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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2958

02/01/2022 Authored by Pinto, Bahner and Mariani

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

1.1 A bill for an act
1.2 relating to public safety; establishing a task force on the statewide response to
1.3 substance abuse; requiring reports; appropriating money.

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

1.5 Section 1. **TASK FORCE ON THE STATEWIDE RESPONSE TO SUBSTANCE**
1.6 **ABUSE.**

1.7 Subdivision 1. **Establishment.** The Task Force on the Statewide Response to Substance
1.8 Abuse is established to review the ways in which the state's justice, social service, and health
1.9 systems currently respond to individuals who abuse substances or commit controlled
1.10 substance offenses, to examine approaches taken in other jurisdictions, and to make policy
1.11 and funding recommendations to the legislature.

1.12 Subd. 2. **Membership.** (a) The task force consists of the following members:

- 1.13 (1) the commissioner of public safety;
- 1.14 (2) the commissioner of human services;
- 1.15 (3) the commissioner of corrections, or a designee;
- 1.16 (4) the commissioner of health, or a designee;
- 1.17 (5) the chief justice, or a designee;
- 1.18 (6) the state public defender, or a designee;
- 1.19 (7) a county attorney appointed by the Minnesota County Attorneys Association;

2.1 (8) a representative from Indian health services or a Tribal council appointed by the
2.2 Indian Affairs Council;

2.3 (9) a probation agent appointed by the Minnesota Association of Community Correction
2.4 Act Counties;

2.5 (10) a peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1,
2.6 paragraph (c), who is a member of a multijurisdictional drug task force appointed by the
2.7 Minnesota Chiefs of Police Association;

2.8 (11) a peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1,
2.9 paragraph (c), appointed by the Minnesota Sheriffs' Association;

2.10 (12) a member of the Minnesota State Board of Pharmacy appointed by the board's
2.11 president;

2.12 (13) a member of the Opiate Epidemic Response Advisory Council appointed by the
2.13 council's chair;

2.14 (14) a representative from a community health board appointed by the commissioner of
2.15 health;

2.16 (15) a member representing sober living programs or substance use disorder programs
2.17 licensed under Minnesota Statutes, chapter 245G, appointed by the commissioner of human
2.18 services;

2.19 (16) a public member with a substance use disorder who has experience in the criminal
2.20 justice system appointed by the governor; and

2.21 (17) a public member who has been the victim of a crime relating to substance abuse
2.22 appointed by the governor.

2.23 (b) Appointments must be made no later than August 30, 2022.

2.24 (c) Public members identified in paragraph (a), clauses (16) and (17) are eligible for
2.25 compensation and expense reimbursement consistent with Minnesota Statutes, section
2.26 15.059, subdivision 3. All other members shall serve without compensation.

2.27 (d) Members of the task force serve at the pleasure of the appointing authority or until
2.28 the task force expires. Vacancies shall be filled by the appointing authority consistent with
2.29 the qualifications of the vacating member required by this subdivision.

2.30 Subd. 3. **Officers; meetings.** (a) The commissioner of public safety and the commissioner
2.31 of human services shall cochair the task force. The task force may elect other officers as
2.32 necessary.

3.1 (b) The commissioner of public safety shall convene the first meeting of the task force
3.2 no later than September 15, 2022, and shall provide meeting space and administrative
3.3 assistance through the Office of Justice Programs as necessary for the task force to conduct
3.4 its work.

3.5 (c) The task force shall meet at least monthly or upon the call of a cochair. The task
3.6 force shall meet sufficiently enough to accomplish the tasks identified in this section.
3.7 Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

3.8 Subd. 4. **Duties.** (a) The task force shall, at a minimum:

3.9 (1) collect and analyze data on controlled substance offenses, deaths and hospitalizations
3.10 from controlled substance overdoses, and other societal impacts related to substance use
3.11 disorders;

3.12 (2) analyze the law enforcement response to substance abuse in Minnesota and other
3.13 jurisdictions;

3.14 (3) analyze the judicial system response to substance abuse in Minnesota and other
3.15 jurisdictions, including a review of treatment courts and diversion programs;

3.16 (4) analyze the prosecutorial response to substance abuse in Minnesota and other
3.17 jurisdictions, including charging decisions, plea bargains, and the use of pretrial and
3.18 precharge diversion programs;

3.19 (5) analyze the correctional response to substance abuse in Minnesota and other
3.20 jurisdictions, including the use of mandatory drug testing, required participation in substance
3.21 abuse treatment programs as a condition of probation, the effectiveness of substance abuse
3.22 treatment programs offered to incarcerated individuals, and the effectiveness of the challenge
3.23 incarceration program;

3.24 (6) analyze the human services and health response to substance abuse in Minnesota
3.25 and other jurisdictions, including the effectiveness of prevention programs, availability of
3.26 inpatient and outpatient treatment programs, funding for participation in those programs,
3.27 and the outcomes for participants in those programs;

3.28 (7) receive input from members of communities that have been affected by criminal
3.29 activity and other social costs associated with substance abuse;

3.30 (8) receive input from members of communities that have been affected by the
3.31 criminalization of substance abuse; and

4.1 (9) make recommendations for coordination of services, adoption of prevention models,
4.2 expansion of effective treatment services, levels of funding, statutory changes, and other
4.3 community and legislative action to address substance abuse in Minnesota.

4.4 (b) At its discretion, the task force may examine other related issues consistent with this
4.5 section.

4.6 Subd. 5. **Reports.** (a) The task force shall submit annual reports to the chairs and ranking
4.7 minority members of the house of representatives and senate committees and divisions with
4.8 jurisdiction over public safety finance and policy, human services finance and policy, health
4.9 finance and policy, and judiciary finance and policy.

4.10 (b) The task force shall submit a preliminary report on or before March 1, 2023.

4.11 (c) The task force shall submit a supplemental report on or before February 1, 2024.

4.12 (d) The task force shall submit a final report on or before January 15, 2025.

4.13 Subd. 6. **Expiration.** The task force expires the day after submitting its final report under
4.14 subdivision 5.

4.15 **EFFECTIVE DATE.** This section is effective July 1, 2022.

4.16 Sec. 2. **TASK FORCE ON THE STATEWIDE RESPONSE TO SUBSTANCE**
4.17 **ABUSE; APPROPRIATION.**

4.18 \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of
4.19 public safety to implement the Task Force on the Statewide Response to Substance Abuse.
4.20 The base for this appropriation is \$0 in fiscal year 2026 and beyond.