

SENATE

STATE OF MINNESOTA

NINETY-FOURTH SESSION

S.F. No. 1827

(SENATE AUTHORS: ABELER, Hoffman, Utke and Clark)		
DATE	D-PG	OFFICIAL STATUS
02/24/2025	485	Introduction and first reading Referred to Human Services
03/06/2025	640a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
03/27/2025	1114	Author added Clark See HF2115 See First Special Session, HF3

1.1

A bill for an act

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relating to judiciary and public safety; prohibiting court orders to pay for

1.3

comprehensive assessments covered by medical assistance or the behavioral health

1.4

fund; amending Minnesota Statutes 2024, section 169A.284.

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

1.6

Section 1. Minnesota Statutes 2024, section 169A.284, is amended to read:

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169A.284 ~~CHEMICAL DEPENDENCY~~ COMPREHENSIVE ASSESSMENT

1.8

CHARGE; SURCHARGE.

1.9

Subdivision 1. **When required.** (a) When a court sentences a person convicted of an

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offense enumerated in section 169A.70, subdivision 2 (~~chemical-use~~ comprehensive

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assessment; requirement; form), except as provided in paragraph (c), it shall order the person

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to pay the cost of the comprehensive assessment directly to the entity conducting the

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assessment or providing the assessment services in an amount determined by the entity

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conducting or providing the service and shall impose a ~~chemical dependency~~ comprehensive

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assessment charge of \$25. The court may waive the \$25 comprehensive assessment charge,

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but may not waive the cost for the assessment paid directly to the entity conducting the

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assessment or providing assessment services. A person shall pay an additional surcharge

1.18

of \$5 if the person is convicted of a violation of section 169A.20 (driving while impaired)

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within five years of a prior impaired driving conviction or a prior conviction for an offense

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arising out of an arrest for a violation of section 169A.20 or Minnesota Statutes 1998, section

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169.121 (driver under influence of alcohol or controlled substance) or 169.129 (aggravated

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DWI-related violations; penalty). This section applies when the sentence is executed, stayed,

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or suspended. The court may not waive payment of or authorize payment in installments

of the comprehensive assessment charge and surcharge ~~in installments~~ unless it makes written findings on the record that the convicted person is indigent or that the comprehensive assessment charge and surcharge would create undue hardship for the convicted person or that person's immediate family.

(b) The ~~chemical dependency~~ comprehensive assessment charge and surcharge required under this section are in addition to the surcharge required by section 357.021, subdivision 6 (surcharges on criminal and traffic offenders).

(c) The court must not order the person convicted of an offense enumerated in section 169A.70, subdivision 2 (comprehensive assessment; requirement; form), to pay the cost of the comprehensive assessment if the comprehensive assessment conducted is eligible for reimbursement under chapter 254B or 256B.

Subd. 2. **Distribution of money.** The court administrator shall collect and forward the ~~chemical dependency~~ comprehensive assessment charge and the \$5 surcharge, if any, to the commissioner of management and budget to be deposited in the state treasury and credited to the general fund.

Sec. 2. **REVISOR INSTRUCTION.**

The revisor of statutes shall substitute the term "comprehensive assessment" or similar terms for "chemical dependency assessment" or similar terms, for "chemical use assessment" or similar terms, and for "comprehensive substance use disorder assessment" or similar terms wherever they appear in Minnesota Statutes, chapter 169A, and Minnesota Rules, chapter 7503, when referring to the assessments required under Minnesota Statutes, section 169A.70, or the charges or surcharges associated with such assessments.