d) In addition to the billing and reimbursement requirements under this section, (b)~~
2.14 ~~Invoicing and payments for probation services for a CPO jurisdiction are as provided under~~
2.15 ~~sections 401.14 and 401.15."~~

2.16 Page 72, delete section 36

2.17 Page 74, line 26, before "Interstate" insert "Prorating subsidy for" and delete "Prior to"
2.18 and insert "Before"

2.19 Page 74, line 27, delete "shall" and insert "must"

2.20 Page 74, line 28, delete everything after the second "the" and insert "average total
2.21 probation population over the three most recent years as reported in the"

2.22 Page 74, line 29, after "survey" insert "published by the commissioner"

2.23 Page 76, line 8, before "A" insert "(a)"

2.24 Page 76, line 16, before "Once" insert "(b)"

2.25 Page 77, delete sections 42 and 43 and insert:

2.26 "Sec. 44. Minnesota Statutes 2024, section 401.14, is amended to read:

2.27 **401.14 PAYING SUBSIDY TO CCA AND NON-CCA JURISDICTIONS.**

2.28 Subdivision 1. **Payment.** (a) This section does not apply to:

2.29 (1) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (d); and

(2) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), for the portion of the subsidy distributed for felony probation services.

(b) After a county or Tribal Nation becomes compliant with the prerequisites for receiving the subsidy and the commissioner approves the applicable comprehensive plan, the commissioner must determine whether funds exist to pay the subsidy and proceed to pay it in accordance with applicable law.

Subd. 2. **Quarterly remittance.** Based on the approved comprehensive plan, the commissioner may estimate the amount to be expended in furnishing the required correctional services during each calendar quarter and cause the estimated amount to be remitted to the counties and Tribal Nations entitled to the amount as provided under section 401.15, subdivision 1.

Subd. 3. **Installment payments.** The commissioner must:

(1) make payments for correctional services to each county and Tribal Nation in 12 installments per year;

(2) ensure that the pertinent payment of the allotment for each month is made to each county and Tribal Nation on the first working day after the end of each month of the calendar year, except for the last month of the calendar year; and

(3) ensure that each county and Tribal Nation receives its monthly payment allotment no later than the last working day of each month.

Sec. 45. Minnesota Statutes 2024, section 401.15, subdivision 2, is amended to read:

Subd. 2. **Formula review.** The commissioner must ~~annually~~ review the community supervision formula under section 401.10 at the start of each biennium and calculate and prorate the subsidy accordingly."

Page 81, delete article 6

Renumber the sections and articles in sequence and correct the internal references