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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

NINETY-THIRD SESSION

**H. F. No. 1608**

02/13/2023

Authored by Tabke

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.