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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **852**

02/07/2019 Authored by Robbins, Hassan, Noor, Scott and Grossell
The bill was read for the first time and referred to the Committee on Ways and Means

- 1.1 A bill for an act
- 1.2 relating to courts; directing the distribution of certain fine proceeds to counties;
- 1.3 amending Minnesota Statutes 2018, sections 484.841, subdivision 1; 484.85;
- 1.4 484.90, subdivision 6.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2018, section 484.841, subdivision 1, is amended to read:
- 1.7 Subdivision 1. **Disposition of fines, fees, and other money; accounts.** (a) Except as
- 1.8 otherwise provided within this subdivision, and except as otherwise provided by law, the
- 1.9 court administrator shall pay all fines and penalties collected by the court administrator, all
- 1.10 fees collected by the court administrator for court administrator's services, all sums forfeited
- 1.11 to the court as provided in this subdivision, and all other money received by the court
- 1.12 administrator to the subdivision of government entitled to it as follows on or before the 20th
- 1.13 day after the last day of the month in which the money was collected. Eighty percent of all
- 1.14 fines and penalties collected during the previous month shall be paid to the treasurer of the
- 1.15 municipality or subdivision of government where the crime was committed. The remainder
- 1.16 of the fines and penalties shall be ~~credited to the general fund of the state~~ paid to the county
- 1.17 treasurer of the county in which the funds were collected who shall dispense them as provided
- 1.18 by law. In all cases in which the county attorney had charge of the prosecution, all fines
- 1.19 and penalties shall be credited to the state general fund.
- 1.20 (b) The court administrator shall identify the name of the municipality or other subdivision
- 1.21 of government where the offense was committed and the total amount of fines or penalties
- 1.22 collected for each municipality or other subdivision of government, for the county, or for
- 1.23 the state.

(c) Amounts represented by checks issued by the court administrator or received by the court administrator which have not cleared by the end of the month may be shown on the monthly account as having been paid or received, subject to adjustment on later monthly accounts.

(d) The court administrator may receive negotiable instruments in payment of fines, penalties, fees or other obligations as conditional payments, and is not held accountable for this until collection in cash is made and then only to the extent of the net collection after deduction of the necessary expense of collection.

EFFECTIVE DATE. This section is effective July 1, 2019.

Sec. 2. Minnesota Statutes 2018, section 484.85, is amended to read:

**484.85 DISPOSITION OF FINES, FEES, AND OTHER MONEY; ACCOUNTS;
RAMSEY COUNTY DISTRICT COURT.**

(a) In all cases prosecuted in Ramsey County District Court by an attorney for a municipality or subdivision of government within Ramsey County for violation of a statute; an ordinance; or a charter provision, rule, or regulation of a city; all fines, penalties, and forfeitures collected by the court administrator shall be ~~deposited in the state treasury and~~ distributed according to this paragraph. Except where a different disposition is provided by section 299D.03, subdivision 5, or other law, on or before the last day of each month, the court shall pay over all fines, penalties, and forfeitures collected by the court administrator during the previous month as follows:

(1) for offenses committed within the city of St. Paul, two-thirds paid to the treasurer of the city of St. Paul and one-third ~~credited to the state general fund~~ paid to the county treasurer of the county in which the funds were collected who shall dispense them as provided by law; and

(2) for offenses committed within any other municipality or subdivision of government within Ramsey County, one-half paid to the treasurer of the municipality or subdivision of government and one-half ~~credited to the state general fund~~ paid to the county treasurer of the county in which the funds were collected who shall dispense them as provided by law.

All other fines, penalties, and forfeitures collected by the district court shall be distributed by the courts as provided by law.

(b) Fines, penalties, and forfeitures shall be distributed as provided in paragraph (a) when:

(1) a city contracts with the county attorney for prosecutorial services under section 484.87, subdivision 3; or

(2) the attorney general provides assistance to the city attorney under section 484.87, subdivision 5.

EFFECTIVE DATE. This section is effective July 1, 2019.

Sec. 3. Minnesota Statutes 2018, section 484.90, subdivision 6, is amended to read:

Subd. 6. **Allocation.** (a) In all cases prosecuted in district court by an attorney for a municipality or other subdivision of government within the county for violations of state statute, or of an ordinance; or charter provision, rule, or regulation of a city; all fines, penalties, and forfeitures collected shall be ~~deposited in the state treasury and~~ distributed according to this paragraph. For the purpose of this section, the county attorney shall be considered the attorney for any town in which a violation occurs. Except where a different disposition is provided by section 299D.03, subdivision 5, 484.841, 484.85, or other law, on or before the last day of each month, the courts shall pay over all fines, penalties, and forfeitures collected by the court administrator during the previous month as follows:

(1) 100 percent of all fines or penalties for parking violations for which complaints and warrants have not been issued to the treasurer of the city or town in which the offense was committed; and

(2) two-thirds of all other fines to the treasurer of the city or town in which the offense was committed and one-third ~~credited to the state general fund~~ paid to the county treasurer of the county in which the funds were collected who shall dispense them as provided by law.

All other fines, penalties, and forfeitures collected by the court administrator shall be distributed by the courts as provided by law.

(b) Fines, penalties, and forfeitures shall be distributed as provided in paragraph (a) when:

(1) a city contracts with the county attorney for prosecutorial services under section 484.87, subdivision 3;

(2) a city has a population of 600 or less and has given the duty to prosecute cases to the county attorney under section 484.87; or

(3) the attorney general provides assistance to the county attorney as permitted by law.

EFFECTIVE DATE. This section is effective July 1, 2019.