

..... moves to amend H.F. No. 2432, the delete everything amendment (H2432DE2), as follows:

Page 49, after line 17, insert:

#### "ARTICLE 4 CORRECTIONS POLICY

Section 1. Minnesota Statutes 2024, section 244.19, subdivision 1c, is amended to read:

Subd. 1c. **Community supervision funding; eligibility for funding formula.** (a) A CPO jurisdiction:

(1) must collaborate with the commissioner to develop a comprehensive plan under section 401.06; and

(2) is subject to all applicable eligibility provisions under chapter 401 necessary to receive a subsidy under section 401.10.

(b) A non-CPO jurisdiction is eligible to receive a subsidy under section 401.10 but is not a Community Corrections Act jurisdiction under chapter 401, ~~and~~. Except as provided under section 401.115, the commissioner:

~~(1) is appropriated the jurisdiction's share of funding under section 401.10 for providing probation services; and~~

~~(2) may seek reimbursement from the jurisdiction according to subdivision 5a.~~

Sec. 2. Minnesota Statutes 2024, section 244.19, subdivision 1d, is amended to read:

Subd. 1d. **Commissioner of corrections; reimbursing CPO and non-CPO jurisdictions jurisdiction.** As calculated by the community supervision formula under section 401.10, the commissioner must:

(1) reimburse a CPO jurisdiction for the cost that the jurisdiction assumes under this section for providing probation services, including supervising juveniles committed to the commissioner of corrections; and.

~~(2) reimburse a non-CPO jurisdiction for the commissioner's provision of probation services to the jurisdiction under this section.~~

Sec. 3. Minnesota Statutes 2024, section 244.19, subdivision 5, is amended to read:

Subd. 5. **Commissioner ~~compensation to~~ duties for non-CPO jurisdiction.** (a) For a non-CPO jurisdiction, the commissioner must, ~~out of appropriations provided under subdivision 5a, paragraph (b),~~ pay probation officers the salary and all benefits fixed by the state law or applicable bargaining unit and all necessary expenses, including secretarial service, office equipment and supplies, postage, telephone services, and travel and subsistence.

(b) Except as provided under section 401.115, the commissioner must pay the items under paragraph (a) using appropriations provided under section 401.10.

Sec. 4. Minnesota Statutes 2024, section 244.19, subdivision 5a, is amended to read:

Subd. 5a. **Department of Corrections ~~billing; CPO and non-CPO jurisdiction reimbursement~~ annual reporting.** (a) ~~At least every six months, the commissioner must bill for the total cost and expenses incurred by the commissioner on behalf of each non-CPO jurisdiction that has received probation services.~~ annually, the commissioner must notify each CPO and non-CPO jurisdiction of the total cost and expenses, and the jurisdiction must pay to the commissioner the amount due for reimbursement incurred by the commissioner on behalf of each CPO and non-CPO jurisdiction that has received probation services.

~~(b) Each CPO and non-CPO jurisdiction must reimburse the Department of Corrections for the total cost and expenses of the probation services as incurred by the commissioner, excluding the cost and expense of services provided under the state's obligation for adult felony supervision in section 244.20. Money received under this paragraph from a non-CPO jurisdiction must be annually appropriated to the commissioner for providing probation services to the jurisdiction.~~

~~(c) Objections by a non-CPO jurisdiction to all allocation of cost and expenses must be presented to and determined by the commissioner.~~

~~(b) (d) In addition to the billing and reimbursement requirements under this section,~~  
Invoicing and payments for probation services for a CPO jurisdiction are as provided under  
sections 401.14 and 401.15.

Sec. 5. Minnesota Statutes 2024, section 244.20, is amended to read:

**244.20 PROBATION; FELONY SUPERVISION.**

(a) Notwithstanding sections 244.19, subdivisions 1 to 1d, and 609.135, subdivision 1,  
the Department of Corrections:

(1) has exclusive responsibility for providing probation services for adult felons in  
counties and Tribal Nations that do not take part in the Community Corrections Act subsidy  
program under chapter 401; and

(2) to provide felony supervision, retains the county's or Tribal Nation's funding allotted  
under section 401.10 for providing felony probation services.

(b) Paragraph (a), clause (2), does not apply to a Tribal Nation's subsidy under section  
401.115.

Sec. 6. Minnesota Statutes 2024, section 401.03, is amended to read:

**401.03 RULEMAKING AUTHORITY; TECHNICAL ASSISTANCE.**

(a) The commissioner must, as provided in chapter 14, adopt rules to implement this  
chapter and provide consultation and technical assistance to counties and Tribal Nations to  
help them develop comprehensive plans, including abbreviated plans.

(b) The time limit to adopt rules under section 14.125 does not apply.

Sec. 7. Minnesota Statutes 2024, section 401.10, subdivision 1, is amended to read:

Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,  
the community supervision subsidy paid to each county, the commissioner for supervision  
of non-CCA jurisdictions served by the Department of Corrections, and each applicable  
Tribal Nation ~~under paragraph (e)~~ providing services as a CCA jurisdiction or CPO  
jurisdiction as defined in section 244.19, subdivision 1a, paragraph (b), equals the sum of:

(1) a base funding amount equal to \$150,000; and

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

(i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied  
by the sum of the county's or Tribal Nation's adult felony population, adult supervised

release and parole populations, and juvenile supervised release and parole populations as reported in the most recent probation survey published by the commissioner, multiplied by 365; and

(ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent probation survey published by the commissioner, multiplied by 365.

(b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), the base funding amount must be shared equally between the jurisdiction and the commissioner for the provision of felony supervision under section 244.20.

(c) If in any year the total amount appropriated for the purpose of this section is more than or less than the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal Nation's base funding plus community supervision formula funding is adjusted by the ratio of amounts appropriated for this purpose divided by the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

~~(e) For each Tribal Nation, a funding amount of \$250,000 is allotted annually to purchase probation services or probation-related services, including contracted services, but a Tribal Nation that becomes a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under paragraphs (a) to (e) and:~~

~~(1) has the Tribal Nation's funding amount of \$250,000 transferred to the total community supervision subsidy amount appropriated for the purposes of this section; and~~

~~(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under paragraph (a), clause (2).~~

(~~f~~) (e) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

Sec. 8. Minnesota Statutes 2024, section 401.10, is amended by adding a subdivision to read:

Subd. 1a. **Interstate Transfer Unit.** Prior to disbursing the community supervision subsidy in subdivision 1, the commissioner shall prorate the cost of the Interstate Transfer Unit based upon the county's share of the probation population as reported in the most recent probation survey and deduct that amount from the county's subsidy.

Sec. 9. Minnesota Statutes 2024, section 401.11, subdivision 1, is amended to read:

Subdivision 1. **Policy items.** (a) Except for an abbreviated comprehensive plan submitted under section 401.115, a comprehensive plan submitted to the commissioner for approval under section 401.06 must include items prescribed by commissioner policy and may include the following:

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

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

(3) a program for detaining, supervising, and treating persons under pretrial detention or under commitment;

(4) delivery of other correctional services;

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

(6) descriptions of programs that adhere to best practices for assessing risk and using interventions that address an individual's needs while tailoring supervision and interventions by using risk, need, and responsivity principles; and

(7) data on expenditures, costs, and programming results and outcomes for individuals under community supervision.

(b) The commissioner must develop in policy budgetary requirements for comprehensive plans to ensure the efficient and accountable expenditure of a county's or Tribal Nation's subsidy for correctional services and programming to produce successful community supervision outcomes.

Sec. 10. **[401.115] NONPARTICIPATING TRIBAL NATIONS.**

**Subdivision 1. Subsidy amount.** A Tribal Nation electing not to provide services as a CCA jurisdiction or a CPO jurisdiction under section 244.19, subdivision 1a, paragraph (b), is eligible for a subsidy of \$250,000 annually to purchase or provide community supervision services or reentry services, including contracted services.

**Subd. 2. Eligibility for subsidy.** A Tribal Nation is eligible to receive funding under subdivision 1 upon submission and approval by the commissioner of an abbreviated comprehensive plan. Section 401.08 does not apply. The abbreviated plan must comply with commissioner-developed standards, and at minimum:

(1) describe the community supervision services or reentry services for which the funding will be utilized;

(2) identify a steering committee to oversee the use of funds; and

(3) provide a budget for those services.

Once approved, the abbreviated comprehensive plan is valid for two years.

**Subd. 3. Paying subsidy.** A Tribal Nation receiving the subsidy under subdivision 1 must be paid according to section 401.14.

**Subd. 4. Eligibility for community supervision funding formula.** A Tribal Nation electing to become a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under section 401.10, subdivision 1, paragraphs (a) to (c), and:

(1) has the Tribal Nation's funding amount under subdivision 1 transferred to the community supervision formula amount appropriated for the purpose of section 401.10;

(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under section 401.10, subdivision 1, paragraph (a), clause (2); and

7.1 (3) is subject to all requirements relating to providing correctional services in section  
7.2 244.19 and chapter 401.

7.3 Sec. 11. Minnesota Statutes 2024, section 401.14, is amended to read:

7.4 **401.14 PAYING SUBSIDY TO CCA AND NON-CCA JURISDICTIONS.**

7.5 Subdivision 1. **Payment.** (a) This section does not apply to:

7.6 (1) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (d); and

7.7 (2) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c),

7.8 for the portion of the subsidy allotted for felony probation services.

7.9 (b) After a county or Tribal Nation becomes compliant with the prerequisites for receiving  
7.10 the subsidy and the commissioner approves the applicable comprehensive plan, the  
7.11 commissioner must determine whether funds exist to pay the subsidy and proceed to pay it  
7.12 in accordance with applicable law.

7.13 Subd. 2. **Quarterly estimate and remittance.** Based on the approved comprehensive  
7.14 plan, the commissioner may estimate the amount to be expended in furnishing the required  
7.15 correctional services during each calendar quarter and cause the estimated amount to be  
7.16 remitted to the counties and Tribal Nations entitled to the amount as provided under section  
7.17 401.15, subdivision 1.

7.18 Subd. 3. **Installment payments.** The commissioner must:

7.19 (1) make payments for correctional services to each county and Tribal Nation in 12  
7.20 installments per year;

7.21 (2) ensure that the pertinent payment of the allotment for each month is made to each  
7.22 county and Tribal Nation on the first working day after the end of each month of the calendar  
7.23 year, except for the last month of the calendar year; and

7.24 (3) ensure that each county and Tribal Nation receives its monthly payment allotment  
7.25 no later than the last working day of each month.

7.26 Sec. 12. Minnesota Statutes 2024, section 401.15, subdivision 2, is amended to read:

7.27 Subd. 2. **Formula review.** The commissioner must ~~annually~~ review the community  
7.28 supervision formula under section 401.10 at the start of each biennium and calculate and  
7.29 prorate the subsidy accordingly.

8.1 Sec. 13. Minnesota Statutes 2024, section 609.78, subdivision 2c, is amended to read:

8.2 Subd. 2c. **Felony offense; reporting fictitious emergency resulting in response to**  
8.3 **the home of certain officials.** Whoever violates subdivision 2, clause (2), is guilty of a  
8.4 felony and may be sentenced to imprisonment for not more than one year or to payment of  
8.5 a fine of not more than \$5,000, or both, if the person places the call with the intent of  
8.6 prompting an emergency response to the home of:

8.7 (1) an elected official;

8.8 (2) a judge as defined in section 609.221, subdivision 6, clause (5);

8.9 (3) a prosecuting attorney as defined in section 609.221, subdivision 6, clause (4);

8.10 (4) ~~an employee of a correctional facility as defined in section 241.021, subdivision 1;~~  
8.11 a correctional employee of the state or a local political subdivision; or

8.12 (5) a peace officer as defined in section 626.84, subdivision 1, paragraph (c).

8.13 Sec. 14. Laws 2023, chapter 52, article 11, section 31, is amended to read:

8.14 Sec. 31. **MENTAL HEALTH UNIT PILOT PROGRAM.**

8.15 (a) The commissioner of corrections shall establish a pilot program with interested  
8.16 counties to provide mental health care to individuals with serious and persistent mental  
8.17 illness who are incarcerated in county jails. The pilot program must require the participating  
8.18 counties to pay according to Minnesota Statutes, section 243.51, a per diem for  
8.19 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park  
8.20 Heights, and other costs incurred by the Department of Corrections.

8.21 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall  
8.22 develop program protocols, guidelines, and procedures and qualifications for participating  
8.23 counties and incarcerated individuals to be treated in the Mental Health Unit. The program  
8.24 is limited to a total of five incarcerated individuals from the participating counties at any  
8.25 one time. Incarcerated individuals must ~~volunteer to be treated in the unit~~ and be able to  
8.26 participate in programming with other incarcerated individuals. A licensed mental health  
8.27 professional must evaluate the incarcerated individual and recommend the individual to  
8.28 receive treatment in the unit.

8.29 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of  
8.30 psychology, and associate director of behavioral health, or a designee of each, in consultation



9.1 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association  
9.2 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

9.3 ~~(d) On November 15, 2024, the warden shall submit a report to the chairs and ranking~~  
9.4 ~~minority members of the legislative committees and divisions with jurisdiction over~~  
9.5 ~~corrections describing the protocols, guidelines, and procedures for participation in the pilot~~  
9.6 ~~program by counties and incarcerated individuals, challenges with staffing, cost sharing~~  
9.7 ~~with counties, capacity of the program, services provided to the incarcerated individuals,~~  
9.8 ~~program outcomes, concerns regarding the program, and recommendations for the viability~~  
9.9 ~~of a long-term program.~~

9.10 ~~(e) (d)~~ The pilot program expires ~~November 16, 2024~~ August 1, 2027."