

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 724  
**Version:** First engrossment

**DATE:** April 9, 2013

**Authors:** Paymar

**Subject:** Public Safety Omnibus Finance Bill

**Analyst:** Jeff Diebel and Rebecca Pirius

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/).

---

### Overview

This bill contains appropriations for the following state government entities: Department of Public Safety, Peace Officers Standards and Training Board, Private Detective Board, Department of Human Rights, and Department of Corrections and related policy reforms. The bill also includes two sex offender sentencing provisions that increase sentences for repeat offenders.

#### Section

- 1 Summary of Appropriations.** Summarizes direct appropriations by fund.
- 2 Public Safety Appropriations.** Describes, in general terms, the appropriations contained in this bill.
- 3 Public Safety.**

**Subd. 1. Total appropriation.** Appropriates \$156,926,000 for FY14, \$161,300,000 for FY15.

**Subd. 2. Emergency management.** Appropriates \$3,079,000 in FY14 and \$3,029,000 in FY15 to the emergency management division.

**(a) Hazmat and chemical assessment teams.** Appropriates \$604,000 each year from the Fire Safety Account to fund Hazmat and Chemical Assessment Teams.

**(b) School safety.** Appropriates \$555,000 in FY14 and \$505,000 in FY15 to fund the school safety center and provide for school safety.

## Section

**Subd. 3. Criminal apprehension.** Appropriates \$47,518,000 in FY14 and \$47,197,000 in FY15 to the BCA.

(a) **DWI analysis.** Transfers funding for DWI lab analysis from the trunk highway fund.

(b) **Criminal history system.** Appropriates funding to improve the state's criminal history system.

(c) **Criminal reporting system.** Appropriates funding to improve the state's crime reporting system.

(d) **Forensic laboratory.** Appropriates funding to replace forensic laboratory equipment.

(e) **Livescan fingerprinting.** Appropriates funding for the maintenance of livescan fingerprinting equipment.

(f) **Base adjustment.** Makes base adjustments to the department's funding in each year.

(g) **Transfer.** Transfers \$2,500,000 each year from the vehicle services special renewal account to the general fund.

**Subd. 4. Fire Marshal.** Appropriates \$9,555,000 each year to fund the state fire marshal and firefighter training grants.

**Subd. 5. Alcohol and Gambling Enforcement.** Appropriates \$2,235,000 each year to the alcohol and gambling enforcement division. \$500,000 from the alcohol enforcement account is transferred to the general fund.

**Subd. 6. Office of Justice Programs.** Appropriates \$35,167,000 each year to OJP.

(a) **OJP administration costs.** Permits OJP to use up to 2.5 percent of the funds to administer the grant program.

(b) **Crime victims programs.** Appropriates \$1,500,000 each year to crime victim programs.

(c) **Community offender re-entry program.** Appropriates \$150,000 each year to the Duluth offender re-entry program.

(d) **Youth intervention grants.** Appropriates \$461,000 each year for youth intervention grants.

**Subd. 7. Emergency communications networks.** Appropriates \$59,138,000 the first year and \$63,639,000 the second year from the 911 emergency telecommunications service fee account for emergency communications.

## Section

Funds public safety answering points, medical resource communication centers, ARMER debt service, ARMER state backbone operating costs, and ARMER improvements.

**Subd. 8. Administration and related services.** Appropriates \$234,000 in FY14 and \$478,000 in FY 15 for administration and related services.

**4 Peace Officers Standards and Training Board.** Appropriates \$3,770,000 each year to the POST Board. \$2,634,000 is for reimbursements to local governments for peace officer training costs.

**5 Private Detective Board.** Appropriates \$121,000 in FY14 and \$122,000 in FY15 to the private detective board.

**6 Human Rights.** Appropriates \$3,322,000 in FY14 and \$3,348,000 in FY15 for the department of human rights.

▶ Of this amount, \$129,000 is for increased compliance activities.

**7 Department of Corrections.**

**Subd. 1. Total appropriation.** Appropriates \$481,103,000 the first year and \$487,864,000 the second year to the department of corrections.

**Subd. 2. Correctional institutions.** Appropriates \$325,759,000 the first year and \$312,001,000 the second year to correctional institutions.

**(a) Sex offender treatment beds.** Appropriates \$1,500,000 each year for additional sex offender treatment.

**(b) Minncor transfer.** Transfers \$1,300,000 each year from the MINNCOR revolving fund to the general fund.

**Subd. 3. Community services.** Appropriates \$112,953,000 in FY14 and \$113,479,000 in FY15 for community services.

**Subd. 4. Operations support.** Appropriates \$22,244,000 in FY14 and \$22,513,000 in FY15 for the department's operations support group.

**8 Trunk highway fund appropriations.** Removes the prohibitions on using trunk highway funds to fund BCA expenses and to pay tort claims.

**9 Contracting with other states and federal government.** Permits the department of corrections to keep funds received from housing inmates from other jurisdictions.

**10 Temporary detention.** Permits the department of corrections to keep funds received from housing inmates from other jurisdictions.

**11 Scope of application.** Requires businesses to be certified by the department of human rights

## Section

every four years rather than the current two year cycle.

- 12 Filing fee; account; appropriation.** Increases the fee for the department of human rights to certify a business under section 11 from \$75 to \$150. This amendment is revenue neutral because the certification process will occur every four years instead of every two years.
- 13 Felony.** Expands the felony 5<sup>th</sup> degree criminal sexual conduct offense. A person who engages in either nonconsensual sexual contact with another person or who engages in masturbation or lewd exhibition of the genitals in front of a minor under the age of 16 may be sentenced to up to five years in prison if the person has a qualifying prior offense. The list of qualifying prior offenses is: (1) criminal sexual conduct 1-5 (§§ 609.242 to 609.3451); (2) criminal sexual predatory conduct (§ 609.3453); (3) solicitation of a child (§ 609.52); (4) indecent exposure (§ 617.23); (5) use of a child in a sexual performance (§ 617.246); (5) child pornography (§ 617.247); or (6) a similar qualifying offense from another state.
- 14 Presumptive executed sentence for repeat sex offenders.** Creates a presumptive mandatory minimum sentence of three years for certain repeat sex offenders. A person who is convicted for criminal sexual conduct 1-5 within 15 years of a prior sex offense conviction will receive the 3-year sentence unless a longer mandatory minimum sentence applies. A court may stay execution of the sentence only if it finds the offender amenable to inpatient sex offender treatment and imposes local jail time and a requirement of completing inpatient treatment as conditions of the offender's probation.
- 15 Repealer.** Repeals the department of corrections' out-of-state offender special revenue account. This language is no longer needed because the department will receive payments of housing out-of-state offenders as a direct appropriation pursuant to sections 9 and 10.