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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1608

02/13/2023

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; modifying the challenge incarceration program; amending
1.3 Minnesota Statutes 2022, section 244.171, subdivision 4.

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

1.5 Section 1. Minnesota Statutes 2022, section 244.171, subdivision 4, is amended to read:

1.6 Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions
1.7 for violating the conditions of the challenge incarceration program. The commissioner shall
1.8 remove an offender from the challenge incarceration program if the offender:

1.9 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

1.10 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

1.11 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of
1.12 alcohol or controlled substances. The removal of an offender from the challenge incarceration
1.13 program is governed by the procedures in the commissioner's rules adopted under section
1.14 244.05, subdivision 2.

1.15 (b) An offender who is removed from the challenge incarceration program shall be
1.16 imprisoned for a time period equal to the offender's term of imprisonment, minus earned
1.17 good time if any, but in no case for longer than the time remaining in the offender's sentence.
1.18 "Term of imprisonment" means a time period equal to two-thirds of the sentence originally
1.19 executed by the sentencing court, minus jail credit, if any.

1.20 (c) Notwithstanding paragraph (b), an offender who has been removed from the challenge
1.21 incarceration program but who remains otherwise eligible for acceptance into the program
1.22 may be readmitted at the commissioner's discretion. An offender readmitted to the program

- 2.1 under this paragraph must participate from the beginning and complete all of the program's
- 2.2 phases.