

SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION

S.F. No. 4409

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| DATE       | D-PG | OFFICIAL STATUS   |
|------------|------|---|
| 03/12/2026 | 6668 | Introduction and first reading<br>Referred to Judiciary and Public Safety |
| 04/07/2026 | 7918 | Author added Boldon   |
| 04/21/2026 | 8870 | Author added Oumou Verbeten   |

1.1 A bill for an act

1.2 relating to corrections; expanding conditional medical release to include geriatric

1.3 and nonmedical release; requiring a report; amending Minnesota Statutes 2024,

1.4 section 244.05, by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2024, section 244.05, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 8a. Conditional geriatric release; eligibility. (a) An incarcerated person is eligible

1.9 for conditional geriatric release if the person:

1.10 (1) is at least 55 years of age and has served the greater of ten years or 50 percent of the

1.11 sentence to be served; or

1.12 (2) is at least 60 years of age and has served at least 20 years.

1.13 (b) Eligible persons must demonstrate a chronic or serious medical condition associated

1.14 with the aging process that substantially diminishes the individual's ability to function within

1.15 a correctional facility and for which conventional treatment promises no substantial

1.16 improvement.

1.17 (c) A petition may be submitted by the person, the person's attorney, a family member,

1.18 medical director, warden, or advocacy organization. The commissioner must acknowledge

1.19 receipt within three business days and issue a written decision within 30 days after receipt.

1.20 If no decision is issued within 30 days, the applicant may petition the sentencing court for

1.21 review.

2.1 (d) In determining release eligibility, the commissioner must consider the nature and  
2.2 circumstances of the offense, institutional adjustment, disciplinary record, victim impact  
2.3 statements, risk assessments, and whether release would pose a danger to any person or the  
2.4 community.

2.5 (e) A release granted under this subdivision operates as a conditional release. The  
2.6 commissioner must require periodic medical review every 12 months and may revoke release  
2.7 if the individual's medical condition materially improves or for violation of supervision  
2.8 conditions.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2026.

2.10 Sec. 2. Minnesota Statutes 2024, section 244.05, is amended by adding a subdivision to  
2.11 read:

2.12 **Subd. 8b. Family caregiver release.** (a) An incarcerated person may apply for conditional  
2.13 family caregiver release if the person is the parent of a minor child or the legal spouse or  
2.14 domestic partner of an individual who has become incapacitated and no other adequate  
2.15 family caregiver is available.

2.16 (b) The application must include verifiable medical records or a death certificate showing  
2.17 incapacitation or death of the caregiver; documentation of parentage or marriage; a detailed  
2.18 release plan demonstrating housing, financial support, and care arrangements; and  
2.19 authorization to obtain supporting records.

2.20 (c) The warden must convene a multidisciplinary committee including medical, social  
2.21 services, and program staff to investigate and recommend approval or denial within 30 days  
2.22 of receipt. If approved, the commissioner must determine appropriate supervision conditions.

2.23 (d) Failure of a person granted conditional family caregiver release to fulfill the caregiving  
2.24 responsibility may be treated as a violation of release conditions and subject the person to  
2.25 revocation of conditional family caregiver release.

2.26 **EFFECTIVE DATE.** This section is effective July 1, 2026.

2.27 Sec. 3. Minnesota Statutes 2024, section 244.05, is amended by adding a subdivision to  
2.28 read:

2.29 **Subd. 8c. Extraordinary and compelling circumstances.** (a) The commissioner may  
2.30 grant conditional release for extraordinary and compelling reasons comparable to those  
2.31 listed in United States Code, title 18, section 3582(c)(1)(A), including but not limited to

3.1 terminal illness, debilitating injury or pregnancy, advanced age, or extraordinary family  
3.2 circumstances.

3.3 (b) Applications must be reviewed using the criteria in subdivision 8a, paragraph (d),  
3.4 and processed within 30 days. Denials must be in writing and include specific reasons. An  
3.5 applicant may petition the sentencing court after 30 days or upon final administrative denial.

3.6 **EFFECTIVE DATE.** This section is effective July 1, 2026.

3.7 Sec. 4. Minnesota Statutes 2024, section 244.05, is amended by adding a subdivision to  
3.8 read:

3.9 Subd. 8d. **Transparency and reporting.** (a) The commissioner must maintain a publicly  
3.10 accessible database tracking conditional medical, geriatric, and nonmedical release requests,  
3.11 including the number of applications received, granted, and denied; the average processing  
3.12 time; and the criteria relied upon to make decisions on requests.

3.13 (b) By January 15, 2028, and each year thereafter, the commissioner must submit a  
3.14 report to the chairs and ranking minority members of the legislative committees with  
3.15 jurisdiction over corrections detailing data required under paragraph (a) and projected cost  
3.16 savings resulting from conditional medical, geriatric, and nonmedical release.

3.17 (c) The commissioner must adopt rules to implement this section consistent with  
3.18 evidence-based public safety standards and the criteria established by the federal Bureau  
3.19 of Prisons Program Statement 5050.50 (January 17, 2019).

3.20 **EFFECTIVE DATE.** This section is effective July 1, 2026.