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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2045

03/04/2019 Authored by Johnson and Grossell

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

1.1 A bill for an act
1.2 relating to public safety; providing that proposed modifications to the Sentencing
1.3 Guidelines are effective prospectively only; amending Minnesota Statutes 2018,
1.4 section 244.09, subdivision 11.

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

1.6 Section 1. Minnesota Statutes 2018, section 244.09, subdivision 11, is amended to read:

1.7 Subd. 11. **Modification.** The commission shall meet as necessary for the purpose of
1.8 modifying and improving the guidelines. Any modification ~~which~~ that amends the Sentencing
1.9 Guidelines grid, including severity levels and criminal history scores, or ~~which~~ that would
1.10 result in the reduction of any sentence ~~or in the early release of any inmate~~, with the exception
1.11 of a modification mandated or authorized by the legislature or relating to a crime created
1.12 or amended by the legislature in the preceding session, shall be submitted to the legislature
1.13 by January 15 of any year in which the commission wishes to make the change and shall
1.14 be effective on, and shall apply to crimes committed on or after, August 1 of that year,
1.15 unless the legislature by law provides otherwise. All other modifications shall take effect
1.16 according to the procedural rules of the commission. On or before January 15 of each year,
1.17 the commission shall submit a written report to the committees of the senate and the house
1.18 of representatives with jurisdiction over criminal justice policy that identifies and explains
1.19 all modifications made during the preceding 12 months and all proposed modifications that
1.20 are being submitted to the legislature that year.

1.21 EFFECTIVE DATE. This section is effective the day following final enactment and
1.22 applies to modifications made effective on or after that date.

2.1 Sec. 2. **2019 SENTENCING GUIDELINES MODIFICATIONS EFFECTIVE**
2.2 **PROSPECTIVELY ONLY.**

2.3 The proposed modifications to the Sentencing Guidelines submitted to the legislature
2.4 in the Minnesota Sentencing Guidelines Commission's 2019 report to the legislature are
2.5 approved. The modifications are effective August 1, 2019, and apply to crimes committed
2.6 on or after that date.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.