SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3376

(SENATE AUTHORS: LATZ)

DATE	D-PG	OFFICIAL STATUS
04/10/2025	1785	Introduction and first reading Referred to Judiciary and Public Safety

A bill for an act

relating to public safety; authorizing payment of preliminary monetary damages to certain exonerated individuals; establishing the exoneration compensation account in the special revenue fund; appropriating money; amending Minnesota Statutes 2024, sections 590.11, subdivision 3; 611.365, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 611.

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

Section 1. Minnesota Statutes 2024, section 590.11, subdivision 3, is amended to read:

Subd. 3. **Compensation based on exoneration in the interests of justice.** (a) An individual who is exonerated is eligible for compensation in the interests of justice, if the prosecutor~~,~~ (1) within 60 days of filing the petition, joins the petition and indicates that it is likely that the original complaint or indictment would not have been filed or sought or would have been dismissed with the knowledge of all of the circumstances, or (2) after the individual is exonerated but prior to the filing of the petition, indicates that the prosecutor will join the petition and that it is likely that the original complaint or indictment would not have been filed or sought or would have been dismissed with the knowledge of all of the circumstances. Joinder and agreement to compensation based on the interests of justice by the prosecutor shall conclusively establish eligibility for compensation precluding any further proceedings under paragraph (b). Upon receipt of prosecutor's joinder and agreement, the court shall issue an order as described in subdivision 7, granting petitioner's eligibility for compensation under this subdivision.

(b) If the prosecutor does not join and agree as provided under paragraph (a), the court shall determine if an individual who is exonerated is eligible for compensation based on the establishment of innocence if the petitioner establishes that a crime was not committed

or that the crime was not committed by the petitioner. The petitioner's burden of proof and the procedures set forth in section 590.04, subdivision 3, apply to this proceeding.

Sec. 2. Minnesota Statutes 2024, section 611.365, subdivision 4, is amended to read:

Subd. 4. **Notice and acceptance of award.** A claimant who is awarded damages under this section must be provided with a written notice of the award, which must include an itemization of the total damage award calculation. A claimant's acceptance of an award, compromise, or settlement must be in writing and is final and conclusive on the claimant. This subdivision does not apply to a payment of preliminary monetary damages pursuant to subdivision 8.

Sec. 3. Minnesota Statutes 2024, section 611.365, is amended by adding a subdivision to read:

Subd. 8. **Preliminary monetary damages.** If, pursuant to section 590.11, subdivision 3, paragraph (a), the prosecutor indicates prior to the filing of the petition that the prosecutor will join the petition, the claimant is entitled to a prompt payment of preliminary monetary damages to be paid out from the exoneration compensation account in the special revenue fund. The amount of preliminary monetary damages is equal to $5,000 for each year of incarceration and $2,500 for each year served on supervised release or as a registered predatory offender. Preliminary monetary damages must be prorated for partial years served. Final damages awarded under this section must be reduced by the amount of preliminary monetary damages paid.

Sec. 4. **[611.3677] EXONERATION COMPENSATION ACCOUNT.**

Subdivision 1. **Establishment.** An exoneration compensation account is created in the special revenue fund in the state treasury. Money in the exoneration compensation account is appropriated to the commissioner of public safety for payment of preliminary monetary damages awards pursuant to section 611.365, subdivision 8.

Subd. 2. **Transfer.** $250,000 in fiscal year 2026 is transferred from the general fund to the exoneration compensation account. Upon payment of preliminary monetary damages awards pursuant to section 611.365, subdivision 8, an amount equal to the payment shall be transferred from the general fund to the exoneration compensation account to maintain a balance of $250,000.