

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2851

03/14/2012 Authored by Liebbling

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

1.1 A bill for an act
1.2 relating to public safety; establishing a court facility security grant program;
1.3 utilizing forfeiture proceeds to fund grant program; requiring a report; amending
1.4 Minnesota Statutes 2010, section 609.5315, subdivision 5; proposing coding for
1.5 new law in Minnesota Statutes, chapter 299A.

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

1.7 Section 1. **[299A.635] COURT FACILITY SECURITY GRANTS.**

1.8 Subdivision 1. **Establishment; eligibility.** A grant program is established for the
1.9 purpose of enhancing security of court facilities. The commissioner of public safety shall
1.10 make court facility security grants to counties for the following purposes: to purchase
1.11 security equipment, devices, or systems; to repair, upgrade, or maintain new or existing
1.12 security equipment, devices, or systems; and to provide security training. The county
1.13 must utilize funds to provide security and training in court facilities, which includes
1.14 facilities housing courtroom and chamber space and court personnel offices, as well as any
1.15 adjoining county offices located in the same facility. Funds must not supplant existing
1.16 county budgets for bailiffs, sheriffs, or court facility operating expenses.

1.17 Subd. 2. **Application.** A county may submit an application to the commissioner of
1.18 public safety in the form and manner the commissioner establishes. The commissioner
1.19 shall evaluate applications based on security needs and may seek recommendations from
1.20 the Judicial Council.

1.21 Subd. 3. **Administrative costs.** The commissioner may use up to one percent, on an
1.22 annual basis, of the appropriation received under section 609.5315, subdivision 5, to pay
1.23 costs incurred by the department in administering the court facility security grant program.

1.24 Subd. 4. **Report.** The commissioner shall submit a report on the grant program in
1.25 accordance with section 609.5315, subdivision 5, paragraph (b).

2.1 **EFFECTIVE DATE.** This section is effective July 1, 2012.

2.2 Sec. 2. Minnesota Statutes 2010, section 609.5315, subdivision 5, is amended to read:

2.3 Subd. 5. **Distribution of money.** (a) The money or proceeds from the sale of
2.4 forfeited property, after payment of seizure, storage, forfeiture, and sale expenses, and
2.5 satisfaction of valid liens against the property, must be distributed as follows:

2.6 (1) 70 percent of the money or proceeds must be forwarded to the ~~appropriate agency~~
2.7 ~~for deposit as a supplement to the agency's operating fund or similar fund for use in law~~
2.8 ~~enforcement~~ commissioner of public safety and are appropriated to the commissioner
2.9 for distribution under section 299A.635;

2.10 (2) 20 percent of the money or proceeds must be forwarded to the county attorney
2.11 or other prosecuting agency that handled the forfeiture for deposit as a supplement to its
2.12 operating fund or similar fund for prosecutorial purposes; and

2.13 (3) the remaining ten percent of the money or proceeds must be forwarded within 60
2.14 days after resolution of the forfeiture to the state treasury and credited to the general fund.
2.15 Any local police relief association organized under chapter 423 which received or was
2.16 entitled to receive the proceeds of any sale made under this section before the effective
2.17 date of Laws 1988, chapter 665, sections 1 to 17, shall continue to receive and retain the
2.18 proceeds of these sales.

2.19 (b) By February 15 of each year, the commissioner of public safety shall report
2.20 to the chairs and ranking minority members of the senate and house of representatives
2.21 committees or divisions having jurisdiction over criminal justice funding on the money
2.22 collected under paragraph (a), clause (1). The report must indicate the following relating
2.23 to the preceding calendar year:

2.24 (1) the amount of money appropriated to the commissioner;

2.25 (2) the number of grant applications received under section 299A.635; and

2.26 (3) a description of how funds were used by grant recipients.

2.27 **EFFECTIVE DATE.** This section is effective July 1, 2012, and applies to funds
2.28 distributed on or after that date.