

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1134

02/01/2023 Authored by Lee, F.; Reyer and Xiong

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to capital investment; requiring the commissioner of management and

1.3 budget to submit evaluations of capital improvement project requests relating to

1.4 jails to the legislature; requiring a study and report of county jails by the

1.5 commissioner of corrections; amending Minnesota Statutes 2022, section 16A.86,

1.6 subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2022, section 16A.86, subdivision 2, is amended to read:

1.9 Subd. 2. **Budget request.** (a) Except as provided in paragraph (b), a political subdivision

1.10 that requests an appropriation of state money for a local capital improvement project is

1.11 encouraged to submit the request to the commissioner of management and budget by July

1.12 15 of an odd-numbered year to ensure its full consideration. The requests must be submitted

1.13 in the form and with the supporting documentation required by the commissioner of

1.14 management and budget. All requests timely received by the commissioner must be submitted

1.15 to the legislature, along with the governor's recommendations, whether or not the governor

1.16 recommends that a request be funded, by the deadline established in section 16A.11,

1.17 subdivision 1.

1.18 (b) The commissioner, in consultation with the commissioner of corrections, must

1.19 evaluate the need of any capital improvement project that requests an appropriation of state

1.20 money to construct a jail facility or for capital improvements to expand the number of

1.21 incarcerated offenders at an existing jail facility. The commissioner shall use the report

1.22 under 2023 H.F. No., section 2, to inform the evaluation. The commissioner must

1.23 submit all evaluations under this paragraph as part of the submission to the legislature under

1.24 paragraph (a).

2.1 **EFFECTIVE DATE.** This section is effective January 1, 2025.

2.2 Sec. 2. **REGIONAL AND COUNTY JAILS; STUDY AND REPORT.**

2.3 Subdivision 1. **Study.** The commissioner of corrections must study and make
2.4 recommendations on the consolidation or merger of county jails and alternatives to
2.5 incarceration for persons experiencing mental health disorders. The commissioner must
2.6 engage and solicit feedback from citizens who live in communities served by facilities that
2.7 may be impacted by the commissioner's recommendations for the consolidation or merger
2.8 of jails. The commissioner must consult with the following individuals on the study and
2.9 recommendations:

2.10 (1) county sheriffs;

2.11 (2) county and city attorneys that prosecute offenders;

2.12 (3) chief law enforcement officers;

2.13 (4) administrators of county jail facilities; and

2.14 (5) district court administrators.

2.15 Each party receiving a request for information from the commissioner under this section
2.16 shall provide the requested information in a timely manner.

2.17 Subd. 2. **Report.** The commissioner of corrections must file a report with the chairs and
2.18 ranking minority members of the senate and house of representatives committees and
2.19 divisions with jurisdiction over public safety and capital investment on the study and
2.20 recommendations under subdivision 1 on or before December 1, 2024. The report must, at
2.21 a minimum, provide the following information:

2.22 (1) the daily average number of offenders incarcerated in each county jail facility:

2.23 (i) that are in pretrial detention;

2.24 (ii) that cannot afford to pay bail;

2.25 (iii) for failure to pay fines and fees;

2.26 (iv) for offenses that stem from controlled substance addiction or mental health disorders;

2.27 (v) for nonfelony offenses;

2.28 (vi) that are detained pursuant to contracts with other authorities; and

2.29 (vii) for supervised release and probation violations;

- 3.1 (2) the actual cost of building a new jail facility, purchasing another facility, or repairing
3.2 a current facility;
- 3.3 (3) the age of current jail facilities;
- 3.4 (4) county population totals and trends;
- 3.5 (5) county crime rates and trends;
- 3.6 (6) the proximity of current jails to courthouses, probation services, social services,
3.7 treatment providers, and work-release employment opportunities;
- 3.8 (7) specific recommendations for alternatives to jails for mental health disorders; and
- 3.9 (8) specific recommendations on the consolidation or merger of county jail facilities
3.10 and operations, including:
- 3.11 (i) where consolidated facilities should be located;
- 3.12 (ii) which counties are best suited for consolidation;
- 3.13 (iii) the projected costs of construction, renovation, or purchase of the facility; and
- 3.14 (iv) the projected cost of operating the facility.
- 3.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.