



Legislative Report

Human Services Legislative Report Sunsets

2024 Report

January 2024

For more information contact:

Minnesota Department of Human Services
State Government Relations
St. Paul, MN 55101
651-431-4858



For accessible formats of this information or assistance with additional equal access to human services, write to DHS.info@state.mn.us, call 651-431-4670, or use your preferred relay service. ADA1 (2-18)

Minnesota Statutes, Chapter 3.197, requires the disclosure of the cost to prepare this report. The estimated cost of preparing this report is \$663

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Contents

Human Services Legislative Report Sunsets..... 1

I. Executive summary 4

III. Introduction..... 6

IV. Report recommendations 7

I. Executive summary

This report fulfills a requirement of Minnesota Statute 256.01, subdivision 42. This provision creates a sunset for most of the recurring reports the department of Human Services (DHS) is required to submit. The provision also requires DHS to submit a report each year which lists all report mandates set to expire in the following year pursuant to this statute.

Section four of this report outlines legislative report mandates that are set to expire in calendar year 2025.

DHS recommends that all mandates detailed in this report that have, or are scheduled to, expire be repealed as part of the annual Revisor's bill.

This report does not cover report mandates that are one-time in nature, are exempt from expiring under 256.01, subdivision 42, or that are otherwise set to expire under current law.

II. Legislation

Minnesota Statute, Section 256.01:

Subd. 42. Expiration of report mandates.

(a) If the submission of a report by the commissioner of human services to the legislature is mandated by statute and the enabling legislation does not include a date for the submission of a final report or an expiration date, the mandate to submit the report shall expire in accordance with this section.

(b) If the mandate requires the submission of an annual or more frequent report and the mandate was enacted before January 1, 2021, the mandate shall expire on January 1, 2023. If the mandate requires the submission of a biennial or less frequent report and the mandate was enacted before January 1, 2021, the mandate shall expire on January 1, 2024.

(c) Any reporting mandate enacted on or after January 1, 2021, shall expire three years after the date of enactment if the mandate requires the submission of an annual or more frequent report and shall expire five years after the date of enactment if the mandate requires the submission of a biennial or less frequent report unless the enacting legislation provides for a different expiration date.

(d) By January 15 of each year, the commissioner shall submit a list of all reports set to expire during the following calendar year to the chairs and ranking minority members of the legislative committees with jurisdiction over human services. Notwithstanding paragraph (c), this paragraph does not expire.

III. Introduction

The Department of Human Services (DHS) submits a number of reports to the legislature each year. The agency is required to produce these reports by mandates in statute and in session law. Legislative reports often provide valuable information about DHS and about the programs the agency administers and regulates.

Most legislative report mandates require the agency to produce a one-time report. However, over the years there have been a number of mandates enacted by the legislature that require DHS to produce recurring reports on an annual, biennial, or other periodic basis. Currently, there are multiple mandates for recurring legislative reports in law that are duplicative, no longer provide relevant or useful information to inform policy development, or that do not match with how programs currently operate.

During the 2021 legislative session, a provision passed which addresses the issue of outdated and irrelevant report mandates. Minnesota Statute Section 256.01, Subdivision 42 sunsets most of the recurring report mandates for DHS and requires DHS to report annually to the legislature by January 15 of each year on reports set to expire in the following year. This mandate was updated and clarified in the 2022 session (Laws of Minnesota 2022, Chapter 98, Article 10, Section 2).

This report provides a list of all report mandates set to expire in calendar year 2025. DHS recommends that all of the mandates listed in this report be allowed to sunset.

Report mandates contained in this report that have expired or are set to expire will be recommended for repeal as part of the annual Revisor's bill, unless action is taken by the legislature to extend the mandate.

IV. Report recommendations

A. Report Mandates Expiring in CY 2025 and Recommended for Repeal

The following reports are set to expire on January 1, 2025, unless otherwise noted. The relevant DHS policy areas have reviewed this list of reports and recommends these mandates expire and the relevant statutes be repealed as part of the Revisor's clean-up bill.

Substantial Changes to Grant Funding Formulas

Citation

Minnesota Statutes, Section 245.096

Description

Report on the nature of any substantial change to a grant funding formula disbursed through allocations administered by the Minnesota Department of Human Services, the effect the changes will have, whether any funding will change, and other relevant information. The threshold for the mandate is unclear and has never been triggered.

DHS Report to the Public

Citation

Minnesota Statutes, Section 256.01 Subd 4 (5)

Description

DHS is meeting this requirement through "budget books" that are submitted to Minnesota Management and Budget and are made public on their website.