

1.1 moves to amend H.F. No. 2890, the delete everything amendment
1.2 (H2890DE1), as follows:

1.3 Page 18, line 31, delete "769,178,000" and insert "621,203,000" and delete "805,996,000"
1.4 and insert "658,025,000"

1.5 Page 20, line 31, delete "196,375,000" and insert "48,400,000" and delete "197,455,000"
1.6 and insert "49,484,000"

1.7 Page 20, delete line 32

1.8 Page 21, delete lines 1 to 9 and 14 to 19

1.9 Reletter the paragraphs in sequence

1.10 Page 23, line 13, delete "196,342,000" and insert "48,371,000"

1.11 Page 23, line 14, delete "196,242,000" and insert "48,271,000"

1.12 Page 26, after line 9, insert:

1.13 "Sec. **COMMUNITY SUPERVISION TARGETED INNOVATION ACCOUNT;**
1.14 **TRANSFER.**

1.15 \$5,000,000 in fiscal year 2024 and each year thereafter is transferred from the general
1.16 fund to the community supervision targeted innovation account in the special revenue fund.

1.17 Sec. **ACCOUNT ESTABLISHED; TRANSFER; APPROPRIATION.**

1.18 (a) A community supervision account is established as a special revenue account in the
1.19 state treasury.

1.20 (b) \$142,975,000 in fiscal year 2024 and \$142,971,000 in fiscal year 2025 and each year
1.21 thereafter are transferred from the general fund to the community supervision account in

2.1 the special revenue fund and appropriated to the commissioner of corrections for offender
2.2 community supervision. This appropriation is added to the base.

2.3 Sec. **COMMUNITY SUPERVISION TARGETED INNOVATION GRANTS;**
2.4 **SPECIAL REVENUE ACCOUNT; APPROPRIATION.**

2.5 (a) The community supervision targeted innovation account is created in the special
2.6 revenue fund consisting of money deposited, donated, allotted, transferred, or otherwise
2.7 provided to the account. Of the amount in the account, up to \$5,000,000 each year is
2.8 appropriated to the commissioner of corrections for grants to be awarded to local and Tribal
2.9 community supervision agencies and nonprofits that provide services to persons on
2.10 community supervision.

2.11 (b) The commissioner shall award grants to applicants that operate, or intend to operate,
2.12 innovative programs that target specific aspects of community supervision such as:

2.13 (1) access to community options including, but not limited to, inpatient substance use
2.14 disorder treatment for nonviolent controlled substance offenders to address and correct
2.15 behavior that is, or is likely to result in, a technical violation of the conditions of release;

2.16 (2) reentry services;

2.17 (3) restorative justice;

2.18 (4) juvenile diversion;

2.19 (5) family centered approaches to supervision; and

2.20 (6) funding the cost of mandated services and equipment as a means to improve
2.21 compliance rates for persons on community supervision.

2.22 (c) Grant recipients must provide an annual report to the commissioner that includes:

2.23 (1) the services provided by the grant recipient;

2.24 (2) the number of individuals served in the previous year;

2.25 (3) measurable outcomes of the recipient's program; and

2.26 (4) any other information required by the commissioner.

2.27 (d) By January 15, 2025, the commissioner shall report to the chairs and ranking minority
2.28 members of the legislative committees with jurisdiction over criminal justice policy and
2.29 finance on how the appropriations in this section were used. The report must detail the
2.30 impact the appropriations had on improving community supervision practices and outcomes.

3.1 (e) The commissioner may use up to 2.5 percent of the annual appropriation to administer
3.2 the grants."

3.3 Page 187, delete section 14

3.4 Pages 192 to 203, delete sections 16 to 33

3.5 Page 311, after line 30, insert:

3.6 **"ARTICLE 16**

3.7 **COMMUNITY SUPERVISION REFORM**

3.8 Section 1. Minnesota Statutes 2022, section 243.05, subdivision 1, is amended to read:

3.9 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole
3.10 any person sentenced to confinement in any state correctional facility for adults under the
3.11 control of the commissioner of corrections, provided that:

3.12 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other
3.13 than murder committed in violation of clause (1) of section 609.185 who has not been
3.14 previously convicted of a felony shall be paroled without having served 20 years, less the
3.15 diminution that would have been allowed for good conduct had the sentence been for 20
3.16 years;

3.17 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who
3.18 has been previously convicted of a felony or though not previously convicted of a felony
3.19 is serving a life sentence for murder in the first degree committed in violation of clause (1)
3.20 of section 609.185 shall be paroled without having served 25 years, less the diminution
3.21 which would have been allowed for good conduct had the sentence been for 25 years;

3.22 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole
3.23 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

3.24 (4) any new rule or policy or change of rule or policy adopted by the commissioner of
3.25 corrections which has the effect of postponing eligibility for parole has prospective effect
3.26 only and applies only with respect to persons committing offenses after the effective date
3.27 of the new rule or policy or change.

3.28 (b) Upon being paroled and released, an inmate is and remains in the legal custody and
3.29 under the control of the commissioner, subject at any time to be returned to a facility of the
3.30 Department of Corrections established by law for the confinement or treatment of convicted
3.31 persons and the parole rescinded by the commissioner.

4.1 (c) The written order of the commissioner of corrections, is sufficient authority for any
4.2 peace officer, state correctional investigator, or state parole and probation agent to retake
4.3 and place in actual custody any person on parole or supervised release. In addition, when
4.4 it appears necessary in order to prevent escape or enforce discipline, any state parole and
4.5 probation agent or state correctional investigator may, without order of warrant, take and
4.6 detain a parolee or person on supervised release or work release and bring the person to the
4.7 commissioner for action.

4.8 (d) The written order of the commissioner of corrections is sufficient authority for any
4.9 peace officer, state correctional investigator, or state parole and probation agent to retake
4.10 and place in actual custody any person on probation under the supervision of the
4.11 commissioner pursuant to section 609.135. Additionally, when it appears necessary in order
4.12 to prevent escape or enforce discipline, any state parole and probation agent or state
4.13 correctional investigator may, without an order, retake and detain a probationer and bring
4.14 the probationer before the court for further proceedings under section 609.14.

4.15 (e) The written order of the commissioner of corrections is sufficient authority for any
4.16 peace officer, state correctional investigator, or state parole and probation agent to detain
4.17 any person on pretrial release who absconds from pretrial release or fails to abide by the
4.18 conditions of pretrial release.

4.19 (f) Persons conditionally released, and those on probation under the supervision of the
4.20 commissioner of corrections pursuant to section 609.135 may be placed within or outside
4.21 the boundaries of the state at the discretion of the commissioner of corrections or the court,
4.22 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

4.23 (g) Except as otherwise provided in subdivision 1b, in considering applications for
4.24 conditional release or discharge, the commissioner is not required to hear oral argument
4.25 from any attorney or other person not connected with an adult correctional facility of the
4.26 Department of Corrections in favor of or against the parole or release of any inmates. The
4.27 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
4.28 as to the previous history, physical or mental condition, and character of the inmate and, to
4.29 that end, has the authority to require the attendance of the chief executive officer of any
4.30 state adult correctional facility and the production of the records of these facilities, and to
4.31 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
4.32 witnesses for these purposes.

4.33 ~~(h) Unless the district court directs otherwise, state parole and probation agents may~~
4.34 ~~require a person who is under the supervision of the commissioner of corrections to perform~~

~~5.1 community work service for violating a condition of probation imposed by the court.
5.2 Community work service may be imposed for the purpose of protecting the public, to aid
5.3 the offender's rehabilitation, or both. Agents may impose up to eight hours of community
5.4 work service for each violation and up to a total of 24 hours per offender per 12-month
5.5 period, beginning with the date on which community work service is first imposed. The
5.6 commissioner may authorize an additional 40 hours of community work services, for a total
5.7 of 64 hours per offender per 12-month period, beginning with the date on which community
5.8 work service is first imposed. At the time community work service is imposed, parole and
5.9 probation agents are required to provide written notice to the offender that states:~~

- ~~5.10 (1) the condition of probation that has been violated;
5.11 (2) the number of hours of community work service imposed for the violation; and
5.12 (3) the total number of hours of community work service imposed to date in the 12-month
5.13 period.~~

~~5.14 An offender may challenge the imposition of community work service by filing a petition
5.15 in district court. An offender must file the petition within five days of receiving written
5.16 notice that community work service is being imposed. If the offender challenges the
5.17 imposition of community work service, the state bears the burden of showing, by a
5.18 preponderance of the evidence, that the imposition of community work service is reasonable
5.19 under the circumstances.~~

~~5.20 Community work service includes sentencing to service.~~

~~5.21 (i) Prior to revoking a nonviolent controlled substance offender's parole or probation
5.22 based on a technical violation, when the offender does not present a risk to the public and
5.23 the offender is amenable to continued supervision in the community, a parole or probation
5.24 agent must identify community options to address and correct the violation including, but
5.25 not limited to, inpatient substance use disorder treatment. If a probation or parole agent
5.26 determines that community options are appropriate, the agent shall seek to restructure the
5.27 offender's terms of release to incorporate those options. If an offender on probation stipulates
5.28 in writing to restructure the terms of release, a probation agent must forward a report to the
5.29 district court containing:~~

- ~~5.30 (1) the specific nature of the technical violation of probation;
5.31 (2) the recommended restructure to the terms of probation; and
5.32 (3) a copy of the offender's signed stipulation indicating that the offender consents to
5.33 the restructuring of probation.~~

6.1 ~~The recommended restructuring of probation becomes effective when confirmed by a~~
6.2 ~~judge. The order of the court shall be proof of such confirmation and amend the terms of~~
6.3 ~~the sentence imposed by the court under section 609.135. If a nonviolent controlled substance~~
6.4 ~~offender's parole or probation is revoked, the offender's agent must first attempt to place~~
6.5 ~~the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance~~
6.6 ~~offender" is a person who meets the criteria described under section 244.0513, subdivision~~
6.7 ~~2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order~~
6.8 ~~of probation or a condition of parole, except an allegation of a subsequent criminal act that~~
6.9 ~~is alleged in a formal complaint, citation, or petition.~~

6.10 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 3, is amended to read:

6.11 Subd. 3. **Sanctions for violation.** (a) If an inmate violates the conditions of the inmate's
6.12 supervised release imposed by the commissioner, the commissioner may:

6.13 (1) continue the inmate's supervised release term, with or without:

6.14 (i) modifying or enlarging the conditions imposed on the inmate; or

6.15 (ii) transferring the inmate's case to a specialized caseload; or

6.16 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate
6.17 period of time.

6.18 (b) Before revoking an inmate's supervised release because of a technical violation that
6.19 would result in reimprisonment, the commissioner must identify alternative interventions
6.20 to address and correct the violation only if:

6.21 (1) the inmate does not present a risk to the public; and

6.22 (2) the inmate is amenable to continued supervision.

6.23 (c) If alternative interventions are appropriate and available, the commissioner must
6.24 restructure the inmate's terms of release to incorporate the alternative interventions.

6.25 (d) Prior to revoking a nonviolent controlled substance offender's supervised release
6.26 based on a technical violation, when the offender does not present a risk to the public and
6.27 the offender is amenable to continued supervision in the community, the commissioner
6.28 must identify community options to address and correct the violation including, but not
6.29 limited to, inpatient substance use disorder treatment. If the commissioner determines that
6.30 community options are appropriate, the commissioner shall restructure the inmate's terms
6.31 of release to incorporate those options. If a nonviolent controlled substance offender's
6.32 supervised release is revoked, the offender's agent must first attempt to place the offender

7.1 in a local jail. For purposes of this subdivision, "nonviolent controlled substance offender"
7.2 is a person who meets the criteria described under section 244.0513, subdivision 2, clauses
7.3 (1), (2), and (5), and "technical violation" means a violation of a condition of supervised
7.4 release, except an allegation of a subsequent criminal act that is alleged in a formal complaint,
7.5 citation, or petition.

7.6 (e) The period of time for which a supervised release may be revoked may not exceed
7.7 the period of time remaining in the inmate's sentence, except that if a sex offender is
7.8 sentenced and conditionally released under Minnesota Statutes 2004, section 609.108,
7.9 subdivision 5, the period of time for which conditional release may be revoked may not
7.10 exceed the balance of the conditional release term.

7.11 Sec. 3. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

7.12 Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of
7.13 counties has established a human services board pursuant to chapter 402, the district court
7.14 may appoint one or more county probation officers as necessary to perform court services,
7.15 and the human services board shall appoint persons as necessary to provide correctional
7.16 services within the authority granted in chapter 402. In all counties of more than 200,000
7.17 population, which have not organized pursuant to chapter 402, the district court shall appoint
7.18 one or more persons of good character to serve as county probation officers during the
7.19 pleasure of the court. All other counties shall provide adult misdemeanor and juvenile
7.20 probation services to district courts in one of the following ways:

7.21 (1) the court, with the approval of the county boards, may appoint one or more salaried
7.22 county probation officers to serve during the pleasure of the court;

7.23 (2) when two or more counties offer probation services the district court through the
7.24 county boards may appoint common salaried county probation officers to serve in the several
7.25 counties;

7.26 (3) a county or a district court may request the commissioner of corrections to furnish
7.27 probation services in accordance with the provisions of this section, and the commissioner
7.28 of corrections shall furnish such services to any county or court that fails to provide its own
7.29 probation officer by one of the two procedures listed above;

7.30 (4) if a county or district court providing probation services under clause (1) or (2) asks
7.31 the commissioner of corrections or the legislative body for the state of Minnesota mandates
7.32 the commissioner of corrections to furnish probation services to the district court, the
7.33 probation officers and other employees displaced by the changeover shall be employed by

8.1 the commissioner of corrections. Years of service in the county probation department are
8.2 to be given full credit for future sick leave and vacation accrual purposes;

8.3 (5) for a person who is enrolled or eligible to be enrolled in a Tribal Nation or who
8.4 resides in an enrolled member's household, a Tribal Nation may elect to provide probation
8.5 services within the county in which the person resides; and

8.6 ~~all probation officers serving the juvenile courts on July 1, 1972, shall continue to serve~~
8.7 (6) if a county receiving probation services under clause (3) decides to provide the services
8.8 under clause (1) or (2), the probation officers and other employees displaced by the
8.9 changeover shall be employed by the county at no loss of salary. Years of service in the
8.10 state are to be given full credit for future sick leave and vacation accrual purposes in the
8.11 county or counties they are now serving.

8.12 (b) A county or counties providing probation services under paragraph (a), clause (1)
8.13 or (2), is designated a "CPO county" for purposes of receiving a subsidy under chapter 401.
8.14 A county or counties receiving probation services under paragraph (a), clause (3), is not
8.15 eligible for a subsidy under chapter 401 and the commissioner of corrections is appropriated
8.16 the county's share of funding for the purpose of providing probation services and authority
8.17 to seek reimbursement from the county under subdivision 5.

8.18 (c) A county that requests the commissioner of corrections to provide probation services
8.19 under paragraph (a), clause (3), shall collaborate with the commissioner to develop a
8.20 comprehensive plan as described in section 401.06.

8.21 ~~(b)~~ (d) The commissioner of management and budget shall place employees transferred
8.22 to state service under paragraph (a), clause (4), in the proper classifications in the classified
8.23 service. Each employee is appointed without examination at no loss in salary or accrued
8.24 vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits
8.25 may occur until the employee's total accrued vacation or sick leave benefits fall below the
8.26 maximum permitted by the state for the employee's position. An employee appointed under
8.27 paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting
8.28 labor contract remedies, a noncertified employee may appeal for a hearing within ten days
8.29 to the commissioner of management and budget, who may uphold the decision, extend the
8.30 probation period, or certify the employee. The decision of the commissioner of management
8.31 and budget is final. The state shall negotiate with the exclusive representative for the
8.32 bargaining unit to which the employees are transferred regarding their seniority. For purposes
8.33 of computing seniority among those employees transferring from one county unit only, a

9.1 transferred employee retains the same seniority position as the employee had within that
9.2 county's probation office.

9.3 Sec. 4. Minnesota Statutes 2022, section 244.19, is amended by adding a subdivision to
9.4 read:

9.5 Subd. 1a. **Definition.** For purposes of this section, "Tribal Nation" means a federally
9.6 recognized Tribal Nation within the boundaries of the state of Minnesota.

9.7 Sec. 5. Minnesota Statutes 2022, section 244.19, subdivision 2, is amended to read:

9.8 Subd. 2. **Sufficiency of services.** Probation services shall be sufficient in amount to
9.9 meet the needs of the district court in each county. County probation officers serving district
9.10 courts in all counties of not more than 200,000 population shall also, pursuant to subdivision
9.11 3, provide probation and parole services to wards of the commissioner of corrections resident
9.12 in their counties. To provide these probation services counties containing a city of 10,000
9.13 or more population shall, as far as practicable, have one probation officer for not more than
9.14 35,000 population; in counties that do not contain a city of such size, the commissioner of
9.15 corrections shall, after consultation with the chief judge of the district court, ~~and the county~~
9.16 commissioners, or Tribal Nation through an approved plan, and in the light of experience,
9.17 establish probation districts to be served by one officer.

9.18 All probation officers appointed for any district court or ~~community county~~ community county corrections
9.19 agency, including Tribal Nations, shall be selected from a list of eligible candidates ~~who~~
9.20 ~~have.~~ Those candidates must be minimally qualified according to the same or equivalent
9.21 examining procedures as used by the commissioner of management and budget to certify
9.22 ~~eligibles~~ eligibility to the commissioner of corrections in appointing parole agents, ~~and the~~
9.23 ~~Department of Management and Budget shall furnish the names of such candidates on~~
9.24 ~~request.~~ This subdivision shall not apply to a political subdivision having a civil service or
9.25 merit system unless the subdivision elects to be covered by this subdivision.

9.26 Sec. 6. Minnesota Statutes 2022, section 244.19, subdivision 3, is amended to read:

9.27 Subd. 3. **Powers and duties.** All county or Tribal Nation probation officers serving a
9.28 district court shall act under the orders of the court in reference to any person committed
9.29 to their care by the court, and in the performance of their duties shall have the general powers
9.30 of a peace officer; and it shall be their duty to make such investigations with regard to any
9.31 person as may be required by the court before, during, or after the trial or hearing, and to
9.32 furnish to the court such information and assistance as may be required; to take charge of

10.1 any person before, during or after trial or hearing when so directed by the court, and to keep
10.2 such records and to make such reports to the court as the court may order. Tribal Nations
10.3 providing probation services have the same general powers provided to county probation
10.4 officers defined within statute or rule.

10.5 All county or Tribal Nation probation officers serving a district court shall, in addition,
10.6 provide probation and parole services to wards of the commissioner of corrections resident
10.7 in the counties they serve, and shall act under the orders of said commissioner of corrections
10.8 in reference to any ward committed to their care by the commissioner of corrections.

10.9 All probation officers serving a district court shall, under the direction of the authority
10.10 having power to appoint them, initiate programs for the welfare of persons coming within
10.11 the jurisdiction of the court to prevent delinquency and crime and to rehabilitate within the
10.12 community persons who come within the jurisdiction of the court and are properly subject
10.13 to efforts to accomplish prevention and rehabilitation. They shall, under the direction of the
10.14 court, cooperate with all law enforcement agencies, schools, child welfare agencies of a
10.15 public or private character, and other groups concerned with the prevention of crime and
10.16 delinquency and the rehabilitation of persons convicted of crime and delinquency.

10.17 All probation officers serving a district court shall make monthly and annual reports to
10.18 the commissioner of corrections, on forms furnished by the commissioner, containing such
10.19 information on number of cases cited to the juvenile division of district court, offenses,
10.20 adjudications, dispositions, and related matters as may be required by the commissioner of
10.21 corrections. The reports shall include the information on individuals convicted as an extended
10.22 jurisdiction juvenile identified in section 241.016, subdivision 1, paragraph (c).

10.23 Sec. 7. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

10.24 Subd. 5. **Compensation.** ~~In counties of more than 200,000 population, a majority of the~~
10.25 ~~judges of the district court may direct the payment of such salary to probation officers as~~
10.26 ~~may be approved by the county board, and in addition thereto shall be reimbursed for all~~
10.27 ~~necessary expenses incurred in the performance of their official duties.~~ In all counties which
10.28 obtain probation services from the commissioner of corrections the commissioner shall, out
10.29 of appropriations provided therefor, pay probation officers the salary and all benefits fixed
10.30 by the state law or applicable bargaining unit and all necessary expenses, including secretarial
10.31 service, office equipment and supplies, postage, telephone and telegraph services, and travel
10.32 and subsistence. Each county receiving probation services from the commissioner of
10.33 corrections shall reimburse the department of corrections for the total cost and expenses of
10.34 such services as incurred by the commissioner of corrections, excluding the cost and expense

11.1 ~~of services provided under the state's obligation in section 244.20. Total annual costs for~~
11.2 ~~each county shall be that portion of the total costs and expenses for the services of one~~
11.3 ~~probation officer represented by the ratio which the county's population bears to the total~~
11.4 ~~population served by one officer. For the purposes of this section, the population of any~~
11.5 ~~county shall be the most recent estimate made by the Department of Health. At least every~~
11.6 six months the commissioner of corrections shall bill for the total cost and expenses incurred
11.7 by the commissioner on behalf of each county which has received probation services. The
11.8 commissioner of corrections shall notify each county of the cost and expenses and the county
11.9 shall pay to the commissioner the amount due for reimbursement. All such reimbursements
11.10 shall be ~~deposited in the general fund~~ used to provide services for each county according
11.11 to their reimbursement amount. Objections by a county to all allocation of such cost and
11.12 expenses shall be presented to and determined by the commissioner of corrections. Each
11.13 county providing probation services under this section is hereby authorized to use unexpended
11.14 funds and to levy additional taxes for this purpose.

11.15 The county commissioners of any county of not more than 200,000 population shall,
11.16 when requested to do so by the juvenile judge, provide probation officers with suitable
11.17 offices, and may provide equipment, and secretarial help needed to render the required
11.18 services.

11.19 Sec. 8. Minnesota Statutes 2022, section 244.195, subdivision 1, is amended to read:

11.20 Subdivision 1. **Definitions.** (a) As used in this subdivision and sections 244.196 to
11.21 244.1995, the following terms have the meanings given them.

11.22 (b) "Commissioner" means the commissioner of corrections.

11.23 (c) "Conditional release" means parole, supervised release, conditional release as
11.24 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
11.25 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
11.26 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
11.27 any other authorized temporary release from a correctional facility.

11.28 (d) "Court services director" means the director or designee of a county probation agency
11.29 that is not organized under section 244.19 or an agency organized under chapter 401.

11.30 (e) "Detain" means to take into actual custody, including custody within a local
11.31 correctional facility.

11.32 (f) "Local correctional facility" has the meaning given in section 241.021, subdivision
11.33 1.

12.1 (g) "Probation agency" means the Department of Corrections field office or a probation
12.2 agency organized under section 244.19 or chapter 401.

12.3 (h) "Probation officer" means a court services director, county probation officer, or any
12.4 other community supervision officer employed by the commissioner or by a probation
12.5 agency organized under section 244.19 or chapter 401.

12.6 (i) "Release" means to release from actual custody.

12.7 Sec. 9. Minnesota Statutes 2022, section 244.195, subdivision 2, is amended to read:

12.8 Subd. 2. **Detention pending hearing.** When it appears necessary to enforce discipline
12.9 or to prevent a person on conditional release from escaping or absconding from supervision,
12.10 a court services director has the authority to issue a written order directing any peace officer
12.11 or any probation officer in the state serving the district and juvenile courts to detain and
12.12 bring the person before the court or the commissioner, whichever is appropriate, for
12.13 disposition. If the person on conditional release commits a violation described in section
12.14 609.14, subdivision 1a, paragraph (a), the court services director must have a reasonable
12.15 belief that the order is necessary to prevent the person from escaping or absconding from
12.16 supervision or that the continued presence of the person in the community presents a risk
12.17 to public safety before issuing a written order. This written order is sufficient authority for
12.18 the peace officer or probation officer to detain the person for not more than 72 hours,
12.19 excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the
12.20 commissioner.

12.21 Sec. 10. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision
12.22 to read:

12.23 Subd. 6. **Intermediate sanctions.** (a) Unless the district court directs otherwise, a
12.24 probation officer may require a person committed to the officer's care by the court to perform
12.25 community work service for violating a condition of probation imposed by the court.
12.26 Community work service may be imposed for the purpose of protecting the public, aiding
12.27 the person's rehabilitation, or both. A probation officer may impose up to eight hours of
12.28 community work service for each violation and up to a total of 24 hours per person per
12.29 12-month period, beginning on the date on which community work service is first imposed.
12.30 The court services director or probation agency may authorize an additional 40 hours of
12.31 community work service, for a total of 64 hours per person per 12-month period, beginning
12.32 with the date on which community work service is first imposed. At the time community

13.1 work service is imposed, probation officers are required to provide written notice to the
13.2 person that states:

13.3 (1) the condition of probation that has been violated;

13.4 (2) the number of hours of community work service imposed for the violation; and

13.5 (3) the total number of hours of community work service imposed to date in the 12-month
13.6 period.

13.7 (b) A person on supervision may challenge the imposition of community work service
13.8 by filing a petition in district court within five days of receiving written notice that
13.9 community work service is being imposed. If the person challenges the imposition of
13.10 community work service, the state bears the burden of showing, by a preponderance of the
13.11 evidence, that the imposition of community work service is reasonable under the
13.12 circumstances.

13.13 (c) Community work service includes sentencing to service.

13.14 Sec. 11. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision
13.15 to read:

13.16 Subd. 7. **Contacts.** Supervision contacts may be conducted over videoconference
13.17 technology in accordance with the probation agency's established policy.

13.18 Sec. 12. Minnesota Statutes 2022, section 244.20, is amended to read:

13.19 **244.20 PROBATION SUPERVISION.**

13.20 Notwithstanding sections 244.19, subdivision 1, and 609.135, subdivision 1, the
13.21 Department of Corrections shall have exclusive responsibility for providing probation
13.22 services for adult felons in counties that do not take part in the Community Corrections Act.
13.23 ~~In counties that do not take part in the Community Corrections Act, the responsibility for~~
13.24 ~~providing probation services for individuals convicted of gross misdemeanor offenses shall~~
13.25 ~~be discharged according to local judicial policy.~~

13.26 Sec. 13. Minnesota Statutes 2022, section 244.21, is amended to read:

13.27 **244.21 INFORMATION ON OFFENDERS UNDER SUPERVISION; REPORTS.**

13.28 Subdivision 1. **Collection of information by probation service providers; report**
13.29 **required.** By January 1, 1998, probation service providers shall begin collecting and
13.30 maintaining information on offenders under supervision. The commissioner of corrections

14.1 shall specify the nature and extent of the information to be collected. By April 1 of every
 14.2 year, each probation service provider shall report a summary of the information collected
 14.3 to the commissioner as a condition of state subsidy funding under chapter 401.

14.4 Subd. 2. **Commissioner of corrections report.** By January 15, ~~1998~~ 2024, the
 14.5 commissioner of corrections shall report to the chairs of the ~~senate crime prevention and~~
 14.6 ~~house of representatives judiciary~~ legislative committees with jurisdiction over public safety
 14.7 and finance on recommended methods of coordinating the exchange of information collected
 14.8 on offenders under subdivision 1: (1) between probation service providers; and (2) between
 14.9 probation service providers and the Department of Corrections, ~~without requiring service~~
 14.10 ~~providers to acquire uniform computer software.~~

14.11 Sec. 14. Minnesota Statutes 2022, section 401.01, is amended to read:

14.12 **401.01 PURPOSE AND DEFINITION; ASSISTANCE ~~GRANTS~~ SUBSIDIES.**

14.13 Subdivision 1. **Grants Subsidies.** For the purpose of more effectively protecting society
 14.14 and to promote efficiency and economy in the delivery of correctional services, the
 14.15 commissioner is authorized to ~~make grants to assist~~ subsidize counties and Tribal Nations
 14.16 in the development, implementation, and operation of community-based corrections programs
 14.17 including preventive or diversionary correctional programs, conditional release programs,
 14.18 community corrections centers, and facilities for the detention or confinement, care and
 14.19 treatment of persons convicted of crime or adjudicated delinquent. ~~The commissioner may~~
 14.20 ~~authorize the use of a percentage of a grant for the operation of an emergency shelter or~~
 14.21 ~~make a separate grant for the rehabilitation of a facility owned by the grantee and used as~~
 14.22 ~~a shelter to bring the facility into compliance with state and local laws pertaining to health,~~
 14.23 ~~fire, and safety, and to provide security.~~

14.24 Subd. 2. **Definitions.** (a) For the purposes of sections 401.01 to 401.16, the following
 14.25 terms have the meanings given them.

14.26 (b) ~~"CCA county"~~ "CCA jurisdiction" means a county or Tribal Nation that participates
 14.27 in the Community Corrections Act.

14.28 (c) "Commissioner" means the commissioner of corrections or a designee.

14.29 (d) "Conditional release" means parole, supervised release, conditional release as
 14.30 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
 14.31 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
 14.32 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
 14.33 any other authorized temporary release from a correctional facility.

15.1 (e) "County probation officer" means a probation officer appointed under section 244.19.

15.2 (f) "CPO county" means a county that participates in funding under this act by providing
 15.3 local corrections service for all juveniles and individuals on probation for misdemeanors,
 15.4 pursuant to section 244.19, subdivision 1, paragraph (a), clause (1) or (2).

15.5 (g) "Detain" means to take into actual custody, including custody within a local
 15.6 correctional facility.

15.7 ~~(g)~~ (h) "Joint board" means the board provided in section 471.59.

15.8 ~~(h)~~ (i) "Local correctional facility" has the meaning given in section 241.021, subdivision
 15.9 1.

15.10 ~~(i)~~ (j) "Local correctional service" means those services authorized by and employees,
 15.11 officers, and agents appointed under section 244.19, subdivision 1.

15.12 ~~(j)~~ (k) "Release" means to release from actual custody.

15.13 (l) "Tribal government" means one of the federally recognized Tribes described in section
 15.14 3.922.

15.15 Sec. 15. Minnesota Statutes 2022, section 401.02, is amended to read:

15.16 **401.02 COUNTIES OR REGIONS; SERVICES INCLUDABLE.**

15.17 Subdivision 1. **Qualification of counties or Tribal Nations.** (a) One or more counties,
 15.18 ~~having an aggregate population of 30,000 or more persons, or Tribal Nations~~ may qualify
 15.19 for a ~~grant as provided in~~ subsidy under section 401.01 by ~~the enactment of appropriate~~
 15.20 ~~resolutions creating and establishing a corrections advisory board,~~ designating the officer
 15.21 or agency to be responsible for administering ~~grant funds~~ subsidies, and providing for the
 15.22 preparation of a comprehensive plan for the development, implementation and operation
 15.23 of the correctional services described in ~~section~~ sections 401.01 and 401.11, including the
 15.24 assumption of those correctional services, other than the operation of state facilities, presently
 15.25 provided in such counties by the Department of Corrections, or for Tribal Nations, probation
 15.26 services within a Tribal Nation, and providing for centralized administration and control of
 15.27 those correctional services described in section 401.01. Counties participating as a CCA
 15.28 county must also enact the appropriate resolutions creating and establishing a corrections
 15.29 advisory board.

15.30 Where counties or Tribal governments combine as authorized in this section, they shall
 15.31 comply with the provisions of section 471.59.

16.1 (b) A county that has participated in the Community Corrections Act for five or more
16.2 years is eligible to continue to participate in the Community Corrections Act.

16.3 (c) If a county or Tribal government withdraws from the subsidy program as outlined
16.4 in subdivision 1 and asks the commissioner of corrections or the legislature mandates the
16.5 commissioner of corrections to furnish probation services to the county, the probation
16.6 officers and other employees displaced by the changeover shall be employed by the
16.7 commissioner of corrections at no loss of salary. Years of service in the county probation
16.8 department are to be given full credit for future sick leave and vacation accrual purposes.

16.9 Subd. 2. **Planning counties; advisory board members expenses.** To assist counties
16.10 or Tribal Nations which have complied with the provisions of subdivision 1 and require
16.11 financial aid to defray all or a part of the expenses incurred by corrections advisory board
16.12 members in discharging their official duties pursuant to section 401.08, the commissioner
16.13 may designate counties or Tribal Nations as "planning counties", and, upon receipt of
16.14 resolutions by the governing boards of the counties or Tribal Nations certifying the need
16.15 for and inability to pay the expenses described in this subdivision, advance to the counties
16.16 or Tribal Nations an amount not to exceed five percent of the maximum quarterly subsidy
16.17 for which the counties or Tribal Nations are eligible. The expenses described in this
16.18 subdivision shall be paid in the same manner and amount as for state employees.

16.19 Subd. 3. **Establishment and reorganization of administrative structure.** Any county,
16.20 Tribal Nation, or group of counties which have qualified for participation in the ~~community~~
16.21 ~~corrections~~ subsidy program provided by this chapter may establish, organize, and reorganize
16.22 an administrative structure and provide for the budgeting, staffing, and operation of court
16.23 services and probation, construction or improvement to juvenile detention and juvenile
16.24 correctional facilities and adult detention and correctional facilities, and other activities
16.25 required to conform to the purposes of this chapter. No contrary general or special statute
16.26 divests any county or group of counties of the authority granted by this subdivision.

16.27 ~~Subd. 5. **Intermediate sanctions.** Unless the district court directs otherwise, county~~
16.28 ~~probation officers may require a person committed to the officer's care by the court to~~
16.29 ~~perform community work service for violating a condition of probation imposed by the~~
16.30 ~~court. Community work service may be imposed for the purpose of protecting the public,~~
16.31 ~~to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours~~
16.32 ~~of community work service for each violation and up to a total of 24 hours per offender per~~
16.33 ~~12-month period, beginning on the date on which community work service is first imposed.~~
16.34 ~~The chief executive officer of a community corrections agency may authorize an additional~~
16.35 ~~40 hours of community work service, for a total of 64 hours per offender per 12-month~~

17.1 ~~period, beginning with the date on which community work service is first imposed. At the~~
17.2 ~~time community work service is imposed, probation officers are required to provide written~~
17.3 ~~notice to the offender that states:~~

17.4 ~~(1) the condition of probation that has been violated;~~

17.5 ~~(2) the number of hours of community work service imposed for the violation; and~~

17.6 ~~(3) the total number of hours of community work service imposed to date in the 12-month~~
17.7 ~~period.~~

17.8 ~~An offender may challenge the imposition of community work service by filing a petition~~
17.9 ~~in district court. An offender must file the petition within five days of receiving written~~
17.10 ~~notice that community work service is being imposed. If the offender challenges the~~
17.11 ~~imposition of community work service, the state bears the burden of showing, by a~~
17.12 ~~preponderance of the evidence, that the imposition of community work service is reasonable~~
17.13 ~~under the circumstances.~~

17.14 ~~Community work service includes sentencing to service.~~

17.15 Sec. 16. Minnesota Statutes 2022, section 401.025, is amended to read:

17.16 **401.025 DETENTION AND RELEASE; PROBATIONERS, CONDITIONAL**
17.17 **RELEASEES, AND PRETRIAL RELEASEES.**

17.18 Subdivision 1. **Peace officers and probation officers serving CCA ~~counties~~**
17.19 **jurisdictions**. (a) When it appears necessary to enforce discipline or to prevent a person on
17.20 conditional release from escaping or absconding from supervision, the chief executive
17.21 officer or designee of a community corrections agency in a CCA ~~county~~ jurisdiction has
17.22 the authority to issue a written order directing any peace officer or any probation officer in
17.23 the state serving the district and juvenile courts to detain and bring the person before the
17.24 court or the commissioner, whichever is appropriate, for disposition. If the person on
17.25 conditional release commits a violation described in section 609.14, subdivision 1a, paragraph
17.26 (a), the chief executive officer or designee must have a reasonable belief that the order is
17.27 necessary to prevent the person from escaping or absconding from supervision or that the
17.28 continued presence of the person in the community presents a risk to public safety before
17.29 issuing a written order. This written order is sufficient authority for the peace officer or
17.30 probation officer to detain the person for not more than 72 hours, excluding Saturdays,
17.31 Sundays, and holidays, pending a hearing before the court or the commissioner.

17.32 (b) The chief executive officer or designee of a community corrections agency in a CCA
17.33 ~~county~~ jurisdiction has the authority to issue a written order directing a peace officer or

18.1 probation officer serving the district and juvenile courts to release a person detained under
18.2 paragraph (a) within 72 hours, excluding Saturdays, Sundays, and holidays, without an
18.3 appearance before the court or the commissioner. This written order is sufficient authority
18.4 for the peace officer or probation officer to release the detained person.

18.5 (c) The chief executive officer or designee of a community corrections agency in a CCA
18.6 ~~county~~ jurisdiction has the authority to issue a written order directing any peace officer or
18.7 any probation officer serving the district and juvenile courts to detain any person on
18.8 court-ordered pretrial release who absconds from pretrial release or fails to abide by the
18.9 conditions of pretrial release. A written order issued under this paragraph is sufficient
18.10 authority for the peace officer or probation officer to detain the person.

18.11 Subd. 2. **Peace officers and probation officers in other counties and state correctional**
18.12 **investigators.** (a) The chief executive officer or designee of a community corrections agency
18.13 in a CCA ~~county~~ jurisdiction has the authority to issue a written order directing any state
18.14 correctional investigator or any peace officer, probation officer, or county probation officer
18.15 from another county to detain a person under sentence or on probation who:

18.16 (1) fails to report to serve a sentence at a local correctional facility;

18.17 (2) fails to return from furlough or authorized temporary release from a local correctional
18.18 facility;

18.19 (3) escapes from a local correctional facility; or

18.20 (4) absconds from court-ordered home detention.

18.21 (b) The chief executive officer or designee of a community corrections agency in a CCA
18.22 ~~county~~ jurisdiction has the authority to issue a written order directing any state correctional
18.23 investigator or any peace officer, probation officer, or county probation officer from another
18.24 county to detain any person on court-ordered pretrial release who absconds from pretrial
18.25 release or fails to abide by the conditions of pretrial release.

18.26 (c) A written order issued under paragraph (a) or (b) is sufficient authority for the state
18.27 correctional investigator, peace officer, probation officer, or county probation officer to
18.28 detain the person.

18.29 Subd. 3. **Offenders under Department of Corrections commitment.** CCA ~~counties~~
18.30 jurisdictions shall comply with the policies prescribed by the commissioner when providing
18.31 supervision and other correctional services to persons conditionally released pursuant to
18.32 sections 241.26, 242.19, 243.05, 243.1605, 244.05, and 244.065, including intercounty
18.33 transfer of persons on conditional release and the conduct of presentence investigations.

19.1 Sec. 17. Minnesota Statutes 2022, section 401.04, is amended to read:

19.2 **401.04 ACQUISITION OF PROPERTY; SELECTION OF ADMINISTRATIVE**
19.3 **STRUCTURE; EMPLOYEES.**

19.4 Any county ~~or~~, group of counties, or Tribal Nation electing to come within the provisions
19.5 of sections 401.01 to 401.16 may (a) acquire by any lawful means, including purchase, lease
19.6 or transfer of custodial control, the lands, buildings and equipment necessary and incident
19.7 to the accomplishment of the purposes of sections 401.01 to 401.16, (b) determine and
19.8 establish the administrative structure best suited to the efficient administration and delivery
19.9 of the correctional services described in section 401.01, and (c) employ a director and other
19.10 officers, employees and agents as deemed necessary to carry out the provisions of sections
19.11 401.01 to 401.16. To the extent that participating counties shall assume and take over state
19.12 and local correctional services presently provided in counties, employment shall be given
19.13 to those state and local officers, employees and agents thus displaced; if hired by a county,
19.14 employment shall, to the extent possible and notwithstanding the provisions of any other
19.15 law or ordinance to the contrary, be deemed a transfer in grade with all of the benefits
19.16 enjoyed by such officer, employee or agent while in the service of the state or local
19.17 correctional service.

19.18 State or local employees displaced by county participation in the subsidy program
19.19 provided by this chapter are on layoff status and, if not hired by a participating county as
19.20 provided herein, may exercise their rights under layoff procedures established by law or
19.21 union agreement whichever is applicable.

19.22 State or local officers and employees displaced by a county's participation in the
19.23 Community Corrections Act and hired by the participating county shall retain all fringe
19.24 benefits and recall from layoff benefits accrued by seniority and enjoyed by them while in
19.25 the service of the state.

19.26 Sec. 18. Minnesota Statutes 2022, section 401.05, subdivision 1, is amended to read:

19.27 Subdivision 1. **Authorization to use and accept funds.** Any ~~county~~ CCA jurisdiction
19.28 or group of counties electing to come within the provisions of sections 401.01 to 401.16
19.29 may, through their governing bodies, use unexpended funds; accept gifts, grants, and
19.30 subsidies from any lawful source; and apply for and accept federal funds.

20.1 Sec. 19. Minnesota Statutes 2022, section 401.06, is amended to read:

20.2 **401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY;**
20.3 **COMPLIANCE.**

20.4 Subdivision 1. Commissioner approval required. (a) No county, Tribal Nation, or
20.5 group of counties or Tribal government or group of Tribal governments electing to provide
20.6 correctional services pursuant to sections 401.01 to 401.16 shall be under this chapter is
20.7 eligible for the subsidy herein provided unless and until its comprehensive plan shall have
20.8 has been approved by the commissioner. A comprehensive plan must comply with
20.9 commissioner-developed standards and reporting requirements and must sufficiently address
20.10 community needs and supervision standards.

20.11 (b) If the commissioner provides supervision to a county that elects not to provide the
20.12 supervision, the commissioner must prepare a comprehensive plan for the county and present
20.13 it to the local county board of commissioners. The Department of Corrections is subject to
20.14 all the standards and requirements under this chapter and supervision standards and policies.

20.15 (c) A comprehensive plan is valid for four years, and a corrections advisory board must
20.16 review and update the plan two years after the plan has been approved or two years after
20.17 submitted to the commissioner, whichever is earlier.

20.18 (d) All approved comprehensive plans, including updated plans, must be made publicly
20.19 available on the Department of Corrections' website.

20.20 Subd. 2. Rulemaking. The commissioner shall ~~must, pursuant to~~ in accordance with
20.21 the Administrative Procedure Act, promulgate adopt rules establishing standards of eligibility
20.22 for CCA and CPO counties and Tribal Nations to receive funds under sections 401.01 to
20.23 401.16 this chapter.

20.24 Subd. 3. Substantial compliance required. (a) To remain eligible for the subsidy
20.25 ~~counties shall,~~ CCA jurisdictions must maintain substantial compliance with the minimum
20.26 standards established ~~pursuant~~ according to sections 401.01 to 401.16 this chapter and the
20.27 policies and procedures governing the services ~~described in~~ under section 401.025 as
20.28 prescribed by the commissioner.

20.29 (b) Counties shall also must:

20.30 (1) be in substantial compliance with other correctional operating standards permitted
20.31 by law and established by the commissioner; and

21.1 ~~shall~~ (2) report statistics required by the commissioner, including but not limited to
 21.2 information on individuals convicted as an extended jurisdiction juvenile identified in under
 21.3 section 241.016, subdivision 1, paragraph (c).

21.4 Subd. 4. Commissioner review. (a) The commissioner shall must review annually the
 21.5 comprehensive plans submitted by participating counties CCA Jurisdictions, including the
 21.6 facilities and programs operated under the plans. The commissioner is hereby authorized
 21.7 to may enter upon any facility operated under the plan, and inspect books and records, for
 21.8 purposes of recommending needed changes or improvements.

21.9 ~~When~~ (b) If the commissioner shall determine determines that there are reasonable
 21.10 grounds to believe that a county CCA jurisdiction or group of counties or Tribal government
 21.11 or group of Tribal governments is not in substantial compliance with minimum standards,
 21.12 the commissioner must provide at least 30 days' notice shall be given to the county or
 21.13 counties and CCA jurisdiction of a commissioner-conducted hearing conducted by the
 21.14 commissioner to ascertain whether there is substantial compliance or satisfactory progress
 21.15 being made toward compliance.

21.16 Subd. 5. Noncompliance with comprehensive plan. (a) After a hearing, the
 21.17 commissioner may sanction a county or group of counties or Tribal government or group
 21.18 of Tribal governments under this subdivision if the commissioner determined that the agency
 21.19 is not maintaining substantial compliance with minimum standards or that satisfactory
 21.20 progress toward compliance has not been made.

21.21 (b) The commissioner may suspend all or a portion of any subsidy until the required
 21.22 standard of operation has been met without issuing a corrective action plan.

21.23 (c) The commissioner may issue a corrective action plan, which must:

21.24 (1) be in writing;

21.25 (2) identify all deficiencies;

21.26 (3) detail the corrective action required to remedy the deficiencies; and

21.27 (4) provide a deadline to:

21.28 (i) correct each deficiency; and

21.29 (ii) report to the commissioner progress toward correcting the deficiency.

21.30 (d) After the deficiency has been corrected, documentation must be submitted to the
 21.31 commissioner detailing compliance with the corrective action plan. If the commissioner
 21.32 determines that the county or group of counties or Tribal government or group of Tribal

22.1 governments has not complied with the plan, the commissioner may suspend all or a portion
22.2 of the subsidy.

22.3 Sec. 20. Minnesota Statutes 2022, section 401.08, subdivision 2, is amended to read:

22.4 Subd. 2. **Appointment; terms.** The members of the corrections advisory board shall be
22.5 appointed by the board of county commissioners or, the joint board in the case of multiple
22.6 counties, or a Tribal Nation and shall serve for terms of two years from and after the date
22.7 of their appointment, and shall remain in office until their successors are duly appointed.
22.8 The board may elect its own officers.

22.9 Sec. 21. Minnesota Statutes 2022, section 401.08, subdivision 4, is amended to read:

22.10 Subd. 4. **Comprehensive plan.** The corrections advisory board provided in sections
22.11 401.01 to 401.16, shall actively participate in the formulation of the comprehensive plan
22.12 for the development, implementation, and operation of the correctional program and services
22.13 described in section 401.01, and shall make a formal recommendation to the county board,
22.14 Tribal governance, or joint board at least annually concerning the comprehensive plan and
22.15 its implementation during the ensuing year.

22.16 Sec. 22. Minnesota Statutes 2022, section 401.09, is amended to read:

22.17 **401.09 OTHER SUBSIDY PROGRAMS; PURCHASE OF STATE SERVICES.**

22.18 Failure of a ~~county~~ CCA jurisdiction or group of counties to elect to come within the
22.19 provisions of sections 401.01 to 401.16 shall not affect their eligibility for any other state
22.20 grant or subsidy for correctional purposes otherwise provided by law. Any comprehensive
22.21 plan submitted pursuant to sections 401.01 to 401.16 may include the purchase of selected
22.22 correctional services from the state by contract, including the temporary detention and
22.23 confinement of persons convicted of crime or adjudicated delinquent; confinement to be in
22.24 an appropriate state facility as otherwise provided by law. The commissioner shall annually
22.25 determine the costs of the purchase of services under this section and deduct them from the
22.26 subsidy due and payable to the county or counties concerned; provided that no contract
22.27 shall exceed in cost the amount of subsidy to which the participating county or counties are
22.28 eligible.

23.1 Sec. 23. Minnesota Statutes 2022, section 401.10, is amended to read:

23.2 **401.10 COMMUNITY CORRECTIONS AID.**

23.3 Subdivision 1. ~~Aid calculations~~ Funding formula. ~~To determine the community~~
23.4 ~~corrections aid amount to be paid to each participating county, the commissioner of~~
23.5 ~~corrections must apply the following formula:~~

23.6 (1) ~~For each of the 87 counties in the state, a percent score must be calculated for each~~
23.7 ~~of the following five factors:~~

23.8 (i) ~~percent of the total state population aged ten to 24 residing within the county according~~
23.9 ~~to the most recent federal census, and, in the intervening years between the taking of the~~
23.10 ~~federal census, according to the most recent estimate of the state demographer;~~

23.11 (ii) ~~percent of the statewide total number of felony case filings occurring within the~~
23.12 ~~county, as determined by the state court administrator;~~

23.13 (iii) ~~percent of the statewide total number of juvenile case filings occurring within the~~
23.14 ~~county, as determined by the state court administrator;~~

23.15 (iv) ~~percent of the statewide total number of gross misdemeanor case filings occurring~~
23.16 ~~within the county, as determined by the state court administrator; and~~

23.17 (v) ~~percent of the total statewide number of convicted felony offenders who did not~~
23.18 ~~receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines~~
23.19 ~~Commission.~~

23.20 ~~The percents in items (ii) to (v) must be calculated by combining the most recent~~
23.21 ~~three-year period of available data. The percents in items (i) to (v) each must sum to 100~~
23.22 ~~percent across the 87 counties.~~

23.23 (2) ~~For each of the 87 counties, the county's percents in clause (1), items (i) to (v), must~~
23.24 ~~be weighted, summed, and divided by the sum of the weights to yield an average percent~~
23.25 ~~for each county, referred to as the county's "composite need percent." When performing~~
23.26 ~~this calculation, the weight for each of the percents in clause (1), items (i) to (v), is 1.0. The~~
23.27 ~~composite need percent must sum to 100 percent across the 87 counties.~~

23.28 (3) ~~For each of the 87 counties, the county's "adjusted net tax capacity percent" is the~~
23.29 ~~county's adjusted net tax capacity amount, defined in the same manner as it is defined for~~
23.30 ~~cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax~~
23.31 ~~capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the~~
23.32 ~~87 counties.~~

24.1 (4) For each of the 87 counties, the county's composite need percent must be divided by
24.2 the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by
24.3 the county's composite need percent, results in the county's "tax base adjusted need percent."

24.4 (5) For each of the 87 counties, the county's tax base adjusted need percent must be
24.5 added to twice the composite need percent, and the sum must be divided by 3, to yield the
24.6 county's "weighted need percent."

24.7 (6) Each participating county's weighted need percent must be added to the weighted
24.8 need percent of each other participating county to yield the "total weighted need percent
24.9 for participating counties."

24.10 (7) Each participating county's weighted need percent must be divided by the total
24.11 weighted need percent for participating counties to yield the county's "share percent." The
24.12 share percents for participating counties must sum to 100 percent.

24.13 (8) Each participating county's "base funding amount" is the aid amount that the county
24.14 received under this section for fiscal year 1995 plus the amount received in caseload or
24.15 workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal
24.16 year 2015, as reported by the commissioner of corrections. In fiscal year 1997 and thereafter,
24.17 no county's aid amount under this section may be less than its base funding amount, provided
24.18 that the total amount appropriated for this purpose is at least as much as the aggregate base
24.19 funding amount defined in clause (9).

24.20 (9) The "aggregate base funding amount" is equal to the sum of the base funding amounts
24.21 for all participating counties. If a county that participated under this section chooses not to
24.22 participate in any given year, then the aggregate base funding amount must be reduced by
24.23 that county's base funding amount. If a county that did not participate under this section in
24.24 fiscal year 1995 chooses to participate on or after July 1, 2015, then the aggregate base
24.25 funding amount must be increased by the amount of aid that the county would have received
24.26 had it participated in fiscal year 1995 plus the estimated amount it would have received in
24.27 caseload or workload reduction, felony caseload reduction, and sex offender supervision
24.28 grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount
24.29 of increase shall be that county's base funding amount.

24.30 (10) In any given year, the total amount appropriated for this purpose first must be
24.31 allocated to participating counties in accordance with each county's base funding amount.
24.32 Then, any remaining amount in excess of the aggregate base funding amount must be
24.33 allocated to participating counties in proportion to each county's share percent, and is referred
24.34 to as the county's "formula amount."

25.1 ~~Each participating county's "community corrections aid amount" equals the sum of (i)~~
25.2 ~~the county's base funding amount, and (ii) the county's formula amount.~~

25.3 ~~(11) However, if in any year the total amount appropriated for the purpose of this section~~
25.4 ~~is less than the aggregate base funding amount, then each participating county's community~~
25.5 ~~corrections aid amount is the product of (i) the county's base funding amount multiplied by~~
25.6 ~~(ii) the ratio of the total amount appropriated to the aggregate base funding amount.~~

25.7 ~~For each participating county, the county's community corrections aid amount calculated~~
25.8 ~~in this subdivision is the total amount of subsidy to which the county is entitled under~~
25.9 ~~sections 401.01 to 401.16.~~

25.10 (a) Beginning in fiscal year 2024, the subsidy paid to each county and Tribal government
25.11 and the commissioner of corrections for supervision in counties or Tribal jurisdictions served
25.12 by the department shall equal the sum of:

25.13 (1) a base funding amount equal to \$200,000, plus:

25.14 (i) ten percent of the total for all appropriations to the commissioner for community
25.15 supervision and postrelease services during the fiscal year prior to the fiscal year for which
25.16 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
25.17 total population as determined by the most recent census; and

25.18 (ii) ten percent of the total for all appropriations to the commissioner for community
25.19 supervision and postrelease services during the fiscal year prior to the fiscal year for which
25.20 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
25.21 total geographic area; and

25.22 (2) a community supervision formula equal to the sum of:

25.23 (i) for felony cases, a felony per diem rate of \$5.33 multiplied by the sum of the county's
25.24 adult felony population, adult supervised release and parole populations, and juvenile
25.25 supervised release and parole populations as reported in the most recent probation survey
25.26 published by the commissioner and then, multiplied by 365; and

25.27 (ii) for gross misdemeanor, misdemeanor, and juvenile probation cases, the felony per
25.28 diem rate used in item (i) multiplied by 0.5 and then multiplied by the sum of the county's
25.29 gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent
25.30 probation survey by the commissioner, multiplied by 365.

25.31 (b) Each participating county's "community corrections aid amount" equals the sum of
25.32 (i) the county's base funding amount, and (ii) the county's formula amount.

26.1 (c) If in any year the total amount appropriated for the purpose of this section is more
26.2 than or less than the total of base funding plus community supervision formula funding for
26.3 all counties, then the sum of each county's base funding plus community supervision formula
26.4 funding shall be adjusted by the ratio of amounts appropriated for this purpose divided by
26.5 the total of base funding plus community supervision formula funding for all counties.

26.6 (d) For each Tribal Nation, a base funding amount of \$250,000 is allotted annually
26.7 through legislative appropriation to each Tribal Nation to purchase probation services
26.8 regardless of a CCA jurisdiction. An additional formula amount as appropriated through
26.9 legislation must be developed and approved by the commissioner for equitable distribution
26.10 for Tribal Nations under a CCA jurisdiction.

26.11 **Subd. 2. Transfer of funds.** Notwithstanding any law to the contrary, the commissioner
26.12 of corrections, after notifying the committees on finance of the senate and ways and means
26.13 of the house of representatives, may, at the end of any fiscal year, transfer any unobligated
26.14 funds, including funds available due the withdrawal of a county under section 401.16, in
26.15 any appropriation to the Department of Corrections to the appropriation under sections
26.16 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes
26.17 of sections 401.01 to 401.16.

26.18 **Subd. 3. Formula review.** ~~Prior to January 16, 2002, the committees with jurisdiction~~
26.19 ~~over community corrections funding decisions in the house of representatives and the senate,~~
26.20 ~~in consultation with the Department of Corrections and any interested county organizations,~~
26.21 ~~must review the formula in subdivision 1 and make recommendations to the legislature for~~
26.22 ~~its continuation, modification, replacement, or discontinuation.~~ For fiscal year 2025 and
26.23 subsequent fiscal years, the commissioner shall make a funding recommendation based
26.24 upon the commissioner's workload study and the caseload data collected by the commissioner.

26.25 **Subd. 4. Report; supervision fees.** (a) The commissioner must collect annual summary
26.26 expenditure data and funding from each community supervision provider in the state.

26.27 (b) On January 15, 2025, and every year thereafter, the commissioner must submit a
26.28 report to the chairs and ranking minority members of the legislative committees and divisions
26.29 with jurisdiction over public safety finance and policy on the data collected under paragraph
26.30 (a). The report may be made in conjunction with reporting under section 244.21.

27.1 Sec. 24. Minnesota Statutes 2022, section 401.11, is amended to read:

27.2 **401.11 COMPREHENSIVE PLAN ITEMS; GRANT REVIEW.**

27.3 Subdivision 1. Items. The comprehensive plan submitted to the commissioner for
 27.4 approval ~~shall~~ must include ~~those~~ items prescribed by ~~rule~~ policy of the commissioner,
 27.5 ~~which may require the inclusion of the following~~ including but not limited to:

27.6 ~~(a)~~ (1) the manner in which presentence and postsentence investigations and reports for
 27.7 the district courts and social history reports for the juvenile courts will be made;

27.8 ~~(b)~~ (2) the manner in which conditional release services to the courts and persons under
 27.9 jurisdiction of the commissioner ~~of corrections~~ will be provided;

27.10 ~~(c)~~ (3) a program for ~~the detention, supervision, and treatment of~~ detaining, supervising,
 27.11 and treating persons under pretrial detention or under commitment;

27.12 ~~(d)~~ (4) delivery of other local correctional services ~~defined in section 401.01;~~

27.13 ~~(e)~~ (5) proposals for new programs, which proposals must demonstrate a need for the
 27.14 program, ~~its~~ and the program's purpose, objective, administrative structure, staffing pattern,
 27.15 staff training, financing, evaluation process, degree of community involvement, client
 27.16 participation, and duration ~~of program; and~~

27.17 (6) outcome and output data, expenditures, and costs.

27.18 Subd. 2. Review. ~~In addition to the foregoing requirements made by this section,~~ Each
 27.19 participating CCA county or group of counties ~~shall~~ must develop and implement a procedure
 27.20 for ~~the review of grant~~ reviewing subsidy applications made to the corrections advisory
 27.21 board and for the manner in which corrections advisory board action will be taken on ~~them~~
 27.22 the applications. A description of ~~this~~ the procedure must be made available to members of
 27.23 the public upon request.

27.24 Sec. 25. Minnesota Statutes 2022, section 401.12, is amended to read:

27.25 **401.12 CONTINUATION OF CURRENT SPENDING LEVEL BY COUNTIES.**

27.26 Participating counties or Tribal Nations shall not diminish their current level of spending
 27.27 for correctional expenses as defined in section 401.01, to the extent of any subsidy received
 27.28 pursuant to sections 401.01 to 401.16; rather the subsidy herein provided is for the
 27.29 expenditure for correctional purposes in excess of those funds currently being expended.

27.30 Should a participating ~~county~~ CCA jurisdiction be unable to expend the full amount of the
 27.31 subsidy to which it would be entitled in any one year under the provisions of sections 401.01
 27.32 to 401.16, the commissioner shall retain the surplus, subject to disbursement in the following

28.1 year wherein such ~~county~~ CCA jurisdiction can demonstrate a need for and ability to expend
28.2 same for the purposes provided in section 401.01. If in any biennium the subsidy is increased
28.3 by an inflationary adjustment which results in the ~~county~~ CCA jurisdiction receiving more
28.4 actual subsidy than it did in the previous calendar year, the ~~county~~ CCA jurisdiction shall
28.5 be eligible for that increase only if the current level of spending is increased by a percentage
28.6 equal to that increase within the same biennium.

28.7 Sec. 26. Minnesota Statutes 2022, section 401.14, subdivision 1, is amended to read:

28.8 Subdivision 1. **Payment.** Upon compliance by a ~~county~~ CCA jurisdiction or group of
28.9 counties with the prerequisites for participation in the subsidy prescribed by sections 401.01
28.10 to 401.16, and approval of the comprehensive plan by the commissioner, the commissioner
28.11 shall determine whether funds exist for the payment of the subsidy and proceed to pay same
28.12 in accordance with applicable rules.

28.13 Sec. 27. Minnesota Statutes 2022, section 401.14, subdivision 3, is amended to read:

28.14 Subd. 3. **Installment payments.** The commissioner of corrections shall make payments
28.15 for community corrections services to each ~~county~~ CCA jurisdiction in 12 installments per
28.16 year. The commissioner shall ensure that the pertinent payment of the allotment for each
28.17 month is made to each ~~county~~ CCA jurisdiction on the first working day after the end of
28.18 each month of the calendar year, except for the last month of the calendar year. The
28.19 commissioner shall ensure that each county receives its payment of the allotment for that
28.20 month no later than the last working day of that month. ~~The payment described in this~~
28.21 ~~subdivision for services rendered during June 1985 shall be made on the first working day~~
28.22 ~~of July 1985.~~

28.23 Sec. 28. Minnesota Statutes 2022, section 401.15, subdivision 1, is amended to read:

28.24 Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days
28.25 of the end of each calendar quarter, participating ~~counties~~ CCA jurisdictions which have
28.26 received the payments authorized by section 401.14 shall submit to the commissioner
28.27 certified statements detailing the amounts expended and costs incurred in furnishing the
28.28 correctional services provided in sections 401.01 to 401.16. Upon receipt of certified
28.29 statements, the commissioner shall, in the manner provided in sections 401.10 and 401.12,
28.30 determine the amount each participating county is entitled to receive, making any adjustments
28.31 necessary to rectify any disparity between the amounts received pursuant to the estimate
28.32 provided in section 401.14 and the amounts actually expended. If the amount received
28.33 pursuant to the estimate is greater than the amount actually expended during the quarter,

29.1 the commissioner may withhold the difference from any subsequent monthly payments
 29.2 made pursuant to section 401.14. Upon certification by the commissioner of the amount a
 29.3 participating ~~county~~ CCA jurisdiction is entitled to receive under the provisions of section
 29.4 401.14 or of this subdivision the commissioner of management and budget shall thereupon
 29.5 issue a payment to the chief fiscal officer of each participating ~~county~~ CCA jurisdiction for
 29.6 the amount due together with a copy of the certificate prepared by the commissioner.

29.7 Sec. 29. Minnesota Statutes 2022, section 401.16, is amended to read:

29.8 **401.16 WITHDRAWAL FROM PROGRAM.**

29.9 Any participating ~~county~~ CCA jurisdiction may, at the beginning of any calendar quarter,
 29.10 by resolution of its board of commissioners or Tribal Council leaders, notify the
 29.11 commissioner of its intention to withdraw from the subsidy program established by sections
 29.12 401.01 to 401.16, and the withdrawal shall be effective the last day of the ~~last month of the~~
 29.13 ~~quarter in~~ third quarter after which the notice was given. ~~Upon withdrawal, the unexpended~~
 29.14 ~~balance of moneys allocated to the county, or that amount necessary to reinstate state~~
 29.15 ~~correctional services displaced by that county's participation, including complement positions,~~
 29.16 ~~may, upon approval of the legislative advisory commission, be transferred to the~~
 29.17 ~~commissioner for the reinstatement of the displaced services and the payment of any other~~
 29.18 ~~correctional subsidies for which the withdrawing county had previously been eligible.~~

29.19 Sec. 30. **[401.17] COMMUNITY SUPERVISION ADVISORY COMMITTEE.**

29.20 Subdivision 1. Establishment; members. (a) The commissioner must establish a
 29.21 Community Supervision Advisory Committee to develop and make recommendations to
 29.22 the commissioner on standards for probation, supervised release, and community supervision.
 29.23 The committee consists of 16 members as follows:

29.24 (1) two directors appointed by the Minnesota Association of Community Corrections
 29.25 Act Counties;

29.26 (2) two probation directors appointed by the Minnesota Association of County Probation
 29.27 Officers;

29.28 (3) three county commissioner representatives appointed by the Association of Minnesota
 29.29 Counties;

29.30 (4) two behavioral health, treatment, or programming providers who work directly with
 29.31 individuals on correctional supervision, one appointed by the Department of Human Services
 29.32 and one appointed by the Minnesota Association of County Social Service Administrators;

- 30.1 (5) two representatives appointed by the Minnesota Indian Affairs Council;
30.2 (6) one commissioner-appointed representative from the Department of Corrections;
30.3 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;
30.4 (8) three individuals who have been supervised, either individually or collectively, under
30.5 each of the state's three community supervision delivery systems appointed by the
30.6 commissioner in consultation with the Minnesota Association of County Probation Officers
30.7 and the Minnesota Association of Community Corrections Act Counties; and
30.8 (9) an advocate for victims of crime appointed by the commissioner.

30.9 (b) When an appointing authority selects an individual for membership on the committee,
30.10 the authority must make reasonable efforts to reflect geographic diversity and to appoint
30.11 qualified members of protected groups, as defined under section 43A.02, subdivision 33.

30.12 (c) The commissioner must convene the first meeting of the committee on or before July
30.13 15, 2024.

30.14 Subd. 2. **Terms; removal; reimbursement.** (a) If there is a vacancy, the appointing
30.15 authority must appoint an individual to fill the vacancy. Committee members must elect
30.16 any officers and create any subcommittees necessary for the efficient discharge of committee
30.17 duties.

30.18 (b) A member may be removed by the appointing authority at any time at the pleasure
30.19 of the appointing authority.

30.20 (c) Each committee member must be reimbursed for all reasonable expenses actually
30.21 paid or incurred by that member in the performance of official duties in the same manner
30.22 as other employees of the state. The public members of the committee must be compensated
30.23 at the rate of \$55 for each day or part of the day spent on committee activities.

30.24 Subd. 3. **Duties; committee.** (a) The committee must comply with section 401.10.

30.25 (b) By June 30, 2024, the committee must provide written advice and recommendations
30.26 to the commissioner on developing policy on:

30.27 (1) developing statewide supervision standards and definitions to be applied to community
30.28 supervision provided by CPO counties, CCA counties, the Department of Corrections, and
30.29 Tribal governments;

30.30 (2) requiring community supervision agencies to use the same agreed-upon risk screener
30.31 and risk and needs assessment tools as the main supervision assessment methods or a
30.32 universal five-level matrix allowing for consistent supervision levels and that all tools in

31.1 use be validated on Minnesota's community supervision population and revalidated every
31.2 five years;

31.3 (3) requiring the use of assessment-driven, formalized collaborative case planning to
31.4 focus case planning goals on identified criminogenic and behavioral health need areas for
31.5 moderate- and high-risk individuals;

31.6 (4) limiting standard conditions required for all people on supervision across all
31.7 supervision systems and judicial districts, ensuring that conditions of supervision are directly
31.8 related to the offense of the person on supervision, and tailoring special conditions to people
31.9 on supervision identified as high-risk and high-need;

31.10 (5) providing gender-responsive, culturally appropriate services and trauma-informed
31.11 approaches;

31.12 (6) developing a statewide incentives and sanctions grid to guide responses to client
31.13 behavior while under supervision to be reviewed and updated every five years to maintain
31.14 alignment with national best practices;

31.15 (7) developing performance indicators for supervision success as well as recidivism;

31.16 (8) developing a statewide training, coaching, and quality assurance system overseen
31.17 by an evidence-based practices coordinator; and

31.18 (9) devising a plan, by December 1, 2024, to eliminate the financial penalty incurred by
31.19 a jurisdiction that successfully discharges an offender from supervision before the offender's
31.20 term of supervision concludes.

31.21 (c) By December 1, 2024, and every six years thereafter, the committee must review
31.22 and reassess the existing workload study published by the commissioner under subdivision
31.23 4 and make recommendations to the commissioner based on the committee's review.

31.24 (d) By June 30, 2024, the committee must submit a report on supervision fees to the
31.25 commissioner and the chairs and ranking minority members of the legislative committees
31.26 with jurisdiction over corrections policy and funding. The committee must collect data on
31.27 supervision fees and include the data in the report.

31.28 Subd. 4. **Duties; commissioner.** The commissioner, in consultation with the committee,
31.29 must complete a workload study by December 1, 2024, to develop a capitated rate for
31.30 equitably funding community supervision throughout the state. The study must be updated
31.31 every six years after the initial study is completed.

32.1 Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in
32.2 consultation with the Minnesota Counties Computer Cooperative, must create a method to
32.3 (1) standardize data classifications across the three delivery systems, and (2) collect data
32.4 for the commissioner to publish in an annual report to the chairs and ranking minority
32.5 members of the legislative committees and divisions with jurisdiction over public safety
32.6 finance and policy.

32.7 (b) The advisory committee's method, at a minimum, must provide for collecting the
32.8 following data:

32.9 (1) the number of offenders placed on probation each year;

32.10 (2) the offense levels and offense types for which offenders are placed on probation;

32.11 (3) violation and revocation rates and the identified grounds for the violations and
32.12 revocations, including final disposition of the violation action such as execution of the
32.13 sentence, imposition of new conditions, or a custodial sanction;

32.14 (4) the number of offenders granted early discharge from probation;

32.15 (5) the number of offenders restructured on supervision, including imposition of new
32.16 conditions of release; and

32.17 (6) the number of offenders revoked from supervision and the identified grounds for
32.18 revocation.

32.19 (c) On February 1, 2025, and every year thereafter, the commissioner must prepare a
32.20 report that contains the data collected under the method established by the committee under
32.21 this subdivision. The report must provide an analysis of the collected data by race, gender,
32.22 and county.

32.23 (d) Nothing in this section overrides the commissioner's authority to require additional
32.24 data be provided under sections 241.065, 401.06, 401.10, and 401.11.

32.25 Subd. 6. **Response.** (a) Within 45 days of receiving the committee's recommendations,
32.26 the commissioner must respond in writing to the committee's advice and recommendations
32.27 under subdivision 3. The commissioner's response must explain:

32.28 (1) whether the agency will adopt policy changes based on the recommendations;

32.29 (2) the timeline for adopting policy changes; and

32.30 (3) why the commissioner will not or cannot include any individual recommendations
32.31 of the committee in the agency's policy.

33.1 (b) The commissioner must submit the advice and recommendations of the committee
33.2 to the chairs and ranking minority members of the legislative committees with jurisdiction
33.3 over public safety and finance.

33.4 Subd. 7. **Staff; meeting room; office equipment.** The commissioner must provide the
33.5 committee with a committee administrator, staff support, a meeting room, and access to
33.6 office equipment and services.

33.7 Sec. 31. Minnesota Statutes 2022, section 609.14, subdivision 1, is amended to read:

33.8 Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the
33.9 conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct
33.10 which warrants the imposing or execution of sentence, the court may without notice revoke
33.11 the stay and direct that the defendant be taken into immediate custody. Revocation should
33.12 only be used as a last resort when rehabilitation has failed.

33.13 (b) When it appears that the defendant violated any of the conditions of probation during
33.14 the term of the stay, but the term of the stay has since expired, the defendant's probation
33.15 officer or the prosecutor may ask the court to initiate probation revocation proceedings
33.16 under the Rules of Criminal Procedure at any time within six months after the expiration
33.17 of the stay. The court also may initiate proceedings under these circumstances on its own
33.18 motion. If proceedings are initiated within this six-month period, the court may conduct a
33.19 revocation hearing and take any action authorized under rule 27.04 at any time during or
33.20 after the six-month period.

33.21 (c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after
33.22 proceedings to revoke the stay have been initiated by a court order revoking the stay and
33.23 directing either that the defendant be taken into custody or that a summons be issued in
33.24 accordance with paragraph (a), the proceedings to revoke the stay may be concluded and
33.25 the summary hearing provided by subdivision 2 may be conducted after the expiration of
33.26 the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke
33.27 the stay shall not be dismissed on the basis that the summary hearing is conducted after the
33.28 term of the stay or after the six-month period. The ability or inability to locate or apprehend
33.29 the defendant prior to the expiration of the stay or during or after the six-month period shall
33.30 not preclude the court from conducting the summary hearing unless the defendant
33.31 demonstrates that the delay was purposefully caused by the state in order to gain an unfair
33.32 advantage.

33.33 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
33.34 that occur on or after that date.

34.1 Sec. 32. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to
34.2 read:

34.3 Subd. 1a. **Violations where policies favor continued rehabilitation.** (a) Correctional
34.4 treatment is better provided through a community resource than through confinement, it
34.5 would not unduly depreciate the seriousness of the violation if probation was not revoked,
34.6 and the policies favoring probation outweigh the need for confinement if a person has not
34.7 previously violated a condition of probation or intermediate sanction and does any of the
34.8 following in violation of a condition imposed by the court:

34.9 (1) fails to abstain from the use of controlled substances without a valid prescription,
34.10 unless the person is under supervision for a violation of:

34.11 (i) section 169A.20;

34.12 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

34.13 (iii) 609.2113, subdivision 1, clauses (2) to (6), subdivision 2, clauses (2) to (6), or
34.14 subdivision 3, clauses (2) to (6);

34.15 (2) fails to abstain from the use of alcohol, unless the person is under supervision for a
34.16 violation of:

34.17 (i) section 169A.20;

34.18 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

34.19 (iii) 609.2113, subdivision 1, clauses (2) to (6), subdivision 2, clauses (2) to (6), or
34.20 subdivision 3, clauses (2) to (6);

34.21 (3) possesses drug paraphernalia in violation of section 152.092;

34.22 (4) fails to obtain or maintain employment;

34.23 (5) fails to pursue a course of study or vocational training;

34.24 (6) fails to report a change in employment, unless the person is prohibited from having
34.25 contact with minors and the employment would involve such contact;

34.26 (7) violates a curfew;

34.27 (8) fails to report contact with a law enforcement agency, unless the person was charged
34.28 with a misdemeanor, gross misdemeanor, or felony; or

34.29 (9) commits any offense for which the penalty is a petty misdemeanor.

35.1 (b) A violation by a person described in paragraph (a) does not warrant the imposition
35.2 or execution of sentence and the court may not direct that the person be taken into immediate
35.3 custody unless the court receives a written report, signed under penalty of perjury pursuant
35.4 to section 358.116, showing probable cause to believe the person violated probation and
35.5 establishing by a preponderance of the evidence that the continued presence of the person
35.6 in the community would present a risk to public safety. If the court does not direct that the
35.7 person be taken into custody, the court may request a supplemental report from the
35.8 supervising agent containing:

35.9 (1) the specific nature of the violation;

35.10 (2) the response of the person under supervision to the violation, if any; and

35.11 (3) the actions the supervising agent has taken or will take to address the violation.

35.12 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
35.13 that occur on or after that date.

35.14 **Sec. 33. LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**

35.15 By August 1, 2025, each local correctional agency under Minnesota Statutes, section
35.16 244.18, must provide a plan for phasing out local correctional fees. A copy of the plan must
35.17 be provided to all individuals under supervision by the agency. Local correctional fees must
35.18 not increase from the effective date of this section through August 1, 2025.

35.19 **Sec. 34. COMMUNITY SUPERVISION ADVISORY COMMITTEE; REPORT.**

35.20 (a) By January 15, 2025, the committee must submit a report to the chairs and ranking
35.21 minority members of the legislative committees with jurisdiction over public safety policy
35.22 and finance on progress toward developing standards and recommendations under Minnesota
35.23 Statutes, section 401.17, subdivision 3.

35.24 (b) By January 15, 2026, the committee must submit a final report to the chairs and
35.25 ranking minority members of the legislative committees with jurisdiction over public safety
35.26 policy and finance on the standards and recommendations developed according to Minnesota
35.27 Statutes, section 401.17, subdivision 3. At a minimum, the recommendations must include
35.28 a proposed state-level Community Supervision Advisory Board with a governance structure
35.29 and duties for the board.

36.1 Sec. 35. **REPEALER.**

36.2 (a) Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, and 8; 244.22; 244.24;
36.3 and 244.30, are repealed.

36.4 (b) Minnesota Statutes 2022, section 244.18, is repealed.

36.5 **EFFECTIVE DATE.** This section is effective August 1, 2023, and paragraph (b) is
36.6 effective August 1, 2025."

36.7 Renumber the sections in sequence and correct internal references