

48.1 **ARTICLE 5**
48.2 **CORRECTIONS**

48.3 Section 1. Minnesota Statutes 2014, section 43A.241, is amended to read:

48.4 ~~43A.241 INSURANCE CONTRIBUTIONS; FORMER CORRECTIONS~~

48.5 **EMPLOYEES.**

48.6 (a) This section applies to a person who:

48.7 (1) was employed by the commissioner of the Department of Corrections ~~at a state~~
48.8 ~~institution under control of the commissioner, and in that employment was a member~~
48.9 ~~of the general plan of the Minnesota State Retirement System; or by the Department~~
48.10 of Human Services;

48.11 (2) was covered by the correctional employee retirement plan under section 352.91
48.12 or the general state employees retirement plan of the Minnesota State Retirement System
48.13 as defined in section 352.021;

48.14 (3) ~~while employed under clause (1), was assaulted by an inmate at a state institution~~
48.15 ~~under control of the commissioner of the Department of Corrections; and;~~

48.16 (i) a person under correctional supervision for a criminal offense; or

48.17 (ii) a client or patient at the Minnesota sex offender program, or at a state-operated
48.18 forensic services program as defined in section 352.91, subdivision 3j, under the control of
48.19 the commissioner of the Department of Human Services; and

48.20 ~~(3)~~ (4) ~~as a direct result of the assault under clause (3), was determined to be~~
48.21 ~~totally and permanently physically disabled under laws governing the Minnesota State~~
48.22 ~~Retirement System.~~

48.23 (b) For a person to whom this section applies, the commissioner of the Department
48.24 of Corrections or the commissioner of the Department of Human Services, using existing
48.25 budget resources, must continue to make the employer contribution for hospital, medical,
48.26 and dental benefits under the State Employee Group Insurance Program after the person
48.27 terminates state service. If the person had dependent coverage at the time of terminating
48.28 state service, employer contributions for dependent coverage also must continue under this
48.29 section. The employer contributions must be in the amount of the employer contribution
48.30 for active state employees at the time each payment is made. The employer contributions
48.31 must continue until the person reaches age 65, provided the person makes the required
48.32 employee contributions, in the amount required of an active state employee, at the time
48.33 and in the manner specified by the commissioner.

49.1 **EFFECTIVE DATE.** This section is effective the day following final enactment

49.2 and applies to a person assaulted by an inmate, client, or patient on or after that date.

49.3 Sec. 2. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

49.4 Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not
49.5 restrain a woman known to be pregnant unless the representative makes an individualized
49.6 determination that restraints are reasonably necessary for the legitimate safety and security
49.7 needs of the woman, correctional staff, other inmates, or the public. If restraints are
49.8 determined to be necessary, the restraints must be the least restrictive available and the
49.9 most reasonable under the circumstances.

49.10 (b) A representative of a correctional facility may not restrain a woman known to be
49.11 pregnant while the woman is being transported if the restraint is through the use of waist
49.12 chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs
49.13 or other devices that cross or otherwise touch the woman's wrists when affixed behind the
49.14 woman's back. If used, wrist restraints should be applied in such a way that the pregnant
49.15 woman may be able to protect herself and her fetus in the event of a forward fall.

49.16 (c) A representative of a correctional facility may restrain a woman who is in labor
49.17 or who has given birth within the preceding three days only if:

49.18 (1) there is a substantial flight risk or some other extraordinary medical or security
49.19 circumstance that dictates restraints be used to ensure the safety and security of the
49.20 woman, the staff of the correctional or medical facility, other inmates, or the public;

49.21 (2) the representative has made an individualized determination that restraints are
49.22 necessary to prevent escape or injury;

49.23 (3) there is no objection from the treating medical care provider; and

49.24 (4) the restraints used are the least restrictive type and are used in the least restrictive
49.25 manner.

49.26 (d) Section 645.241 does not apply to this section.

49.27 **EFFECTIVE DATE.** This section is effective July 1, 2015.

49.28 Sec. 3. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision
49.29 to read:

49.30 Subd. 3. **Required annual report.** By February 15 of each year, the commissioner
49.31 shall report to the chairs and ranking minority members of the senate and house of
49.32 representatives committees and divisions having jurisdiction over criminal justice policy
49.33 and funding on the use of restraints on pregnant women, women in labor, and women
49.34 who have given birth in the preceding three days, who are incarcerated in state and local
50.1 correctional facilities during the preceding calendar year. For reporting purposes, the use of
50.2 restraints does not include use of handcuffs on the front of the body of a pregnant woman.

50.3 **EFFECTIVE DATE.** This section is effective July 1, 2015.

50.4 Sec. 4. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

50.5 Subdivision 1. **Applicability.** This section applies only to a woman:

50.6 (1) incarcerated following conviction; ~~and~~ or

50.7 (2) incarcerated before conviction beyond the period specified for the woman's initial

50.8 appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

50.9 **EFFECTIVE DATE.** This section is effective July 1, 2015.

50.10 Sec. 5. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

50.11 Subd. 2. **Requirements.** The head of each correctional facility shall ensure that

50.12 every woman incarcerated at the facility:

50.13 (1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years

50.14 of age unless the inmate refuses the test;

50.15 (2) if pregnant ~~and agrees to testing, is tested for sexually transmitted diseases;~~

50.16 ~~including HIV~~, is provided the prevailing standard of care or current practice by the

50.17 medical care provider's peer group;

50.18 (3) if pregnant or has given birth in the past six weeks, is provided appropriate

50.19 educational materials and resources related to pregnancy, childbirth, breastfeeding, and

50.20 parenting;

50.21 (4) if pregnant or has given birth in the past six weeks, has access to doula services if

50.22 these services are provided by a certified doula without charge to the correctional facility

50.23 or the incarcerated woman pays for the certified doula services;

50.24 (5) if pregnant or has given birth in the past six months, has access to a mental health

50.25 assessment and, if necessary, treatment;

50.26 (6) if pregnant or has given birth in the past six months and determined to be

50.27 suffering from a mental illness, has access to evidence-based mental health treatment

50.28 including psychotropic medication;

50.29 (7) if pregnant or has given birth in the past six months and determined to be

50.30 suffering from postpartum depression, has access to evidence-based therapeutic care for

50.31 the depression; and

50.32 (8) if pregnant or has given birth in the past six months, is advised, orally or in

50.33 writing, of applicable laws and policies governing incarcerated pregnant women.

51.1 **EFFECTIVE DATE.** This section is effective July 1, 2015.

51.2 Sec. 6. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision
51.3 to read:

51.4 Subd. 1d. **Electronic surveillance.** (a) If the commissioner orders electronic
51.5 surveillance of an inmate placed on supervised release, the commissioner may require that
51.6 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,
51.7 directly supervise the offender until electronic surveillance is activated.

51.8 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
51.9 that the inmate's residence is properly equipped and the inmate's telecommunications
51.10 system is properly configured to support electronic surveillance prior to being released
51.11 from custody or the direct supervision of a probation agent. An inmate who fails to
51.12 comply with this paragraph may be found in violation of the inmate's conditions of release
51.13 after a revocation hearing.

51.14 Sec. 7. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

51.15 Subd. 6. **Electronic surveillance.** (a) During any phase, the offender may be placed
51.16 on electronic surveillance if the intensive supervision agent so directs. If electronic
51.17 surveillance is directed during phase I, the commissioner must require that the inmate be
51.18 kept in custody, or that the inmate's intensive supervised release agent, or the agent's
51.19 designee, directly supervise the offender until electronic surveillance is activated.

51.20 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
51.21 that the inmate's residence is properly equipped and the inmate's telecommunications
51.22 system is properly configured to support electronic surveillance prior to being released
51.23 from custody or the direct supervision of an intensive supervised release agent. An
51.24 inmate who fails to comply with this paragraph may be found in violation of the inmate's
51.25 conditions of release after a revocation hearing.

51.26 Sec. 8. Minnesota Statutes 2014, section 260B.198, is amended by adding a
51.27 subdivision to read:

51.28 Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated
51.29 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,
51.30 the court may require that the juvenile be kept in custody, or that the juvenile's probation
51.31 agent directly supervise the juvenile until electronic surveillance is activated.

51.32 (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic
51.33 surveillance to ensure that the juvenile's residence is properly equipped and the residence's
52.1 telecommunications system is properly configured to support electronic surveillance prior
52.2 to the juvenile being released from custody or the direct supervision of a probation agent.

1.9 Sec. 2. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 1d. **Electronic surveillance.** (a) If the commissioner orders electronic
1.12 surveillance of an inmate placed on supervised release, the commissioner may require that
1.13 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,
1.14 directly supervise the offender until electronic surveillance is activated.

1.15 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
1.16 that the inmate's residence is properly equipped and the inmate's telecommunications
1.17 system is properly configured to support electronic surveillance prior to being released
1.18 from custody or the direct supervision of a probation agent. An inmate who fails to
1.19 comply with this paragraph may be found in violation of the inmate's conditions of release
1.20 after a revocation hearing.

1.21 Sec. 3. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

1.22 Subd. 6. **Electronic surveillance.** (a) During any phase, the offender may be placed
1.23 on electronic surveillance if the intensive supervision agent so directs. If electronic
2.1 surveillance is directed during phase I, the commissioner must require that the inmate be
2.2 kept in custody, or that the inmate's intensive supervised release agent, or the agent's
2.3 designee, directly supervise the offender until electronic surveillance is activated.

2.4 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
2.5 that the inmate's residence is properly equipped and the inmate's telecommunications
2.6 system is properly configured to support electronic surveillance prior to being released
2.7 from custody or the direct supervision of an intensive supervised release agent. An
2.8 inmate who fails to comply with this paragraph may be found in violation of the inmate's
2.9 conditions of release after a revocation hearing.

2.10 Sec. 4. Minnesota Statutes 2014, section 260B.198, is amended by adding a
2.11 subdivision to read:

2.12 Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated
2.13 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,
2.14 the court may require that the juvenile be kept in custody, or that the juvenile's probation
2.15 agent directly supervise the juvenile until electronic surveillance is activated.

2.16 (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic
2.17 surveillance to ensure that the juvenile's residence is properly equipped and the residence's
2.18 telecommunications system is properly configured to support electronic surveillance prior
2.19 to being released from custody or the direct supervision of a probation agent.

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52.3 Sec. 9. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

52.4 Subdivision 1. **Aid calculations.** To determine the community corrections aid
52.5 amount to be paid to each participating county, the commissioner of corrections must
52.6 apply the following formula:

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

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

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

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

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

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

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

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

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

25.5 Sec. 11. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

25.6 Subdivision 1. **Aid calculations.** To determine the community corrections aid
25.7 amount to be paid to each participating county, the commissioner of corrections must
25.8 apply the following formula:

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

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

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

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

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

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

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

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

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

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

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

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

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

53.12 (8) Each participating county's "base funding amount" is the aid amount that the
53.13 county received under this section for fiscal year 1995 plus the amount received in
53.14 caseload or workload reduction, felony caseload reduction, and sex offender supervision
53.15 grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year
53.16 1997 and thereafter, no county's aid amount under this section may be less than its base
53.17 funding amount, provided that the total amount appropriated for this purpose is at least as
53.18 much as the aggregate base funding amount defined in clause (9).

53.19 (9) The "aggregate base funding amount" is equal to the sum of the base funding
53.20 amounts for all participating counties. If a county that participated under this section
53.21 ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate
53.22 base funding amount must be reduced by that county's base funding amount. If a county
53.23 that did not participate under this section in fiscal year 1995 chooses to participate ~~in any~~
53.24 ~~given year on or after July 1, 2015~~, then the aggregate base funding amount must be
53.25 increased by the amount of aid that the county would have received had it participated in
53.26 fiscal year 1995 plus the estimated amount it would have received in caseload or workload
53.27 reduction, felony caseload reduction, and sex offender supervision grants in fiscal year
53.28 2015, as reported by the commissioner of corrections, and the amount of increase shall be
53.29 that county's base funding amount.

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

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

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

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

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

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

26.14 (8) Each participating county's "base funding amount" is the aid amount that the
26.15 county received under this section for fiscal year 1995 plus the amount received in
26.16 caseload or workload reduction, felony caseload reduction, and sex offender supervision
26.17 grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year
26.18 1997 and thereafter, no county's aid amount under this section may be less than its base
26.19 funding amount, provided that the total amount appropriated for this purpose is at least as
26.20 much as the aggregate base funding amount defined in clause (9).

26.21 (9) The "aggregate base funding amount" is equal to the sum of the base funding
26.22 amounts for all participating counties. If a county that participated under this section
26.23 ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate
26.24 base funding amount must be reduced by that county's base funding amount. If a county
26.25 that did not participate under this section in fiscal year 1995 chooses to participate ~~in any~~
26.26 ~~given year on or after July 1, 2015~~, then the aggregate base funding amount must be
26.27 increased by the amount of aid that the county would have received had it participated in
26.28 fiscal year 1995 plus the estimated amount it would have received in caseload or workload
26.29 reduction, felony caseload reduction, and sex offender supervision grants in fiscal year
26.30 2015, as reported by the commissioner of corrections, and the amount of increase shall be
26.31 that county's base funding amount.

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

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

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

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

54.9 Sec. 10. Minnesota Statutes 2014, section 631.461, is amended to read:

54.10 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

54.11 (a) When a sentence for an offense includes imprisonment in a county jail, the
 54.12 court may sentence the offender to imprisonment in a workhouse or correctional or work
 54.13 farm if there is one in the county where the offender is tried or where the offense was
 54.14 committed. If not, the court may sentence the offender to imprisonment in a workhouse or
 54.15 correctional or work farm in any county in this state. However, the county board of the
 54.16 county where the offender is tried shall have some agreement for the receipt, maintenance,
 54.17 and confinement of inmates with the county where the offender has been sentenced to
 54.18 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may
 54.19 be removed from one place of confinement to another as provided by statute.

54.20 (b) If a court orders or a sheriff permits an offender to serve any portion of the
 54.21 offender's sentence on electronic surveillance, the court or sheriff may require that the
 54.22 offender be kept in custody, or that the offender's probation agent directly supervise the
 54.23 offender until electronic surveillance is activated.

54.24 (c) It is the responsibility of the offender placed on electronic surveillance to ensure
 54.25 that the offender's residence is properly equipped and the offender's telecommunications
 54.26 system is properly configured to support electronic surveillance prior to being released
 54.27 from custody or the direct supervision of a probation agent. An offender who fails to
 54.28 comply with this paragraph may be found in violation of the offender's conditions of
 54.29 release after a revocation hearing.

54.30 Sec. 11. **SHERBURNE COUNTY COMMUNITY SUPERVISION GRANT.**

54.31 Notwithstanding Minnesota Statutes, section 401.10, subdivision 2, any state funds
 54.32 appropriated in fiscal year 2015 for community supervision in Sherburne County that are
 54.33 unallocated after funds are transferred under the Community Corrections Act formula to
 55.1 fund Sherburne County's participation in the act shall be transferred by the commissioner
 55.2 to Sherburne County in the form of a caseload and workload reduction grant.

55.3 Sec. 12. **COLTON'S LAW.**

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

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

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2.20 Sec. 5. Minnesota Statutes 2014, section 631.461, is amended to read:

2.21 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

2.22 (a) When a sentence for an offense includes imprisonment in a county jail, the
 2.23 court may sentence the offender to imprisonment in a workhouse or correctional or work
 2.24 farm if there is one in the county where the offender is tried or where the offense was
 2.25 committed. If not, the court may sentence the offender to imprisonment in a workhouse or
 2.26 correctional or work farm in any county in this state. However, the county board of the
 2.27 county where the offender is tried shall have some agreement for the receipt, maintenance,
 2.28 and confinement of inmates with the county where the offender has been sentenced to
 2.29 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may
 2.30 be removed from one place of confinement to another as provided by statute.

2.31 (b) If a court orders or a sheriff permits an offender to serve any portion of the
 2.32 offender's sentence on electronic surveillance, the court or sheriff may require that the
 2.33 offender be kept in custody, or that the offender's probation agent directly supervise the
 2.34 offender until electronic surveillance is activated.

3.1 (c) It is the responsibility of the offender placed on electronic surveillance to ensure
 3.2 that the offender's residence is properly equipped and the offender's telecommunications
 3.3 system is properly configured to support electronic surveillance prior to being released
 3.4 from custody or the direct supervision of a probation agent. An inmate who fails to
 3.5 comply with this paragraph may be found in violation of the inmate's conditions of release
 3.6 after a revocation hearing.

1.7 Section 1. **TITLE.**

55.4 Sections 6, 7, 8, 10, and 13 shall be known as "Colton's Law."

1.8 This act shall be known as "Colton's Law."

55.5 Sec. 13. **ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.**

55.6 The purpose of electronic surveillance of adult and juvenile offenders is to provide a
55.7 cost-effective alternative to incarceration or detention for deserving low-risk offenders.
55.8 It is a privilege for an adult or juvenile offender to be placed on electronic surveillance
55.9 in lieu of remaining in custody to complete a period of incarceration or detention. The
55.10 parties who authorize and implement electronic surveillance shall take all reasonable
55.11 precautions to protect public safety.