

CHAPTER 246B

MINNESOTA SEX OFFENDER PROGRAM

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246B.01 MINNESOTA SEX OFFENDER PROGRAM; DEFINITIONS.

Subdivision 1. **Applicability.** The definitions in this section apply to this chapter.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of human services or the commissioner's designee.

Subd. 3. **Sexual psychopathic personality.** "Sexual psychopathic personality" has the meaning given in section 253B.02, subdivision 18b.

Subd. 4. **Sexually dangerous person.** "Sexually dangerous person" has the meaning given in section 253B.02, subdivision 18c.

History: *1Sp1993 c 1 art 7 s 27; 1Sp1994 c 1 art 2 s 25; 1997 c 217 art 1 s 3,4*

246B.02 ESTABLISHMENT OF MINNESOTA SEX OFFENDER PROGRAM.

The commissioner of human services shall establish and maintain a secure facility located in Moose Lake. The facility shall be operated by the Minnesota sex offender program. The program shall provide care and treatment in secure treatment facilities to persons committed by the courts as sexual psychopathic personalities or sexually dangerous persons, or persons admitted there with the consent of the commissioner of human services.

History: *1Sp1993 c 1 art 7 s 28; 1Sp1994 c 1 art 2 s 26; 1Sp2003 c 14 art 6 s 34*

246B.03 LICENSURE.

The commissioner of human services shall apply to the commissioner of health to license the secure treatment facilities operated by the Minnesota sex offender program as supervised living facilities with applicable program licensing standards.

History: *1Sp1993 c 1 art 7 s 29; 1Sp1994 c 1 art 2 s 27; 1Sp2003 c 14 art 6 s 35*

246B.04 RULES; EVALUATION.

Subdivision 1. **Program rules and evaluation.** The commissioner of human services shall adopt rules to govern the operation, maintenance, and licensure of secure treatment facilities operated by the Minnesota sex offender program or at any other facility operated by the commissioner, for a person committed as a sexual psychopathic personality or a sexually dangerous person. The commissioner shall establish an evaluation process to measure outcomes and behavioral changes as a result of treatment compared with incarceration without treatment, to determine the value, if any, of treatment in protecting the public.

Subd. 2. **Ban on obscene material or pornographic work.** The commissioner shall prohibit persons civilly committed as sexual psychopathic personalities or sexually dangerous persons under section 253B.185 from having or receiving material that is obscene as defined under section 617.241, subdivision 1, material that depicts sexual conduct as defined under section 617.241, subdivision 1, or pornographic work as defined under section 617.246, subdivision 1, while receiving services in any secure treatment facilities operated by the Minnesota sex offender program or any other facilities operated by the commissioner.

History: *1Sp1993 c 1 art 7 s 30; 1994 c 529 s 3; 1Sp1994 c 1 art 2 s 28; 1Sp2003 c 14 art 6 s 36; 2004 c 134 s 2; 2005 c 10 art 1 s 45*

246B.05 MINNESOTA SEX OFFENDER PROGRAM; PRODUCTIVE DAY PROGRAM.

Subdivision 1. **Employment option.** The commissioner of human services, in consultation with the commissioner of corrections, shall develop an employment option for per-

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sons committed to a sexual psychopathic personality treatment center in order for patients to contribute to their cost of care. The employment may include work maintaining the center or work that is brought to the center by an outside source. The earnings generated must be deposited into the account created in subdivision 2 and divided between the participating patient and the center, in an effort to reduce state costs.

Subd. 2. **Minnesota sex offender program; productive day program account.** A productive day program account is created in the state treasury. Money collected by the commissioner of human services for the program under this section must be deposited in this account. Money in the account is appropriated to the commissioner for purposes of this section.

Subd. 3. **Money.** The commissioner has the authority to collect money resulting from the productive day program, and retain 50 percent to reimburse the state for the cost of administering the work program and for the purpose of reducing state costs associated with the Minnesota Sex Offender Program and return 50 percent of the earnings to the patient.

History: 2004 c 288 art 3 s 12