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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3353

02/14/2022 Authored by Johnson, Scott and Robbins

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; requiring courts to report specified information on
1.3 mandatory sentences involving firearms; appropriating money; amending Minnesota
1.4 Statutes 2020, section 609.11, subdivision 10.

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

1.6 Section 1. Minnesota Statutes 2020, section 609.11, subdivision 10, is amended to read:

1.7 Subd. 10. Report on criminal cases involving firearm. (a) Beginning on July 1, 1994,
1.8 every county attorney shall collect and maintain the following information on criminal
1.9 complaints and prosecutions within the county attorney's office in which the defendant is
1.10 alleged to have committed an offense listed in subdivision 9 while possessing or using a
1.11 firearm:

- 1.12 (1) whether the case was charged or dismissed;
1.13 (2) whether the defendant was convicted of the offense or a lesser offense; and
1.14 (3) whether the mandatory minimum sentence required under this section was imposed
1.15 and executed or was waived by the prosecutor or court.

1.16 No later than July 1 of each year, beginning on July 1, 1995, the county attorney shall
1.17 forward this information to the Sentencing Guidelines Commission upon forms prescribed
1.18 by the commission.

1.19 (b) Beginning on July 1, 2022, each district court administrator shall report to the
1.20 Sentencing Guidelines Commission, in a manner determined by the commission, the number
1.21 of convictions involving a firearm for which a mandatory sentence under this section applied,
1.22 whether the mandatory sentence was imposed and executed or was waived, and, if waived,

2.1 whether it was waived based on a motion filed by the prosecutor or by the court's own
2.2 motion. The commission shall include this information in its annual report to the legislature,
2.3 along with the information reported under paragraph (a).

2.4 Sec. 2. **APPROPRIATION.**

2.5 \$..... is appropriated from the general fund to the Supreme Court for the fiscal year
2.6 ending June 30, 2023, to implement section 1.