

**HF367 - 0 - Highway Obstruction Civil Penalties Established**

Chief Author: **Tom Murphy**  
 Committee: **Transportation Finance and Policy**  
 Date Completed: **2/25/2025 9:31:10 AM**  
 Lead Agency: **Supreme Court**  
 Other Agencies:  
     Corrections Dept                  Public Defense Board  
     Sentencing Guidelines  
     Comm

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
State Total						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>		-	-	-	-	-

**Lead LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 2/25/2025 9:31:10 AM  
**Phone:** 651-296-6054    **Email:** susan.nelson@lbo.mn.gov

**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

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 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 2/24/2025 6:13:09 PM  
**Phone:** 651-296-6054    **Email:** susan.nelson@lbo.mn.gov

### State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

### Bill Description

HF376-0 ("the bill") creates a new statute, section 169.907, creating civil liability when interference with a public highway results in injuries. The bill specifies that when an act is a violation of both the new provisions of Minn. Stat. § 169.907 and Minn. Stat. § 609.74, clause (2), a political entity may bring an action under one statute or the other, but not both.

### Assumptions

It is assumed that the provisions of the bill will not increase case filings because entities may pursue civil action under the provisions of the bill or criminal prosecution under Minn. Stat. § 609.74, clause (2), but not both.

It is assumed that more judge and staff time may be needed to process civil cases pursued under the provisions of this bill than criminal prosecutions under Minn. Stat. § 609.74, clause (2), based on available data the judicial branch utilizes to estimate the amount of judge and staff time required to process various types of civil and criminal cases. On average, a civil action involving personal injury requires 278 minutes and a minor criminal non-traffic case requires 11 minutes. It is assumed that no more than half of the cases currently charged under Minn. Stat. § 609.74, clause (2) would be pursued as civil actions under the provisions of this bill.

As detailed below, the additional judge and staff time needed would not be anticipated to require an additional judge or staff person statewide. Therefore, this bill is not anticipated to have a significant fiscal impact on the judicial branch.

### Expenditure and/or Revenue Formula

Based on judicial branch data from the last five years (2020-2024), there is an annual average of 172 cases filed statewide alleging violations of Minn. Stat. § 609.74, clause (2). If half of those cases are instead filed as civil actions under the provisions of this bill, that would amount to an annual average of 86 cases that may require additional judge and staff time.

Using judicial branch data that estimates the judge and staff time required to process various types of civil and criminal cases, 86 case filings being handled as civil actions rather than misdemeanor criminal prosecutions would not require an additional judge or court staff person statewide.

Judge Time:

- Minor Criminal non-traffic: 11 minutes
- Personal Injury: 278 minutes
- 278-11 = 267 additional minutes of judge time per civil case

- 267 minutes \* 86 cases = 22,962 additional minutes or 0.29 judge FTE

A judge year is calculated as 78,000 minutes.

Staff Time:

- Mandatory Minor Criminal: 146 minutes
- Major Civil: 262 minutes
- 262-146 = 116 additional minutes of staff time per civil case
- 116 minutes \* 86 cases = 9,976 additional minutes or 0.13 staff FTE

A staff year is calculated as 74,830 minutes.

### **Long-Term Fiscal Considerations**

None

### **Local Fiscal Impact**

### **References/Sources**

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Callie Lehman

**Phone:** 651-297-7579

**Date:** 2/22/2025 9:42:26 AM

**Email:** callie.lehman@courts.state.mn.us

## HF367 - 0 - Highway Obstruction Civil Penalties Established

Chief Author: **Tom Murphy**  
 Committee: **Transportation Finance and Policy**  
 Date Completed: **2/25/2025 9:31:10 AM**  
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson **Date:** 2/25/2025 9:29:36 AM  
**Phone:** 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
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	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>2 - Revenues, Transfers In*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-

**Bill Description**

HF 367 creates a penalty for obstructing highways in Minnesota.

The bill is effective August 1<sup>st</sup>, 2025.

**Assumptions**

The Minnesota Sentencing Guidelines Commission (MSGC) does not project a fiscal impact to state correctional resources as a result of this legislation.

**Expenditure and/or Revenue Formula**

N/A

**Long-Term Fiscal Considerations**

N/A

**Local Fiscal Impact**

N/A

**References/Sources**

Department of Corrections staff

MSGC

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Mark Besonen

**Phone:** 651-361-7200

**Date:** 2/25/2025 9:21:50 AM

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## HF367 - 0 - Highway Obstruction Civil Penalties Established

Chief Author: **Tom Murphy**  
 Committee: **Transportation Finance and Policy**  
 Date Completed: **2/25/2025 9:31:10 AM**  
 Agency: **Public Defense Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Full Time Equivalent Positions (FTE)		Biennium			Biennium	
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Total		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson **Date:** 2/18/2025 10:22:17 PM  
**Phone:** 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

authorizing an action for damages for highway obstruction;

**Assumptions**

The bill provides for civil sanctions- this is not something public defenders are responsible for.

**Expenditure and/or Revenue Formula****Long-Term Fiscal Considerations****Local Fiscal Impact****References/Sources****Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Kevin Kajer

**Phone:** 612-279-3508

**Date:** 2/18/2025 2:24:27 PM

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## HF367 - 0 - Highway Obstruction Civil Penalties Established

Chief Author: **Tom Murphy**  
 Committee: **Transportation Finance and Policy**  
 Date Completed: **2/25/2025 9:31:10 AM**  
 Agency: **Sentencing Guidelines Comm**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Total		-	-	-	-	-

## LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson **Date:** 2/18/2025 10:08:13 PM  
**Phone:** 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

The bill authorizes an action for civil damages for highway obstruction under the newly codified Minn. Stat. § 169.907, when criminal penalties are not pursued for public nuisance under Minn. Stat. § 609.74.

The bill is effective August 1, 2025, and applies to causes of action accruing on or after that date.

**Assumptions**

It is assumed that, because there are no criminal penalties affected, there will be no impact on state correctional resources.

**Expenditure and/or Revenue Formula****Long-Term Fiscal Considerations**

None.

**Local Fiscal Impact**

Unknown.

**References/Sources****Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Jill Payne

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**Date:** 2/18/2025 1:30:08 PM

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