

2021 FINES & FEES REFORM

HOUSE FILE 306 (Frazier) | SENATE FILE 902 (Latz)

Overview

The Fines & Fees Reform bill:

- Gives judges discretion to waive or reduce the \$75 State Surcharge in cases of financial hardship, or offer a community service alternative
- Adds a notification on tickets that costs may be waived or reduced for financial hardship
- Requires judges to consider ability to pay before setting the amount of a fine

Fines and fees from traffic, parking and minor criminal violations strip assets from low-income communities. Tacked-on fees and surcharges drive up the cost of a basic traffic ticket to well over \$100, which is a hardship for many families. A single unpaid ticket can lead to late fees, collection charges, and driver's license suspension, causing mounting debt and financial hardship for people who may be struggling to meet their families' basic needs.

Judges have discretion over most fines and fees but aren't allowed to waive the \$75 State Surcharge or offer a community service option, even in cases of severe financial hardship.

Over 50%

of public defender cases get sent to collections, which is expensive for families and for the state.

With these reforms,

\$1.1 million

less will be collected from people facing financial hardship.

This bill requires judges to consider these factors in assessing fines and fees, in order to **right-size them to people's ability to pay**:

- (1) income;
- (2) dependents;
- (3) financial resources, including assets and liabilities;
- (4) basic living expenses;
- (5) receipt of means-tested public assistance program; and
- (6) any special circumstances that may bear on the person's ability to pay.

These organizations support the Fines and Fees campaign:



State Public Defender
City Attorney of Saint Paul
City Attorney of Minneapolis
ACLU of Minnesota
Second Chance Coalition

Lutheran Social Service
Minnesota Catholic Conference
Joint Religious Legislative Coalition
Voices for Racial Justice
Minnesota Coalition for the Homeless