

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1681

(SENATE AUTHORS: DAHLE, Osmek and Pratt)

DATE	D-PG	OFFICIAL STATUS
03/12/2015	777	Introduction and first reading Referred to Judiciary
04/11/2016	5788 5799	Comm report: To pass Second reading
05/17/2016		Referred to Rules and Administration for comparison with HF1291
05/18/2016	7165	HF substituted on General Orders HF1291
05/21/2016	7284 7289	Author added Pratt Chief author stricken, shown as co-author Osmek Chief author added Dahle

A bill for an act

relating to judiciary; considering county attorney as attorney for any town in which a violation occurs for purposes of allocation of court fines, penalties, and forfeitures; amending Minnesota Statutes 2014, section 484.90, subdivision 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 484.90, subdivision 6, is amended to read:

Subd. 6. **Allocation.** (a) In all cases prosecuted in district court by an attorney for a municipality or other subdivision of government within the county for violations of state statute, or of an ordinance; or charter provision, rule, or regulation of a city; all fines, penalties, and forfeitures collected shall be deposited in the state treasury and distributed according to this paragraph. For the purpose of this section, the county attorney shall be considered the attorney for any town in which a violation occurs. Except where a different disposition is provided by section 299D.03, subdivision 5, 484.841, 484.85, or other law, on or before the last day of each month, the courts shall pay over all fines, penalties, and forfeitures collected by the court administrator during the previous month as follows:

(1) 100 percent of all fines or penalties for parking violations for which complaints and warrants have not been issued to the treasurer of the city or town in which the offense was committed; and

(2) two-thirds of all other fines to the treasurer of the city or town in which the offense was committed and one-third credited to the state general fund.

All other fines, penalties, and forfeitures collected by the court administrator shall be distributed by the courts as provided by law.

(b) Fines, penalties, and forfeitures shall be distributed as provided in paragraph (a) when:

- 2.1 (1) a city contracts with the county attorney for prosecutorial services under section
2.2 484.87, subdivision 3;
- 2.3 (2) a city has a population of 600 or less and has given the duty to prosecute cases to
2.4 the county attorney under section 484.87; or
- 2.5 (3) the attorney general provides assistance to the county attorney as permitted by law.