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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 286

01/25/2021 Authored by Edelson and Fischer

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 crime; authorizing the inclusion of a family impact statement in a  
1.3 presentence investigation report; amending Minnesota Statutes 2020, section  
1.4 609.115, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 609.115, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 11. Family impact statement. When a defendant appears in court and is convicted  
1.9 of a crime, the court shall inquire whether the defendant is a parent, guardian, or caregiver  
1.10 of a minor child. If the defendant is a parent, guardian, or caregiver of a minor child, and  
1.11 if the defendant may be sentenced to a term of imprisonment, prior to sentencing, the court  
1.12 may:

1.13 (1) order that the officer preparing the report under subdivision 1 prepare a family impact  
1.14 statement that addresses the impact on the minor child and other family members that would  
1.15 result if the defendant is sentenced to a term of imprisonment, including the impact on the  
1.16 financial needs of the child and other family members, the relationship between the defendant  
1.17 and the child, the defendant's duties and responsibilities as a parent, guardian, or caregiver  
1.18 of the child, the availability of community and family support for the child, and the likely  
1.19 impact on the child's health, safety, emotional well-being, and education, for the purpose  
1.20 of providing the court with information regarding sentencing options other than a term of  
1.21 imprisonment; and

1.22 (2) consider the family impact statement in imposing a sentence.