

1.1 moves to amend H.F. No. 3156 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[241.017] PUBLIC ACCESS TO CORRECTIONAL FACILITY**

1.4 **POPULATION DATA.**

1.5 Subdivision 1. **Department of Corrections** The commissioner of corrections must
1.6 publish daily facility population data on the department's publicly accessible website. The
1.7 commissioner must retain daily population data on the agency's website for at least 12
1.8 months from the date it was posted.

1.9 Subd. 2. **Local correctional facilities.** The sheriff or chief executive officer of a local
1.10 correctional facility or juvenile detention facility must publish daily inmate population data
1.11 for the facility under the officer's control on the facility's publicly accessible website. The
1.12 sheriff or chief executive officer must retain daily population data on the facility's publicly
1.13 accessible website for at least 12 months from the date it was posted.

1.14 **EFFECTIVE DATE.** This section is effective 30 days after the date following final
1.15 enactment.

1.16 Sec. 2. Minnesota Statutes 2018, section 243.53, is amended to read:

1.17 **243.53 CORRECTIONAL INSTITUTIONS; OCCUPANCY LIMITS OF CELLS.**

1.18 Subdivision 1. **Separate cells.** ~~(a)~~ When there are sufficient cells available, each inmate
1.19 shall be confined in a separate cell. Each inmate shall be confined in a separate cell in
1.20 institutions classified by the commissioner as custody level five institutions.

1.21 ~~(b) Correctional institutions classified by the commissioner as custody level one, two,~~
1.22 ~~three, or four institutions must permit multiple occupancy, except segregation units, to the~~

2.1 ~~greatest extent possible not to exceed the limits of facility infrastructure and programming~~
2.2 ~~space.~~

2.3 Sec. 3. TEMPORARY EMERGENCY POWERS; COMMISSIONER OF
2.4 CORRECTIONS.

2.5 Subdivision 1. **Applicability.** The powers granted in this section apply beginning on
2.6 the date a peacetime public health emergency is declared by the governor pursuant to
2.7 Minnesota Statutes, section 12.31, in response to a potential or actual outbreak of COVID-19.
2.8 The powers expire when the declaration of the peacetime public health emergency expires.
2.9 For purposes of this section, "peacetime public health emergency" means any peacetime
2.10 emergency declared by the governor in an executive order that relates to the infectious
2.11 disease known as COVID-19.

2.12 Subd. 2. **Temporary powers granted; limitations.** The commissioner of corrections
2.13 is granted temporary powers described and limited by this section to protect the health and
2.14 safety of state correctional employees and inmates as well as the public. The temporary
2.15 powers granted to the commissioner in this section may only be used to prepare for, prevent,
2.16 or respond to an outbreak of COVID-19.

2.17 Subd. 3. **Authority to grant early conditional release to certain offenders.** (a)
2.18 Notwithstanding any law to the contrary, the commissioner may place an inmate who has
2.19 180 days or less to serve in the inmate's term of imprisonment on early conditional release.
2.20 The commissioner shall only grant early conditional release under this subdivision to inmates
2.21 who the commissioner determines are a low risk to reoffend and do not present a foreseeable
2.22 risk to public safety.

2.23 (b) To be eligible for early release under this subdivision, an inmate must submit an
2.24 application for early release to the commissioner that contains: (1) a release plan; (2) a
2.25 specific address where the offender will reside; and (3) the name and date of birth for each
2.26 person living at the designated residence. An inmate is eligible to submit an application
2.27 under this subdivision when the inmate has 225 or less days to serve before the inmate's
2.28 supervised release date.

2.29 (c) Before the commissioner releases an inmate under the authority granted in this
2.30 subdivision, the commissioner must complete the notification process, including notice to
2.31 victims who requested notice of the inmate's release, and the end of confinement review
2.32 process, if required by statute.

3.1 (d) The commissioner must approve or deny a request filed under this subdivision within
3.2 60 days of receipt. The commissioner's decision on an inmate's request is not subject to
3.3 appeal.

3.4 (e) The conditions of release granted under this section are governed by the statutes and
3.5 rules governing supervised release, except that release may be rescinded without hearing
3.6 by the commissioner if the commissioner determines that continuation of the conditional
3.7 release poses a danger to the public or to an individual. If the commissioner rescinds an
3.8 offender's conditional release, the offender shall be returned to prison and shall serve the
3.9 remaining portion of the offender's term of imprisonment.

3.10 (f) Conditional release granted pursuant to this subdivision does not initiate any
3.11 conditional release period mandated by statute and imposed at the inmate's sentencing.

3.12 (g) The conditional release authority granted in this subdivision is in addition to any
3.13 other conditional release authority granted to the commissioner.

3.14 Subd. 4. **Inmate communications.** (a) The commissioner shall not charge a fee to
3.15 inmates for telephone calls and video conferences with persons who would otherwise be
3.16 approved by the commissioner to enter a correctional facility for an in-person visit if:

3.17 (1) the commissioner prohibits in-person visitation during the peacetime health
3.18 emergency; and

3.19 (2) funds are available to the commissioner for this purpose.

3.20 (b) The commissioner may place reasonable limits on the frequency and duration of
3.21 telephone calls and video conferences provided to inmates at no cost under this subdivision.

3.22 Subd. 5. **Report.** Within 180 days of the expiration of the declaration of the peacetime
3.23 public health emergency, the commissioner shall submit a report to the members of the
3.24 legislative committees and divisions with jurisdiction over public safety policy and finance
3.25 regarding the temporary powers that were exercised under this section. The report must also
3.26 include a timeline as to when temporary powers were exercised and an explanation as to
3.27 why the exercise of temporary powers was necessary.

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

3.29 Sec. 4. **SARS-CoV-2 TESTING OF PUBLIC SAFETY SPECIALISTS.**

3.30 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
3.31 the definitions provided.

3.32 (b) "Public safety specialist" includes:

4.1 (1) a peace officer defined in Minnesota Statutes, section 626.84, subdivision 1, paragraph
4.2 (c) or (d);

4.3 (2) a correction officer employed at a correctional facility and charged with maintaining
4.4 the safety, security, discipline, and custody of inmates at the facility;

4.5 (3) an individual employed on a full-time basis by the state or by a fire department of a
4.6 governmental subdivision of the state, who is engaged in any of the following duties:

4.7 (i) firefighting;

4.8 (ii) emergency motor vehicle operation;

4.9 (iii) investigation into the cause and origin of fires;

4.10 (iv) the provision of emergency medical services; or

4.11 (v) hazardous material responder;

4.12 (4) a legally enrolled member of a volunteer fire department or member of an independent
4.13 nonprofit firefighting corporation who is engaged in the hazards of firefighting;

4.14 (5) a probation officer, supervised release agent, or other qualified person employed in
4.15 supervising offenders;

4.16 (6) a reserve police officer or a reserve deputy sheriff while acting under the supervision
4.17 and authority of a political subdivision;

4.18 (7) a driver or attendant with a licensed basic or advanced life-support transportation
4.19 service who is engaged in providing emergency care;

4.20 (8) a first responder who is certified by the Emergency Medical Services Regulatory
4.21 Board to perform basic emergency skills before the arrival of a licensed ambulance service
4.22 and who is a member of an organized service recognized by a local political subdivision to
4.23 respond to medical emergencies to provide initial medical care before the arrival of an
4.24 ambulance;

4.25 (9) a person, other than a state trooper, employed by the commissioner of public safety
4.26 and assigned to the State Patrol, whose primary employment duty is either Capitol security
4.27 or the enforcement of commercial motor vehicle laws and regulations; and

4.28 (10) domestic abuse and victim advocates.

4.29 (c) "Health care provider" means a physician licensed under Minnesota Statutes, chapter
4.30 147, a physician assistant licensed under Minnesota Statutes, chapter 147A and practicing
4.31 within the authorized scope of practice, an advanced practice registered nurse licensed under

5.1 Minnesota Statutes, chapter 148 and practicing within the authorized scope of practice, or
5.2 a health care facility licensed under Minnesota Statutes, chapter 144 or 144A.

5.3 (d) "SARS-CoV-2" means the infectious disease known as SARS-CoV-2.

5.4 Subd. 2. **Testing.** When a health care provider tests a public safety specialist for
5.5 SARS-CoV-2, the health care provider shall notify the public safety specialist of whether
5.6 the person has tested positive or negative for SARS-CoV-2 as soon as possible.

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

5.8 Sec. 5. **LOCAL MATCH TEMPORARILY SUSPENDED FOR YOUTH**
5.9 **INTERVENTION PROGRAM GRANTS.**

5.10 The local match requirement in Minnesota Statutes, section 299A.73, subdivision 2,
5.11 does not apply to grants made under that section in fiscal years 2020 and 2021.

5.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
5.13 applies to grants made on or after that date."

5.14 Amend the title accordingly