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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1273

02/20/2025

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

- 1.1 A bill for an act
- 1.2 relating to public safety; exempting the Board of Pardons from the requirement to
- 1.3 hold open meetings when considering waiver requests; amending Minnesota
- 1.4 Statutes 2024, section 638.12, subdivisions 2, 3.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2024, section 638.12, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Pardon eligibility; waiver.** (a) Except as provided in paragraphs (b) and (c),
- 1.8 an individual convicted of a crime in a court of this state may apply for a pardon of the
- 1.9 individual's conviction on or after five years from the sentence's expiration or discharge
- 1.10 date.
- 1.11 (b) An individual convicted before August 1, 2023, of a violation of section 609.19,
- 1.12 subdivision 1, clause (1), under the theory of liability for crimes of another may apply for
- 1.13 a pardon upon the sentence's expiration or discharge date if the individual:
- 1.14 (1) was charged with a violation of section 609.185, paragraph (a), clause (3), and:
- 1.15 (i) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);
- 1.16 (ii) did not cause the death of a human being; and
- 1.17 (iii) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
- 1.18 another with the intent to cause the death of a human being; or
- 1.19 (2) was charged with a violation of section 609.19, subdivision 2, and:
- 1.20 (i) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);
- 1.21 (ii) did not cause the death of a human being; and

2.1 (iii) was not a major participant, as defined in section 609.05, subdivision 2a, paragraph
2.2 (c), in the underlying felony or did not act with extreme indifference to human life.

2.3 (c) An individual may request the board to waive the waiting period if there is a showing
2.4 of unusual circumstances and special need.

2.5 (d) The commission must review a waiver request and recommend to the board whether
2.6 to grant the request. When considering a waiver request, the commission ~~is~~ and board are
2.7 exempt from the meeting requirements under section 638.14 and chapter 13D.

2.8 (e) The board must grant a waiver request unless the governor or a board majority opposes
2.9 the waiver.

2.10 Sec. 2. Minnesota Statutes 2024, section 638.12, subdivision 3, is amended to read:

2.11 Subd. 3. **Commutation eligibility.** (a) An individual may apply for a commutation of
2.12 an unexpired criminal sentence imposed by a court of this state, including an individual
2.13 confined in a correctional facility or on probation, parole, supervised release, or conditional
2.14 release. An application for commutation may not be filed until the date that the individual
2.15 has served at least one-half of the sentence imposed or on or after five years from the
2.16 conviction date, whichever is earlier.

2.17 (b) An individual may request the board to waive the waiting period if there is a showing
2.18 of unusual circumstances and special need.

2.19 (c) The commission must review a waiver request and recommend to the board whether
2.20 to grant the request. When considering a waiver request, the commission ~~is~~ and board are
2.21 exempt from the meeting requirements under section 638.14 and chapter 13D.

2.22 (d) The board must grant a waiver request unless the governor or a board majority
2.23 opposes the waiver.