

199.24 **ARTICLE 12**

199.25 **CORRECTIONS POLICY**

199.26 Section 1. Minnesota Statutes 2022, section 241.01, subdivision 3a, is amended to read:

199.27 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the

199.28 following powers and duties:

200.1 (a) To accept persons committed to the commissioner by the courts of this state for care,

200.2 custody, and rehabilitation.

200.3 (b) To determine the place of confinement of committed persons in a correctional facility

200.4 or other facility of the Department of Corrections and to prescribe reasonable conditions

200.5 and rules for their employment, conduct, instruction, and discipline within or outside the

200.6 facility. After July 1, 2023, the commissioner shall not allow inmates who have not been

200.7 conditionally released from prison, whether on parole, supervised release, work release, or

200.8 an early release program, to be housed in correctional facilities that are not owned and

200.9 operated by the state, a local unit of government, or a group of local units of government.

200.10 Inmates shall not exercise custodial functions or have authority over other inmates.

200.11 (c) To administer the money and property of the department.

200.12 (d) To administer, maintain, and inspect all state correctional facilities.

200.13 (e) To transfer authorized positions and personnel between state correctional facilities

200.14 as necessary to properly staff facilities and programs.

200.15 (f) To utilize state correctional facilities in the manner deemed to be most efficient and

200.16 beneficial to accomplish the purposes of this section, but not to close the Minnesota

200.17 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without

200.18 legislative approval. The commissioner may place juveniles and adults at the same state

200.19 minimum security correctional facilities, if there is total separation of and no regular contact

200.20 between juveniles and adults, except contact incidental to admission, classification, and

200.21 mental and physical health care.

200.22 (g) To organize the department and employ personnel the commissioner deems necessary

200.23 to discharge the functions of the department, including a chief executive officer for each

200.24 facility under the commissioner's control who shall serve in the unclassified civil service

200.25 and may, under the provisions of section 43A.33, be removed only for cause.

200.26 (h) To define the duties of these employees and to delegate to them any of the

200.27 commissioner's powers, duties and responsibilities, subject to the commissioner's control

200.28 and the conditions the commissioner prescribes.

200.29 (i) To annually develop a comprehensive set of goals and objectives designed to clearly

200.30 establish the priorities of the Department of Corrections. This report shall be submitted to

97.19 **ARTICLE 4**

97.20 **CORRECTIONS**

97.21 Section 1. Minnesota Statutes 2022, section 241.01, subdivision 3a, is amended to read:

97.22 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the

97.23 following powers and duties:

97.24 (a) To accept persons committed to the commissioner by the courts of this state for care,

97.25 custody, and rehabilitation.

97.26 (b) To determine the place of confinement of committed persons in a correctional facility

97.27 or other facility of the Department of Corrections and to prescribe reasonable conditions

97.28 and rules for their employment, conduct, instruction, and discipline within or outside the

97.29 facility. Inmates shall not exercise custodial functions or have authority over other inmates.

98.1 (c) To administer the money and property of the department.

98.2 (d) To administer, maintain, and inspect all state correctional facilities.

98.3 (e) To transfer authorized positions and personnel between state correctional facilities

98.4 as necessary to properly staff facilities and programs.

98.5 (f) To utilize state correctional facilities in the manner deemed to be most efficient and

98.6 beneficial to accomplish the purposes of this section, but not to close the Minnesota

98.7 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without

98.8 legislative approval. The commissioner may place juveniles and adults at the same state

98.9 minimum security correctional facilities, if there is total separation of and no regular contact

98.10 between juveniles and adults, except contact incidental to admission, classification, and

98.11 mental and physical health care.

98.12 (g) To organize the department and employ personnel the commissioner deems necessary

98.13 to discharge the functions of the department, including a chief executive officer for each

98.14 facility under the commissioner's control who shall serve in the unclassified civil service

98.15 and may, under the provisions of section 43A.33, be removed only for cause.

98.16 (h) To define the duties of these employees and to delegate to them any of the

98.17 commissioner's powers, duties and responsibilities, subject to the commissioner's control

98.18 and the conditions the commissioner prescribes.

98.19 (i) To annually develop a comprehensive set of goals and objectives designed to clearly

98.20 establish the priorities of the Department of Corrections. This report shall be submitted to

200.31 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory
200.32 committees.

201.1 (j) To publish, administer, and award grant contracts with state agencies, local units of
201.2 government, and other entities for correctional programs embodying rehabilitative concepts,
201.3 for restorative programs for crime victims and the overall community, and for implementing
201.4 legislative directives.

201.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

201.6 Sec. 2. Minnesota Statutes 2022, section 241.021, subdivision 1d, is amended to read:

201.7 Subd. 1d. **Public notice of restriction, revocation, or suspension.** If the license of a
201.8 facility under this section is revoked or suspended, or use of the facility is restricted for any
201.9 reason under a conditional license order, or a correction order is issued to a facility, the
201.10 commissioner shall post the facility, the status of the facility's license, and the reason for
201.11 the correction order, restriction, revocation, or suspension publicly and on the department's
201.12 website.

201.13 Sec. 3. Minnesota Statutes 2022, section 241.021, subdivision 2a, is amended to read:

201.14 Subd. 2a. **Affected municipality; notice.** The commissioner must not ~~issue~~ grant a
201.15 license without giving 30 calendar days' written notice to any affected municipality or other
201.16 political subdivision unless the facility has a licensed capacity of six or fewer persons and
201.17 is occupied by either the licensee or the group foster home parents. The notification must
201.18 be given before the license is first issuance of a license granted and annually after that time
201.19 if annual notification is requested in writing by any affected municipality or other political
201.20 subdivision. State funds must not be made available to or be spent by an agency or department
201.21 of state, county, or municipal government for payment to a foster care facility licensed under
201.22 subdivision 2 until the provisions of this subdivision have been complied with in full.

201.23 Sec. 4. Minnesota Statutes 2022, section 241.021, subdivision 2b, is amended to read:

201.24 Subd. 2b. **Licensing; facilities; juveniles from outside state.** The commissioner may
201.25 not:

201.26 (1) ~~issue~~ grant a license under this section to operate a correctional facility for the
201.27 detention or confinement of juvenile offenders if the facility accepts juveniles who reside
201.28 outside of Minnesota without an agreement with the entity placing the juvenile at the facility
201.29 that obligates the entity to pay the educational expenses of the juvenile; or

201.30 (2) renew a license under this section to operate a correctional facility for the detention
201.31 or confinement of juvenile offenders if the facility accepts juveniles who reside outside of
202.1 Minnesota without an agreement with the entity placing the juvenile at the facility that
202.2 obligates the entity to pay the educational expenses of the juvenile.

98.21 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory
98.22 committees.

98.23 (j) To publish, administer, and award grant contracts with state agencies, local units of
98.24 government, and other entities for correctional programs embodying rehabilitative concepts,
98.25 for restorative programs for crime victims and the overall community, and for implementing
98.26 legislative directives.

98.27 Sec. 2. Minnesota Statutes 2022, section 241.021, subdivision 1d, is amended to read:

98.28 Subd. 1d. **Public notice of restriction, revocation, or suspension.** If the license of a
98.29 facility under this section is revoked or suspended, or use of the facility is restricted for any
98.30 reason under a conditional license order, or a correction order is issued to a facility, the
98.31 commissioner shall post the facility, the status of the facility's license, and the reason for
98.32 the correction order, restriction, revocation, or suspension publicly and on the department's
98.33 website.

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2.4 Section 1. Minnesota Statutes 2022, section 241.021, subdivision 2a, is amended to read:

2.5 Subd. 2a. **Affected municipality; notice.** The commissioner must not ~~issue~~ grant a
2.6 license without giving 30 calendar days' written notice to any affected municipality or other
2.7 political subdivision unless the facility has a licensed capacity of six or fewer persons and
2.8 is occupied by either the licensee or the group foster home parents. The notification must
2.9 be given before the license is first issuance of a license granted and annually after that time
2.10 if annual notification is requested in writing by any affected municipality or other political
2.11 subdivision. State funds must not be made available to or be spent by an agency or department
2.12 of state, county, or municipal government for payment to a foster care facility licensed under
2.13 subdivision 2 until the provisions of this subdivision have been complied with in full.

2.14 Sec. 2. Minnesota Statutes 2022, section 241.021, subdivision 2b, is amended to read:

2.15 Subd. 2b. **Licensing; facilities; juveniles from outside state.** The commissioner may
2.16 not:

2.17 (1) ~~issue~~ grant a license under this section to operate a correctional facility for the
2.18 detention or confinement of juvenile offenders if the facility accepts juveniles who reside
2.19 outside of Minnesota without an agreement with the entity placing the juvenile at the facility
2.20 that obligates the entity to pay the educational expenses of the juvenile; or

2.21 (2) renew a license under this section to operate a correctional facility for the detention
2.22 or confinement of juvenile offenders if the facility accepts juveniles who reside outside of
2.23 Minnesota without an agreement with the entity placing the juvenile at the facility that
2.24 obligates the entity to pay the educational expenses of the juvenile.

202.3 Sec. 5. **[241.0215] JUVENILE DETENTION FACILITIES; RESTRICTIONS ON**
202.4 **STRIP SEARCHES AND DISCIPLINE.**

202.5 Subdivision 1. **Applicability.** This section applies to juvenile facilities licensed by the
202.6 commissioner of corrections under section 241.021, subdivision 2.

202.7 Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings
202.8 given.

202.9 (b) "Health care professional" means an individual who is licensed or permitted by a
202.10 Minnesota health-related licensing board, as defined in section 214.01, subdivision 2, to
202.11 perform health care services in Minnesota within the professional's scope of practice.

202.12 (c) "Strip search" means a visual inspection of a juvenile's unclothed breasts, buttocks,
202.13 or genitalia.

202.14 Subd. 3. **Searches restricted.** (a) A staff person working in a facility may not conduct
202.15 a strip search unless:

202.16 (1) a specific, articulable, and immediate contraband concern is present;

202.17 (2) other search techniques and technology cannot be used or have failed to identify the
202.18 contraband; and

202.19 (3) the facility's chief administrator or designee has reviewed the situation and approved
202.20 the strip search.

202.21 (b) A strip search must be conducted by:

202.22 (1) a health care professional; or

202.23 (2) a staff person working in a facility who has received training on trauma-informed
202.24 search techniques and other applicable training under Minnesota Rules, chapter 2960.

202.25 (c) A strip search must be documented in writing and describe the contraband concern,
202.26 summarize other inspection techniques used or considered, and verify the approval from
202.27 the facility's chief administrator or, in the temporary absence of the chief administrator, the
202.28 staff person designated as the person in charge of the facility. A copy of the documentation
202.29 must be provided to the commissioner within 24 hours of the strip search.

202.30 (d) Nothing in this section prohibits or limits a strip search as part of a health care
202.31 procedure conducted by a health care professional.

203.1 Subd. 4. **Discipline restricted.** (a) A staff person working in a facility may not discipline
203.2 a juvenile by physically or socially isolating the juvenile.

203.3 (b) Nothing in this subdivision restricts a facility from isolating a juvenile for the
203.4 juvenile's safety, staff safety, or the safety of other facility residents when the isolation is
203.5 consistent with rules adopted by the commissioner.

2.25 Sec. 3. **[241.0215] JUVENILE DETENTION FACILITIES; RESTRICTIONS ON**
2.26 **STRIP SEARCHES AND DISCIPLINE.**

2.27 Subdivision 1. **Applicability.** This section applies to juvenile facilities licensed by the
2.28 commissioner of corrections under section 241.021, subdivision 2.

2.29 Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings
2.30 given.

3.1 (b) "Health care professional" means an individual who is licensed or permitted by a
3.2 Minnesota health-related licensing board, as defined in section 214.01, subdivision 2, to
3.3 perform health care services in Minnesota within the professional's scope of practice.

3.4 (c) "Strip search" means a visual inspection of a juvenile's unclothed breasts, buttocks,
3.5 or genitalia.

3.6 Subd. 3. **Searches restricted.** (a) A staff person working in a facility may not conduct
3.7 a strip search unless:

3.8 (1) a specific, articulable, and immediate contraband concern is present;

3.9 (2) other search techniques and technology cannot be used or have failed to identify the
3.10 contraband; and

3.11 (3) the facility's chief administrator or designee has reviewed the situation and approved
3.12 the strip search.

3.13 (b) A strip search must be conducted by:

3.14 (1) a health care professional; or

3.15 (2) a staff person working in a facility who has received training on trauma-informed
3.16 search techniques and other applicable training under Minnesota Rules, chapter 2960.

3.17 (c) A strip search must be documented in writing and describe the contraband concern,
3.18 summarize other inspection techniques used or considered, and verify the approval from
3.19 the facility's chief administrator or, in the temporary absence of the chief administrator, the
3.20 staff person designated as the person in charge of the facility. A copy of the documentation
3.21 must be provided to the commissioner within 24 hours of the strip search.

3.22 (d) Nothing in this section prohibits or limits a strip search as part of a health care
3.23 procedure conducted by a health care professional.

3.24 Subd. 4. **Discipline restricted.** (a) A staff person working in a facility may not discipline
3.25 a juvenile by physically or socially isolating the juvenile.

3.26 (b) Nothing in this subdivision restricts a facility from isolating a juvenile for the
3.27 juvenile's safety, staff safety, or the safety of other facility residents when the isolation is
3.28 consistent with rules adopted by the commissioner.

203.6 Subd. 5. **Commissioner action.** The commissioner may take any action authorized under
203.7 section 241.021, subdivisions 2 and 3, to address a violation of this section.

203.8 Subd. 6. **Report.** (a) By February 15 each year, the commissioner must report to the
203.9 chairs and ranking minority members of the legislative committees and divisions with
203.10 jurisdiction over public safety finance and policy on the use of strip searches and isolation.

203.11 (b) The report must consist of summary data from the previous calendar year and must,
203.12 at a minimum, include:

203.13 (1) how often strip searches were performed;

203.14 (2) how often juveniles were isolated;

203.15 (3) the length of each period of isolation used and, for juveniles isolated in the previous
203.16 year, the total cumulative amount of time that the juvenile was isolated that year; and

203.17 (4) any injury to a juvenile related to a strip search or isolation, or both, that was
203.18 reportable as a critical incident.

203.19 (c) Data in the report must provide information on the demographics of juveniles who
203.20 were subject to a strip search and juveniles who were isolated. At a minimum, data must
203.21 be disaggregated by age, race, and gender.

203.22 (d) The report must identify any facility that performed a strip search or used isolation,
203.23 or both, in a manner that did not comply with this section or rules adopted by the
203.24 commissioner in conformity with this section.

203.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.

203.26 Sec. 6. Minnesota Statutes 2022, section 241.025, subdivision 1, is amended to read:

203.27 Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace
203.28 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the
203.29 classified service subject to the provisions of section 43A.01, subdivision 2, and establish
203.30 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known
203.31 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary
204.1 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law
204.2 enforcement agency is limited to primarily the arrest of Department of Corrections'
204.3 discretionary and statutory released violators and Department of Corrections' escapees and
204.4 this must be its primary focus. The Department of Corrections Fugitive Apprehension Unit
204.5 may respond to a law enforcement agency's request to exercise general law enforcement
204.6 duties during the course of official duties by carrying out law enforcement activities at the
204.7 direction of the law enforcement agency of jurisdiction. In addition, the unit may investigate
204.8 criminal offenses in agency-operated correctional facilities and surrounding property.

3.29 Subd. 5. **Commissioner action.** The commissioner may take any action authorized under
3.30 section 241.021, subdivisions 2 and 3, to address a violation of this section.

4.1 Subd. 6. **Report.** (a) By February 15 each year, the commissioner must report to the
4.2 chairs and ranking minority members of the legislative committees and divisions with
4.3 jurisdiction over public safety finance and policy on the use of strip searches and isolation.

4.4 (b) The report must consist of summary data from the previous calendar year and must,
4.5 at a minimum, include:

4.6 (1) how often strip searches were performed;

4.7 (2) how often juveniles were isolated;

4.8 (3) the length of each period of isolation used and, for juveniles isolated in the previous
4.9 year, the total cumulative amount of time that the juveniles were isolated that year; and

4.10 (4) any injury to a juvenile related to a strip search or isolation, or both, that was
4.11 reportable as a critical incident.

4.12 (c) Data in the report must provide information on the demographics of juveniles who
4.13 were subject to a strip search and juveniles who were isolated. At a minimum, data must
4.14 be disaggregated by age, race, and gender.

4.15 (d) The report must identify any facility that performed a strip search or used isolation,
4.16 or both, in a manner that did not comply with this section or rules adopted by the
4.17 commissioner in conformity with this section.

4.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

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2.25 Sec. 3. Minnesota Statutes 2022, section 241.025, subdivision 1, is amended to read:

2.26 Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace
2.27 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the
2.28 classified service subject to the provisions of section 43A.01, subdivision 2, and establish
2.29 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known
2.30 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary
2.31 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law
2.32 enforcement agency is limited to primarily the arrest of Department of Corrections'
2.33 discretionary and statutory released violators and Department of Corrections' escapees and
3.1 this must be its primary focus. The Department of Corrections Fugitive Apprehension Unit
3.2 may respond to a law enforcement agency's request to exercise general law enforcement
3.3 duties during the course of official duties by carrying out law enforcement activities at the
3.4 direction of the law enforcement agency of jurisdiction. In addition, the unit may investigate
3.5 criminal offenses in agency-operated correctional facilities and surrounding property.

204.9 Sec. 7. Minnesota Statutes 2022, section 241.025, subdivision 2, is amended to read:

204.10 Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive
204.11 apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the
204.12 fugitive apprehension unit unless otherwise directed by the law enforcement agency with
204.13 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement
204.14 agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement
204.15 agency authorizes the fugitive apprehension unit to assume the subsequent investigation.
204.16 At the request of the primary jurisdiction, the fugitive apprehension unit may assist in
204.17 subsequent investigations or law enforcement efforts being carried out by the primary
204.18 jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines
204.19 are not within the agency's jurisdiction must be referred to the appropriate local law
204.20 enforcement agency for further investigation or disposition.

204.21 Sec. 8. Minnesota Statutes 2022, section 241.025, subdivision 3, is amended to read:

204.22 Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies
204.23 required under state law for law enforcement agencies. The fugitive apprehension unit also
204.24 must develop a policy for contacting law enforcement agencies in a city or county before
204.25 initiating any fugitive surveillance, investigation, or apprehension within the city or county.
204.26 ~~These policies must be filed with the board of peace officers standards and training by~~
204.27 ~~November 1, 2000.~~ Revisions of any of these policies must be filed with the board within
204.28 ten days of the effective date of the revision. The Department of Corrections shall train all
204.29 of its peace officers regarding the application of these policies.

205.1 Sec. 9. Minnesota Statutes 2022, section 241.90, is amended to read:

205.2 **241.90 OFFICE OF OMBUDSPERSON; CREATION; QUALIFICATIONS;**
205.3 **FUNCTION.**

205.4 The Office of Ombudsperson for the Department of Corrections is hereby created. The
205.5 ombudsperson shall ~~serve at the pleasure of~~ be appointed by the governor in the unclassified
205.6 service; and may be removed only for just cause. The ombudsperson shall be selected without
205.7 regard to political affiliation, and shall be a person highly competent and qualified to analyze
205.8 questions of law, administration, and public policy. No person may serve as ombudsperson
205.9 while holding any other public office. The ombudsperson for corrections shall be accountable
205.10 to the governor and shall have the authority to investigate decisions, acts, and other matters
205.11 of the Department of Corrections so as to promote the highest attainable standards of
205.12 competence, efficiency, and justice in the administration of corrections.

3.6 Sec. 4. Minnesota Statutes 2022, section 241.025, subdivision 2, is amended to read:

3.7 Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive
3.8 apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the
3.9 fugitive apprehension unit unless otherwise directed by the law enforcement agency with
3.10 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement
3.11 agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement
3.12 agency authorizes the fugitive apprehension unit to assume the subsequent investigation.
3.13 At the request of the primary jurisdiction, the fugitive apprehension unit may assist in
3.14 subsequent investigations or law enforcement efforts being carried out by the primary
3.15 jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines
3.16 are not within the agency's jurisdiction must be referred to the appropriate local law
3.17 enforcement agency for further investigation or disposition.

3.18 Sec. 5. Minnesota Statutes 2022, section 241.025, subdivision 3, is amended to read:

3.19 Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies
3.20 required under state law for law enforcement agencies. The fugitive apprehension unit also
3.21 must develop a policy for contacting law enforcement agencies in a city or county before
3.22 initiating any fugitive surveillance, investigation, or apprehension within the city or county.
3.23 ~~These policies must be filed with the board of peace officers standards and training by~~
3.24 ~~November 1, 2000.~~ Revisions of any of these policies must be filed with the board within
3.25 ten days of the effective date of the revision. The Department of Corrections shall train all
3.26 of its peace officers regarding the application of these policies.

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4.19 Sec. 4. Minnesota Statutes 2022, section 241.90, is amended to read:

4.20 **241.90 OFFICE OF OMBUDSPERSON; CREATION; QUALIFICATIONS;**
4.21 **FUNCTION.**

4.22 The Office of Ombudsperson for the Department of Corrections is hereby created. The
4.23 ombudsperson shall ~~serve at the pleasure of~~ be appointed by the governor in the unclassified
4.24 service; and may be removed only for just cause. The ombudsperson shall be selected without
4.25 regard to political affiliation, and shall be a person highly competent and qualified to analyze
4.26 questions of law, administration, and public policy. No person may serve as ombudsperson
4.27 while holding any other public office. The ombudsperson for corrections shall be accountable
4.28 to the governor and shall have the authority to investigate decisions, acts, and other matters
4.29 of the Department of Corrections so as to promote the highest attainable standards of
4.30 competence, efficiency, and justice in the administration of corrections.

205.13 Sec. 10. [243.95] PRIVATE PRISON CONTRACTS PROHIBITED.

205.14 (a) The commissioner may not contract with privately owned and operated prisons for

205.15 the care, custody, and rehabilitation of inmates committed to the custody of the commissioner.

205.16 (b) Notwithstanding section 43A.047, nothing in this section prohibits the commissioner

205.17 from contracting with privately owned residential facilities, such as halfway houses, group

205.18 homes, work release centers, or treatment facilities, to provide for the care, custody, and

205.19 rehabilitation of inmates who have been released from prison under section 241.26, 244.05,

205.20 244.0513, 244.065, or 244.172, or any other form of supervised or conditional release.

205.21 EFFECTIVE DATE. This section is effective the day following final enactment.

205.22 Sec. 11. [244.049] INDETERMINATE SENTENCE RELEASE BOARD.

205.23 Subdivision 1. **Establishment; membership.** (a) As provided under paragraph (b) and

205.24 section 244.05, subdivision 5, the Indeterminate Sentence Release Board is established to

205.25 review eligible cases and make release and final discharge decisions for:

205.26 (1) inmates serving life sentences with the possibility of parole or supervised release

205.27 under sections 243.05, subdivision 1, and 244.05, subdivision 5; and

205.28 (2) inmates serving indeterminate sentences for crimes committed on or before April

205.29 30, 1980.

206.1 (b) Beginning July 1, 2024, the authority to grant discretionary release and final discharge

206.2 previously vested in the commissioner under sections 243.05, subdivisions 1, paragraph

206.3 (a), and 3; 244.08; and 609.12 is transferred to the board.

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99.1 Sec. 3. [243.1609] INTERSTATE ADULT OFFENDER TRANSFER

99.2 TRANSPORTATION EXPENSES.

99.3 Subject to the amount of money appropriated for this purpose, the commissioner of

99.4 corrections may reimburse sheriffs for transportation expenses related to the return of

99.5 probationers to the state who are being held in custody under section 243.1605.

99.6 Reimbursement shall be based on a fee schedule agreed to by the Department of Corrections

99.7 and the Minnesota Sheriffs' Association. The required return to the state of a probationer

99.8 in custody as a result of a nationwide warrant issued pursuant to the Interstate Compact for

99.9 Adult Supervision shall be arranged and supervised by the sheriff of the county in which

99.10 the court proceedings are to be held and at the expense of the state as provided for in this

99.11 section. This expense offset is not applicable to the transport of individuals from pickup

99.12 locations within 250 miles of the office of the sheriff arranging and supervising the offender's

99.13 return to the state.

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6.3 Sec. 9. [244.049] INDETERMINATE SENTENCE RELEASE BOARD.

6.4 Subdivision 1. **Establishment; membership.** (a) As provided under paragraph (b) and

6.5 section 244.05, subdivision 5, the Indeterminate Sentence Release Board is established to

6.6 review eligible cases and make release and final discharge decisions for:

6.7 (1) inmates serving life sentences with the possibility of parole or supervised release

6.8 under sections 243.05, subdivision 1, and 244.05, subdivision 5; and

6.9 (2) inmates serving indeterminate sentences for crimes committed on or before April

6.10 30, 1980.

6.11 (b) Beginning July 1, 2024, the authority to grant discretionary release and final discharge

6.12 previously vested in the commissioner under sections 243.05, subdivisions 1, paragraph

6.13 (a), and 3; 244.08; and 609.12 is transferred to the board.

206.4 (c) The board consists of five members as follows:

206.5 (1) four members appointed by the governor from which each of the majority leaders

206.6 and minority leaders of the house of representatives and the senate provides two candidate

206.7 recommendations for consideration; and

206.8 (2) the commissioner, who serves as chair.

206.9 (d) Appointed board members must meet the following qualifications, at a minimum:

206.10 (1) a law degree or a bachelor's degree in criminology, corrections, or a related social

206.11 science;

206.12 (2) five years of experience in corrections, a criminal justice or community corrections

206.13 field, rehabilitation programming, behavioral health, or criminal law; and

206.14 (3) demonstrated knowledge of victim issues and correctional processes.

206.15 Subd. 2. **Terms; compensation.** (a) Appointed board members serve four-year staggered

206.16 terms, but the terms of the initial members are as follows:

206.17 (1) two members must be appointed for terms that expire January 1, 2026; and

206.18 (2) two members must be appointed for terms that expire January 1, 2028.

206.19 (b) An appointed member is eligible for reappointment, and a vacancy must be filled

206.20 according to subdivision 1.

206.21 (c) For appointed members, compensation and removal are as provided in section 15.0575.

206.22 Subd. 3. **Quorum; administrative duties.** (a) The majority of members constitutes a

206.23 quorum.

206.24 (b) An appointed board member must visit at least one state correctional facility every

206.25 12 months.

206.26 (c) The commissioner must provide the board with personnel, supplies, equipment, office

206.27 space, and other administrative services necessary and incident to fulfilling the board's

206.28 functions.

206.29 Subd. 4. **Limitation.** Nothing in this section or section 244.05, subdivision 5:

207.1 (1) supersedes the commissioner's authority to set conditions of release or revoke an

207.2 inmate's release for violating any of the conditions; or

207.3 (2) impairs the power of the Board of Pardons to grant a pardon or commutation in any

207.4 case.

6.14 (c) The board consists of five members as follows:

6.15 (1) four members appointed by the governor from which each of the majority leaders

6.16 and minority leaders of the house of representatives and the senate provides two candidate

6.17 recommendations for consideration; and

6.18 (2) the commissioner, who serves as chair.

6.19 (d) Appointed board members must meet the following qualifications, at a minimum:

6.20 (1) a law degree or a bachelor's degree in criminology, corrections, or a related social

6.21 science;

6.22 (2) five years of experience in corrections, a criminal justice or community corrections

6.23 field, rehabilitation programming, behavioral health, or criminal law; and

6.24 (3) demonstrated knowledge of victim issues and correctional processes.

6.25 Subd. 2. **Terms; compensation.** (a) Appointed board members serve four-year staggered

6.26 terms, but the terms of the initial members are as follows:

6.27 (1) two members must be appointed for terms that expire January 1, 2026; and

6.28 (2) two members must be appointed for terms that expire January 1, 2028.

6.29 (b) An appointed member is eligible for reappointment, and a vacancy must be filled

6.30 according to subdivision 1.

7.1 (c) For appointed members, compensation and removal are as provided in section 15.0575.

7.2 Subd. 3. **Quorum; administrative duties.** (a) The majority of members constitutes a

7.3 quorum.

7.4 (b) An appointed board member must visit at least one state correctional facility every

7.5 12 months.

7.6 (c) The commissioner must provide the board with personnel, supplies, equipment, office

7.7 space, and other administrative services necessary and incident to fulfilling the board's

7.8 functions.

7.9 Subd. 4. **Limitation.** Nothing in this section or section 244.05, subdivision 5:

7.10 (1) supersedes the commissioner's authority to set conditions of release or revoke an

7.11 inmate's release for violating any of the conditions; or

7.12 (2) impairs the power of the Board of Pardons to grant a pardon or commutation in any

7.13 case.

207.5 Subd. 5. **Report.** (a) Beginning February 15, 2025, and each year thereafter, the board
207.6 must submit to the legislative committees with jurisdiction over criminal justice policy a
207.7 written report that:

207.8 (1) details the number of inmates reviewed;

207.9 (2) identifies inmates granted release or final discharge in the preceding year; and

207.10 (3) provides demographic data of inmates who were granted release or final discharge
207.11 and inmates who were denied release or final discharge.

207.12 (b) The report must also include the board's recommendations to the commissioner for
207.13 policy modifications that influence the board's duties.

207.14 Sec. 12. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:

207.15 Subd. 2. **Rules.** (a) Notwithstanding section 14.03, subdivision 3, paragraph (b), clause
207.16 (1), the commissioner of corrections shall must adopt by rule standards and procedures for
207.17 the revocation of revoking supervised or conditional release; and shall must specify the
207.18 period of revocation for each violation of release except in accordance with subdivision 5,
207.19 paragraph (i), for inmates serving life sentences.

207.20 (b) Procedures for the revocation of revoking release shall must provide due process of
207.21 law for the inmate.

207.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.

207.23 Sec. 13. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

207.24 Subd. 5. **Supervised release; life sentence and indeterminate sentences.** (a) The
207.25 commissioner of corrections board may, under rules promulgated adopted by the
207.26 commissioner, give grant supervised release or parole to an inmate serving a mandatory
207.27 life sentence under section 609.185, paragraph (a), clause (3), (5), or (6); 609.3455,
207.28 subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3;

207.29 (1) after the inmate has served the minimum term of imprisonment specified in
207.30 subdivision 4 or section 243.05, subdivision 1, paragraph (a); or

208.1 (2) at any time for an inmate serving a nonlife indeterminate sentence for a crime
208.2 committed on or before April 30, 1980.

208.3 (b) No earlier than three years before an inmate reaches their minimum term of
208.4 imprisonment or parole eligibility date, the commissioner must conduct a formal review
208.5 and make programming recommendations relevant to the inmate's release review under this
208.6 subdivision.

7.14 Subd. 5. **Report.** (a) Beginning February 15, 2025, and each year thereafter, the board
7.15 must submit to the legislative committees with jurisdiction over criminal justice policy a
7.16 written report that:

7.17 (1) details the number of inmates reviewed;

7.18 (2) identifies inmates granted release or final discharge in the preceding year; and

7.19 (3) provides demographic data of inmates who were granted release or final discharge
7.20 and inmates who were denied release or final discharge.

7.21 (b) The report must also include the board's recommendations to the commissioner for
7.22 policy modifications that influence the board's duties.

7.23 **EFFECTIVE DATE.** This section is effective July 1, 2023.

7.24 Sec. 10. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:

7.25 Subd. 2. **Rules.** (a) Notwithstanding section 14.03, subdivision 3, paragraph (b), clause
7.26 (1), the commissioner of corrections shall must adopt by rule standards and procedures for
7.27 the revocation of revoking supervised or conditional release; and shall must specify the
7.28 period of revocation for each violation of release, except in accordance with subdivision 5,
7.29 paragraph (i), for inmates serving life sentences.

7.30 (b) Procedures for the revocation of revoking release shall must provide due process of
7.31 law for the inmate.

8.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

8.2 Sec. 11. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

8.3 Subd. 5. **Supervised release; life sentence and indeterminate sentences.** (a) The
8.4 commissioner of corrections board may, under rules promulgated adopted by the
8.5 commissioner, give grant supervised release or parole to an inmate serving a mandatory
8.6 life sentence under section 609.185, paragraph (a), clause (3), (5), or (6); 609.3455,
8.7 subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3;

8.8 (1) after the inmate has served the minimum term of imprisonment specified in
8.9 subdivision 4 or section 243.05, subdivision 1, paragraph (a); or

8.10 (2) at any time for an inmate serving a nonlife indeterminate sentence for a crime
8.11 committed on or before April 30, 1980.

8.12 (b) No earlier than three years before an inmate reaches their minimum term of
8.13 imprisonment or parole eligibility date, the commissioner must conduct a formal review
8.14 and make programming recommendations relevant to the inmate's release review under this
8.15 subdivision.

208.7 (c) The ~~commissioner shall~~ board must require the preparation of a community
208.8 investigation report and ~~shall~~ consider the findings of the report when making a ~~supervised~~
208.9 release or parole decision under this subdivision. The report ~~shall~~ must:
208.10 (1) reflect the sentiment of the various elements of the community toward the inmate,
208.11 both at the time of the offense and at the present time;₂
208.12 ~~The report shall~~ (2) include the views of the sentencing judge, the prosecutor, any law
208.13 enforcement personnel who may have been involved in the case, and any successors to these
208.14 individuals who may have information relevant to the ~~supervised~~ release decision;₂ and
208.15 ~~The report shall also~~ (3) include the views of the victim and the victim's family unless
208.16 the victim or the victim's family chooses not to participate.
208.17 ~~(e) (d)~~ The commissioner ~~shall~~ must make reasonable efforts to notify the victim, in
208.18 advance, of the time and place of the inmate's ~~supervised~~ release review hearing. The victim
208.19 has a right to submit an oral or written statement at the review hearing. The statement may
208.20 summarize the harm suffered by the victim as a result of the crime and give the victim's
208.21 recommendation on whether the inmate should be given supervised release or parole at this
208.22 time. ~~The commissioner must consider the victim's statement when making the supervised~~
208.23 ~~release decision.~~
208.24 ~~(e) (c)~~ Supervised release or parole must be granted with a majority vote of the board
208.25 members. When considering whether to give grant supervised release or parole to an inmate
208.26 serving a life sentence under section 609.3455, subdivision 3 or 4 or indeterminate sentence,
208.27 the ~~commissioner shall~~ board must consider, at a minimum, the following:
208.28 (1) the risk the inmate poses to the community if released;₂
208.29 (2) the inmate's progress in treatment;₂
208.30 (3) the inmate's behavior while incarcerated;₂
208.31 (4) psychological or other diagnostic evaluations of the inmate;₂
208.32 (5) the inmate's criminal history;₂
209.1 (6) a victim statement under paragraph (d), if submitted; and
209.2 (7) any other relevant conduct of the inmate while incarcerated or before incarceration.
209.3 (f) The ~~commissioner board~~ may not give grant supervised release or parole to ~~the an~~
209.4 inmate unless:
209.5 (1) while in prison:
209.6 (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;
209.7 (ii) the inmate has been assessed for substance use disorder needs and, if appropriate,
209.8 has successfully completed substance use disorder treatment; and

8.16 (c) The ~~commissioner shall~~ board must require the preparation of a community
8.17 investigation report and ~~shall~~ consider the findings of the report when making a ~~supervised~~
8.18 release or parole decision under this subdivision. The report ~~shall~~ must:
8.19 (1) reflect the sentiment of the various elements of the community toward the inmate,
8.20 both at the time of the offense and at the present time;₂
8.21 ~~The report shall~~ (2) include the views of the sentencing judge, the prosecutor, any law
8.22 enforcement personnel who may have been involved in the case, and any successors to these
8.23 individuals who may have information relevant to the ~~supervised~~ release decision;₂ and
8.24 ~~The report shall also~~ (3) include the views of the victim and the victim's family unless
8.25 the victim or the victim's family chooses not to participate.
8.26 ~~(e) (d)~~ The commissioner ~~shall~~ must make reasonable efforts to notify the victim, in
8.27 advance, of the time and place of the inmate's ~~supervised~~ release review hearing. The victim
8.28 has a right to submit an oral or written statement at the review hearing. The statement may
8.29 summarize the harm suffered by the victim as a result of the crime and give the victim's
8.30 recommendation on whether the inmate should be given supervised release or parole at this
8.31 time. ~~The commissioner must consider the victim's statement when making the supervised~~
8.32 ~~release decision.~~
9.1 ~~(e) (c)~~ Supervised release or parole must be granted with a majority vote of the board
9.2 members. When considering whether to give grant supervised release or parole to an inmate
9.3 serving a life sentence under section 609.3455, subdivision 3 or 4 or indeterminate sentence,
9.4 the ~~commissioner shall~~ board must consider, at a minimum, the following:
9.5 (1) the risk the inmate poses to the community if released;₂
9.6 (2) the inmate's progress in treatment;₂
9.7 (3) the inmate's behavior while incarcerated;₂
9.8 (4) psychological or other diagnostic evaluations of the inmate;₂
9.9 (5) the inmate's criminal history;₂
9.10 (6) a victim statement under paragraph (d), if submitted; and
9.11 (7) any other relevant conduct of the inmate while incarcerated or before incarceration.
9.12 (f) The ~~commissioner board~~ may not give grant supervised release or parole to ~~the an~~
9.13 inmate unless:
9.14 (1) while in prison:
9.15 (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;
9.16 (ii) the inmate has been assessed for substance use disorder needs and, if appropriate,
9.17 has successfully completed substance use disorder treatment; and

209.9 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
209.10 successfully completed mental health treatment; and

209.11 (2) a comprehensive individual release plan is in place for the inmate that:

209.12 (i) ensures that, after release, the inmate will have suitable housing and receive appropriate
209.13 aftercare and community-based treatment. ~~The comprehensive plan also must include; and~~

209.14 (ii) includes a postprison employment or education plan for the inmate.

209.15 ~~(e)~~ (g) When granting supervised release under this subdivision, the board must set
209.16 prerelease conditions to be followed by the inmate before ~~their~~ actual release or before
209.17 constructive parole becomes effective. If the inmate violates any of the prerelease conditions,
209.18 the commissioner may rescind the grant of supervised release without a hearing at any time
209.19 before the inmate's release or before constructive parole becomes effective. A grant of
209.20 constructive parole becomes effective once the inmate begins serving the consecutive
209.21 sentence.

209.22 (h) If the commissioner rescinds a grant of supervised release or parole, the board:

209.23 (1) must set a release review date that occurs within 90 days of the commissioner's
209.24 rescission; and

209.25 (2) by majority vote, may set a new supervised release date or set another review date.

209.26 (i) If the commissioner revokes supervised release or parole for an inmate serving a life
209.27 sentence, the revocation is not subject to the limitations under section 244.30 and the board:

209.28 (1) must set a release review date that occurs within one year of the commissioner's final
209.29 revocation decision; and

209.30 (2) by majority vote, may set a new supervised release date or set another review date.

210.1 (j) The board may, by a majority vote, grant a person on supervised release or parole
210.2 for a life or indeterminate sentence a final discharge from ~~their~~ sentence in accordance with
210.3 section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory
210.4 lifetime conditional release term under section 609.3455, subdivision 7, be discharged from
210.5 that term.

210.6 ~~As used in~~ (k) For purposes of this subdivision;

210.7 (1) "board" means the Indeterminate Sentence Release Board under section 244.049;

210.8 (2) "constructive parole" means the status of an inmate who has been paroled from an
210.9 indeterminate sentence to begin serving a consecutive sentence in prison; and

210.10 (3) "victim" means ~~the~~ an individual who has directly suffered loss or harm as a result
210.11 of the from an inmate's crime or, if the individual is deceased, the deceased's a murder
210.12 victim's surviving spouse or, next of kin, or family kin.

9.18 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
9.19 successfully completed mental health treatment; and

9.20 (2) a comprehensive individual release plan is in place for the inmate that:

9.21 (i) ensures that, after release, the inmate will have suitable housing and receive appropriate
9.22 aftercare and community-based treatment. ~~The comprehensive plan also must include; and~~

9.23 (ii) includes a postprison employment or education plan for the inmate.

9.24 ~~(e)~~ (g) When granting supervised release under this subdivision, the board must set
9.25 prerelease conditions to be followed by the inmate before ~~that inmate's~~ actual release or
9.26 before constructive parole becomes effective. If the inmate violates any of the prerelease
9.27 conditions, the commissioner may rescind the grant of supervised release without a hearing
9.28 at any time before the inmate's release or before constructive parole becomes effective. A
9.29 grant of constructive parole becomes effective once the inmate begins serving the consecutive
9.30 sentence.

10.1 (h) If the commissioner rescinds a grant of supervised release or parole, the board:

10.2 (1) must set a release review date that occurs within 90 days of the commissioner's
10.3 rescission; and

10.4 (2) by majority vote, may set a new supervised release date or set another review date.

10.5 (i) If the commissioner revokes supervised release or parole for an inmate serving a life
10.6 sentence, the revocation is not subject to the limitations under section 244.30 and the board:

10.7 (1) must set a release review date that occurs within one year of the commissioner's final
10.8 revocation decision; and

10.9 (2) by majority vote, may set a new supervised release date or set another review date.

10.10 (j) The board may, by a majority vote, grant a person on supervised release or parole
10.11 for a life or indeterminate sentence a final discharge from ~~that person's~~ sentence in accordance
10.12 with section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory
10.13 lifetime conditional release term under section 609.3455, subdivision 7, be discharged from
10.14 that term.

10.15 ~~As used in~~ (k) For purposes of this subdivision;

10.16 (1) "board" means the Indeterminate Sentence Release Board under section 244.049;

10.17 (2) "constructive parole" means the status of an inmate who has been paroled from an
10.18 indeterminate sentence to begin serving a consecutive sentence in prison; and

10.19 (3) "victim" means ~~the~~ an individual who has directly suffered loss or harm as a result
10.20 of the from an inmate's crime or, if the individual is deceased, the deceased's a murder
10.21 victim's surviving spouse or, next of kin, or family kin.

210.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

10.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.

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99.14 Sec. 4. Minnesota Statutes 2022, section 244.052, subdivision 4a, is amended to read:

99.15 Subd. 4a. **Level III offenders; location of residence.** (a) When an offender assigned
99.16 to risk level III is released from confinement or a residential facility to reside in the
99.17 community or changes residence while on supervised or conditional release, the agency
99.18 responsible for the offender's supervision shall:

99.19 (1) take into consideration the proximity of the offender's residence to that of other level
99.20 III offenders ~~and~~;

99.21 (2) take into consideration the proximity of the offender's residence to schools, day care
99.22 centers, residences for vulnerable adults, and locations where children commonly gather;
99.23 and;

99.24 (3) to the greatest extent feasible, ~~shall~~ mitigate the concentration of level III offenders
99.25 and concentration of level III offenders near schools, day care centers, residences for
99.26 vulnerable adults, and locations where children commonly gather.

99.27 (b) If the owner or property manager of a hotel, motel, lodging establishment, or
99.28 apartment building has an agreement with an agency that arranges or provides shelter for
99.29 victims of domestic abuse, the owner or property manager may not knowingly rent rooms
99.30 to both level III offenders and victims of domestic abuse at the same time. If the owner or
99.31 property manager has an agreement with an agency to provide housing to domestic abuse
99.32 victims and discovers or is informed that a tenant is a level III offender after signing a lease
99.33 or otherwise renting to the offender, the owner or property manager may evict the offender.

100.1 (c) Notwithstanding any contrary provision of this section, chapter 253B or 253D, or
100.2 any other law, a local governmental unit may, by ordinance, place reasonable residency
100.3 location restrictions on level III offenders who have committed offenses involving children
100.4 and who are on supervised or conditional release or provisional discharge under chapter
100.5 253D. A restriction must be narrowly tailored to address the risk posed based on the pattern
100.6 of offending behavior and may not completely preclude the placement of an offender in the
100.7 community. In addition, a restriction may not apply to placements at a location where an
100.8 offender receives treatment or where the location is owned, leased, or operated by or on
100.9 behalf of the state or federal government.

100.10 Sec. 5. **[244.40] RELEASE OF INMATES; RESIDENCE PROXIMITY TO VICTIMS.**

100.11 (a) When a person is released from prison to reside in the community while under
100.12 supervised or conditional release, the agency responsible for the person's supervision, in
100.13 consultation with the commissioners of corrections and public safety, shall:

210.14 Sec. 14. Minnesota Statutes 2022, section 260B.176, is amended by adding a subdivision
210.15 to read:

210.16 Subd. 1a. **Risk-assessment instrument.** (a) If a peace officer, probation officer, or
210.17 parole officer who takes a child into custody does not release the child according to
210.18 subdivision 1, the officer must communicate with or deliver the child to a juvenile secure
210.19 detention facility to determine whether the child should be released or detained.

210.20 (b) To determine whether a child should be released or detained, a facility's supervisor
210.21 must use an objective and racially, ethnically, and gender-responsive juvenile detention
210.22 risk-assessment instrument developed by the commissioner of corrections, county, group
210.23 of counties, or judicial district, in consultation with the state coordinator or coordinators of
210.24 the Minnesota Juvenile Detention Alternative Initiative.

210.25 (c) The risk-assessment instrument must:

210.26 (1) assess the likelihood that a child released from preadjudication detention under this
210.27 section or section 260B.178 would endanger others or not return for a court hearing;

210.28 (2) identify the appropriate setting for a child who might endanger others or not return
210.29 for a court hearing pending adjudication, with either continued detention or placement in a
210.30 noncustodial community-based supervision setting; and

211.1 (3) identify the type of noncustodial community-based supervision setting necessary to
211.2 minimize the risk that a child who is released from custody will endanger others or not
211.3 return for a court hearing.

211.4 (d) If, after using the instrument, a determination is made that the child should be released,
211.5 the person taking the child into custody or the facility supervisor must release the child
211.6 according to subdivision 1.

211.7 **EFFECTIVE DATE.** This section is effective August 15, 2023.

100.14 (1) take into consideration the proximity of the person's residence to those of individuals
100.15 who have been victimized by crime in the past; and

100.16 (2) to the greatest extent feasible, mitigate the concentration of released persons to crime
100.17 victims where the person's past documented conduct or pattern of offending indicates that
100.18 the person might conceivably target the crime victim.

100.19 (b) This section applies only to situations in which the housing for the person being
100.20 released from prison, the housing for the crime victim, or both, is paid for, in whole or in
100.21 part, pursuant to a federal, state, or local appropriation or a grant awarded from such an
100.22 appropriation.

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35.17 Sec. 21. Minnesota Statutes 2022, section 260B.176, is amended by adding a subdivision
35.18 to read:

35.19 Subd. 1a. **Risk-assessment instrument.** (a) If a peace officer, probation officer, or
35.20 parole officer who takes a child into custody does not release the child according to
35.21 subdivision 1, the officer must communicate with or deliver the child to a juvenile secure
35.22 detention facility to determine whether the child should be released or detained.

35.23 (b) To determine whether a child should be released or detained, a facility's supervisor
35.24 must use an objective and racially, ethnically, and gender-responsive juvenile detention
35.25 risk-assessment instrument developed by the commissioner of corrections, county, group
35.26 of counties, or judicial district, in consultation with the state coordinator or coordinators of
35.27 the Minnesota Juvenile Detention Alternative Initiative.

35.28 (c) The risk-assessment instrument must:

35.29 (1) assess the likelihood that a child released from preadjudication detention under this
35.30 section or section 260B.178 would endanger others or not return for a court hearing;

36.1 (2) identify the appropriate setting for a child who might endanger others or not return
36.2 for a court hearing pending adjudication, with either continued detention or placement in a
36.3 noncustodial community-based supervision setting; and

36.4 (3) identify the type of noncustodial community-based supervision setting necessary to
36.5 minimize the risk that a child who is released from custody will endanger others or not
36.6 return for a court hearing.

36.7 (d) If, after using the instrument, a determination is made that the child should be released,
36.8 the person taking the child into custody or the facility supervisor must release the child
36.9 according to subdivision 1.

36.10 **EFFECTIVE DATE.** This section is effective August 15, 2023.

211.8 Sec. 15. **[641.015] PLACEMENT IN PRIVATE PRISONS PROHIBITED.**

211.9 Subdivision 1. **Placement prohibited.** After August 1, 2023, a sheriff shall not allow
211.10 inmates committed to the custody of the sheriff who are not on probation, work release, or
211.11 some other form of approved release status to be housed in facilities that are not owned and
211.12 operated by a local government, or a group of local units of government.

211.13 Subd. 2. **Contracts prohibited.** (a) Except as provided in paragraph (b), the county
211.14 board may not authorize the sheriff to contract with privately owned and operated prisons
211.15 for the care, custody, and rehabilitation of offenders committed to the custody of the sheriff.

211.16 (b) Nothing in this section prohibits a county board from contracting with privately
211.17 owned residential facilities, such as halfway houses, group homes, work release centers, or
211.18 treatment facilities, to provide for the care, custody, and rehabilitation of offenders who are
211.19 on probation, work release, or some other form of approved release status.

211.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

211.21 Sec. 16. Minnesota Statutes 2022, section 641.15, subdivision 2, is amended to read:

211.22 Subd. 2. **Medical aid.** Except as provided in section 466.101, the county board shall
211.23 pay the costs of medical services provided to prisoners pursuant to this section. The amount
211.24 paid by the county board for a medical service shall not exceed the maximum allowed
211.25 medical assistance payment rate for the service, as determined by the commissioner of
211.26 human services. In the absence of a health or medical insurance or health plan that has a
211.27 contractual obligation with the provider or the prisoner, medical providers shall charge no
211.28 higher than the rate negotiated between the county and the provider. In the absence of an
211.29 agreement between the county and the provider, the provider may not charge an amount
211.30 that exceeds the maximum allowed medical assistance payment rate for the service, as
211.31 determined by the commissioner of human services. The county is entitled to reimbursement
211.32 from the prisoner for payment of medical bills to the extent that the prisoner to whom the
212.1 medical aid was provided has the ability to pay the bills. The prisoner shall, at a minimum,
212.2 incur co-payment obligations for health care services provided by a county correctional
212.3 facility. The county board shall determine the co-payment amount. Notwithstanding any
212.4 law to the contrary, the co-payment shall be deducted from any of the prisoner's funds held
212.5 by the county, to the extent possible. If there is a disagreement between the county and a
212.6 prisoner concerning the prisoner's ability to pay, the court with jurisdiction over the defendant
212.7 shall determine the extent, if any, of the prisoner's ability to pay for the medical services.
212.8 If a prisoner is covered by health or medical insurance or other health plan when medical
212.9 services are provided, the medical provider shall bill that health or medical insurance or
212.10 other plan. If the county providing the medical services for a prisoner that has coverage
212.11 under health or medical insurance or other plan, that county has a right of subrogation to
212.12 be reimbursed by the insurance carrier for all sums spent by it for medical services to the
212.13 prisoner that are covered by the policy of insurance or health plan, in accordance with the

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101.13 Sec. 7. Minnesota Statutes 2022, section 641.15, subdivision 2, is amended to read:

101.14 Subd. 2. **Medical aid.** Except as provided in section 466.101, the county board shall
101.15 pay the costs of medical services provided to prisoners pursuant to this section. The amount
101.16 paid by the county board for a medical service shall not exceed the maximum allowed
101.17 medical assistance payment rate for the service, as determined by the commissioner of
101.18 human services. In the absence of a health or medical insurance or health plan that has a
101.19 contractual obligation with the provider or the prisoner, medical providers shall charge no
101.20 higher than the rate negotiated between the county and the provider. In the absence of an
101.21 agreement between the county and the provider, the provider may not charge an amount
101.22 that exceeds the maximum allowed medical assistance payment rate for the service, as
101.23 determined by the commissioner of human services. The county is entitled to reimbursement
101.24 from the prisoner for payment of medical bills to the extent that the prisoner to whom the
101.25 medical aid was provided has the ability to pay the bills. The prisoner shall, at a minimum,
101.26 incur co-payment obligations for health care services provided by a county correctional
101.27 facility. The county board shall determine the co-payment amount. Notwithstanding any
101.28 law to the contrary, the co-payment shall be deducted from any of the prisoner's funds held
101.29 by the county, to the extent possible. If there is a disagreement between the county and a
101.30 prisoner concerning the prisoner's ability to pay, the court with jurisdiction over the defendant
101.31 shall determine the extent, if any, of the prisoner's ability to pay for the medical services.
101.32 If a prisoner is covered by health or medical insurance or other health plan when medical
101.33 services are provided, the medical provider shall bill that health or medical insurance or
101.34 other plan. If the county providing the medical services for a prisoner that has coverage
102.1 under health or medical insurance or other plan, that county has a right of subrogation to
102.2 be reimbursed by the insurance carrier for all sums spent by it for medical services to the
102.3 prisoner that are covered by the policy of insurance or health plan, in accordance with the

212.14 benefits, limitations, exclusions, provider restrictions, and other provisions of the policy or
212.15 health plan. The county may maintain an action to enforce this subrogation right. The county
212.16 does not have a right of subrogation against the medical assistance program. The county
212.17 shall not charge prisoners for telephone calls to MNsure navigators, the Minnesota Warmline,
212.18 a mental health provider, or calls for the purpose of providing case management or mental
212.19 health services as defined in section 245.462 to prisoners.

212.20 Sec. 17. Minnesota Statutes 2022, section 641.155, is amended to read:

212.21 **641.155 DISCHARGE PLANS; OFFENDERS WITH SERIOUS AND PERSISTENT**
212.22 **MENTAL ILLNESS.**

212.23 Subdivision 1. **Discharge plans.** The commissioner of corrections shall develop and
212.24 distribute a model discharge planning process for every offender with a serious and persistent
212.25 mental illness, as defined in section 245.462, subdivision 20, paragraph (c), who has been
212.26 convicted and sentenced to serve three or more months and is being released from a county
212.27 jail or county regional jail. The commissioner may specify different model discharge plans
212.28 for prisoners who have been detained pretrial and prisoners who have been sentenced to
212.29 jail. The commissioner must consult best practices and the most current correctional health
212.30 care standards from national accrediting organizations. The commissioner must review and
212.31 update the model process as needed.

212.32 Subd. 2. **Discharge plans for people with serious and persistent mental illnesses.** ~~An~~
212.33 ~~offender~~ A person with a serious and persistent mental illness, as defined in section 245.462,
212.34 subdivision 20, paragraph (c), who has been convicted and sentenced to serve three or more
213.1 months and is being released from a county jail or county regional jail shall be referred to
213.2 the appropriate staff in the county human services department at least 60 days before being
213.3 released. The county human services department ~~may carry out provisions of the model~~
213.4 ~~discharge planning process such as~~ must complete a discharge plan with the prisoner no
213.5 less than 14 days before release that may include:

213.6 (1) providing assistance in filling out an application for medical assistance or
213.7 MinnesotaCare;

213.8 (2) making a referral for case management as outlined under section 245.467, subdivision
213.9 4;

213.10 (3) providing assistance in obtaining a state photo identification;

213.11 (4) securing a timely appointment with a psychiatrist or other appropriate community
213.12 mental health providers; and

213.13 (5) providing prescriptions for a 30-day supply of all necessary medications.

213.14 Subd. 3. **Reentry coordination programs.** (a) A county may establish a program to
213.15 provide services and assist prisoners with reentering the community. Reentry services may
213.16 include but are not limited to:

102.4 benefits, limitations, exclusions, provider restrictions, and other provisions of the policy or
102.5 health plan. The county may maintain an action to enforce this subrogation right. The county
102.6 does not have a right of subrogation against the medical assistance program. The county
102.7 shall not charge prisoners for telephone calls to MNsure navigators, the Minnesota Warmline,
102.8 a mental health provider, or calls for the purpose of providing case management or mental
102.9 health services as defined in section 245.462 to prisoners.

102.10 Sec. 8. Minnesota Statutes 2022, section 641.155, is amended to read:

102.11 **641.155 DISCHARGE PLANS; OFFENDERS WITH SERIOUS AND PERSISTENT**
102.12 **MENTAL ILLNESS.**

102.13 Subdivision 1. **Discharge plans.** The commissioner of corrections shall develop and
102.14 distribute a model discharge planning process for every offender with a serious and persistent
102.15 mental illness, as defined in section 245.462, subdivision 20, paragraph (c), who has been
102.16 convicted and sentenced to serve three or more months and is being released from a county
102.17 jail or county regional jail. The commissioner may specify different model discharge plans
102.18 for prisoners who have been detained pretrial and prisoners who have been sentenced to
102.19 jail. The commissioner must consult best practices and the most current correctional health
102.20 care standards from national accrediting organizations. The commissioner must review and
102.21 update the model process as needed.

102.22 Subd. 2. **Discharge plans for people with serious and persistent mental illnesses.** ~~An~~
102.23 ~~offender~~ A person with a serious and persistent mental illness, as defined in section 245.462,
102.24 subdivision 20, paragraph (c), who has been convicted and sentenced to serve three or more
102.25 months and is being released from a county jail or county regional jail shall be referred to
102.26 the appropriate staff in the county human services department at least 60 days before being
102.27 released. The county human services department ~~may carry out provisions of the model~~
102.28 ~~discharge planning process such as~~ must complete a discharge plan with the prisoner no
102.29 less than 14 days before release that may include:

102.30 (1) providing assistance in filling out an application for medical assistance or
102.31 MinnesotaCare;

102.32 (2) making a referral for case management as outlined under section 245.467, subdivision
102.33 4;

103.1 (3) providing assistance in obtaining a state photo identification;

103.2 (4) securing a timely appointment with a psychiatrist or other appropriate community
103.3 mental health providers; and

103.4 (5) providing prescriptions for a 30-day supply of all necessary medications.

103.5 Subd. 3. **Reentry coordination programs.** A county may establish a program to provide
103.6 services and assist prisoners with reentering the community. Reentry services may include
103.7 but are not limited to:

213.17 (1) providing assistance in meeting the basic needs of the prisoner immediately after
213.18 release including but not limited to provisions for transportation, clothing, food, and shelter;

213.19 (2) providing assistance in filling out an application for medical assistance or
213.20 MinnesotaCare;

213.21 (3) providing assistance in obtaining a state photo identification;

213.22 (4) providing assistance in obtaining prescriptions for all necessary medications;

213.23 (5) coordinating services with the local county services agency or the social services
213.24 agency in the county where the prisoner is a resident; and

213.25 (6) coordinating services with a community mental health or substance use disorder
213.26 provider.

213.27 **Sec. 18. MENTAL HEALTH UNIT PILOT PROGRAM.**

213.28 (a) The commissioner of corrections shall establish a pilot program with interested
213.29 counties to provide mental health care to individuals with serious and persistent mental
213.30 illness who are incarcerated in county jails. The pilot program must require the participating
213.31 counties to pay according to Minnesota Statutes, section 243.51, a per diem for
214.1 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park
214.2 Heights, and other costs incurred by the Department of Corrections.

214.3 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall
214.4 develop program protocols, guidelines, and procedures and qualifications for participating
214.5 counties and incarcerated individuals to be treated in the Mental Health Unit. The program
214.6 is limited to a total of five incarcerated individuals from the participating counties at any
214.7 one time. Incarcerated individuals must volunteer to be treated in the unit and be able to
214.8 participate in programming with other incarcerated individuals.

214.9 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of
214.10 psychology, and associate director of behavioral health, or a designee of each, in consultation
214.11 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association
214.12 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

214.13 (d) On November 15, 2024, the warden shall submit a report to the chairs and ranking
214.14 minority members of the legislative committees and divisions with jurisdiction over
214.15 corrections describing the protocols, guidelines, and procedures for participation in the pilot
214.16 program by counties and incarcerated individuals, challenges with staffing, cost sharing
214.17 with counties, capacity of the program, services provided to the incarcerated individuals,
214.18 program outcomes, concerns regarding the program, and recommendations for the viability
214.19 of a long-term program.

103.8 (1) providing assistance in meeting the basic needs of the prisoner immediately after
103.9 release, including but not limited to provisions for transportation, clothing, food, and shelter;

103.10 (2) providing assistance in filling out an application for medical assistance or
103.11 MinnesotaCare;

103.12 (3) providing assistance in obtaining a state photo identification;

103.13 (4) providing assistance in obtaining prescriptions for all necessary medications;

103.14 (5) coordinating services with the local county services agency or the social services
103.15 agency in the county where the prisoner is a resident; and

103.16 (6) coordinating services with a community mental health or substance use disorder
103.17 provider.

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38.1 **Sec. 25. MENTAL HEALTH UNIT PILOT PROGRAM.**

38.2 (a) The commissioner of corrections shall establish a pilot program with interested
38.3 counties to provide mental health care to individuals with serious and persistent mental
38.4 illness who are incarcerated in county jails. The pilot program must require the participating
38.5 counties to pay according to Minnesota Statutes, section 243.51, a per diem for
38.6 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park
38.7 Heights, and other costs incurred by the Department of Corrections.

38.8 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall
38.9 develop program protocols, guidelines, and procedures and qualifications for participating
38.10 counties and incarcerated individuals to be treated in the Mental Health Unit. The program
38.11 is limited to a total of five incarcerated individuals from the participating counties at any
38.12 one time. Incarcerated individuals must volunteer to be treated in the unit and be able to
38.13 participate in programming with other incarcerated individuals.

38.14 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of
38.15 psychology, and associate director of behavioral health, or a designee of each, in consultation
38.16 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association
38.17 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

38.18 (d) On November 15, 2024, the warden shall submit a report to the chairs and ranking
38.19 minority members of the legislative committees and divisions with jurisdiction over
38.20 corrections describing the protocols, guidelines, and procedures for participation in the pilot
38.21 program by counties and incarcerated individuals, challenges with staffing, cost sharing
38.22 with counties, capacity of the program, services provided to the incarcerated individuals,
38.23 program outcomes, concerns regarding the program, and recommendations for the viability
38.24 of a long-term program.

214.20 (e) The pilot program expires November 16, 2024.

214.21 Sec. 19. **REVISED FACILITY PLANS.**

214.22 The commissioner of corrections must direct any juvenile facility licensed by the
214.23 commissioner to revise its plan under Minnesota Rules, part 2960.0270, subpart 6, and its
214.24 restrictive procedures plan under Minnesota Rules, part 2960.0710, subpart 2, to be consistent
214.25 with Minnesota Statutes, section 241.0215. After receiving notice from the commissioner,
214.26 a facility must submit the revised plans to the commissioner within 60 days.

214.27 **EFFECTIVE DATE.** This section is effective January 1, 2024.

214.28 Sec. 20. **RULEMAKING.**

214.29 (a) The commissioner of corrections must amend Minnesota Rules, chapter 2960, to
214.30 enforce the requirements under Minnesota Statutes, section 241.0215, including but not
214.31 limited to training, facility audits, strip searches, disciplinary room time, time-outs, and
215.1 seclusion. The commissioner may amend the rules to make technical changes and ensure
215.2 consistency with Minnesota Statutes, section 241.0215.

215.3 (b) In amending or adopting rules according to paragraph (a), the commissioner must
215.4 use the exempt rulemaking process under Minnesota Statutes, section 14.386.
215.5 Notwithstanding Minnesota Statutes, section 14.386, paragraph (b), a rule adopted under
215.6 this section is permanent. After the rule is adopted, the authorization to use the exempt
215.7 rulemaking process expires.

215.8 (c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and
215.9 60, or any other law to the contrary, the joint rulemaking authority with the commissioner
215.10 of human services does not apply to rule amendments applicable only to the Department of
215.11 Corrections. A rule that is amending jointly administered rule parts must be related to
215.12 requirements on strip searches, disciplinary room time, time-outs, and seclusion and be
215.13 necessary for consistency with this section.

215.14 **EFFECTIVE DATE.** This section is effective January 1, 2024.

215.15 Sec. 21. **REGIONAL AND COUNTY JAILS; STUDY AND REPORT.**

215.16 Subdivision 1. **Study.** The commissioner of corrections must study and make
215.17 recommendations on the consolidation or merger of county jails and alternatives to
215.18 incarceration for persons experiencing mental health disorders. The commissioner must
215.19 engage and solicit feedback from citizens who live in communities served by facilities that
215.20 may be impacted by the commissioner's recommendations for the consolidation or merger
215.21 of jails. The commissioner must consult with the following individuals on the study and
215.22 recommendations:

38.25 (e) The pilot program expires November 16, 2024.

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5.1 Sec. 5. **REVISED FACILITY PLANS.**

5.2 The commissioner of corrections must direct any juvenile facility licensed by the
5.3 commissioner to revise its plan under Minnesota Rules, part 2960.0270, subpart 6, and its
5.4 restrictive procedures plan under Minnesota Rules, part 2960.0710, subpart 2, to be consistent
5.5 with Minnesota Statutes, section 241.0215. After receiving notice from the commissioner,
5.6 a facility must submit the revised plans to the commissioner within 60 days.

5.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

5.8 Sec. 6. **RULEMAKING.**

5.9 (a) The commissioner of corrections must amend Minnesota Rules, chapter 2960, to
5.10 enforce the requirements under Minnesota Statutes, section 241.0215, including but not
5.11 limited to training, facility audits, strip searches, disciplinary room time, time-outs, and
5.12 seclusion. The commissioner may amend the rules to make technical changes and ensure
5.13 consistency with Minnesota Statutes, section 241.0215.

5.14 (b) In amending or adopting rules according to paragraph (a), the commissioner must
5.15 use the exempt rulemaking process under Minnesota Statutes, section 14.386.
5.16 Notwithstanding Minnesota Statutes, section 14.386, paragraph (b), a rule adopted under
5.17 this section is permanent. After the rule is adopted, the authorization to use the exempt
5.18 rulemaking process expires.

5.19 (c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and
5.20 60, or any other law to the contrary, the joint rulemaking authority with the commissioner
5.21 of human services does not apply to rule amendments applicable only to the Department of
5.22 Corrections. A rule that is amending jointly administered rule parts must be related to
5.23 requirements on strip searches, disciplinary room time, time-outs, and seclusion and be
5.24 necessary for consistency with this section.

5.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.

- 215.23 (1) county sheriffs;
- 215.24 (2) county and city attorneys who prosecute offenders;
- 215.25 (3) chief law enforcement officers;
- 215.26 (4) administrators of county jail facilities; and
- 215.27 (5) district court administrators.
- 215.28 Each party receiving a request for information from the commissioner under this section
- 215.29 shall provide the requested information in a timely manner.
- 215.30 Subd. 2. **Report.** The commissioner of corrections must file a report with the chairs and
- 215.31 ranking minority members of the senate and house of representatives committees and
- 215.32 divisions with jurisdiction over public safety and capital investment on the study and
- 216.1 recommendations under subdivision 1 on or before December 1, 2024. The report must, at
- 216.2 a minimum, provide the following information:
- 216.3 (1) the daily average number of offenders incarcerated in each county jail facility:
- 216.4 (i) who are in pretrial detention;
- 216.5 (ii) who cannot afford to pay bail;
- 216.6 (iii) for failure to pay fines and fees;
- 216.7 (iv) for offenses that stem from controlled substance addiction or mental health disorders;
- 216.8 (v) for nonfelony offenses;
- 216.9 (vi) who are detained pursuant to contracts with other authorities; and
- 216.10 (vii) for supervised release and probation violations;
- 216.11 (2) the actual cost of building a new jail facility, purchasing another facility, or repairing
- 216.12 a current facility;
- 216.13 (3) the age of current jail facilities;
- 216.14 (4) county population totals and trends;
- 216.15 (5) county crime rates and trends;
- 216.16 (6) the proximity of current jails to courthouses, probation services, social services,
- 216.17 treatment providers, and work-release employment opportunities;
- 216.18 (7) specific recommendations for alternatives to incarceration for persons experiencing
- 216.19 mental health disorders; and

216.20 (8) specific recommendations on the consolidation or merger of county jail facilities
216.21 and operations, including:

216.22 (i) where consolidated facilities should be located;

216.23 (ii) which counties are best suited for consolidation;

216.24 (iii) the projected costs of construction, renovation, or purchase of the facility; and

216.25 (iv) the projected cost of operating the facility.

216.26 Subd. 3. **Evaluation.** The commissioner, in consultation with the commissioner of
216.27 management and budget, must evaluate the need of any capital improvement project that
216.28 requests an appropriation of state capital budget money during an odd-numbered year to
216.29 construct a jail facility or for capital improvements to expand the number of incarcerated
217.1 offenders at an existing jail facility. The commissioner shall use the report under subdivision
217.2 2 to inform the evaluation. The commissioner must submit all evaluations under this
217.3 subdivision by January 15 of each even-numbered year to the chairs and ranking minority
217.4 members of the senate and house of representatives committees and divisions with jurisdiction
217.5 over public safety and capital investment on the study and recommendations under this
217.6 subdivision.

217.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

217.8 Sec. 22. **INDETERMINATE SENTENCE RELEASE BOARD.**

217.9 Notwithstanding Minnesota Statutes, section 244.049, subdivision 1, paragraph (a), the
217.10 Indeterminate Sentence Release Board may not begin to review eligible cases and make
217.11 release and final discharge decisions until July 1, 2024.

217.12 Sec. 23. **REVISOR INSTRUCTION.**

217.13 When necessary to reflect the transfer under Minnesota Statutes, section 244.049,
217.14 subdivision 1, the revisor of statutes must change the term "commissioner" or "commissioner
217.15 of corrections" to "Indeterminate Sentence Release Board" or "board" in Minnesota Statutes,
217.16 sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12, and make any
217.17 other necessary grammatical changes.

217.18 **EFFECTIVE DATE.** This section is effective July 1, 2024.

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37.26 Sec. 24. **INDETERMINATE SENTENCE RELEASE BOARD.**

37.27 Notwithstanding Minnesota Statutes, section 244.049, subdivision 1, paragraph (a), the
37.28 Indeterminate Sentence Release Board may not begin to review eligible cases and make
37.29 release and final discharge decisions until July 1, 2024.

37.30 **EFFECTIVE DATE.** This section is effective July 1, 2023.

38.26 Sec. 26. **REVISOR INSTRUCTION.**

38.27 Where necessary to reflect the transfer under Minnesota Statutes, section 244.049,
38.28 subdivision 1, the revisor of statutes must change the term "commissioner" or "commissioner
38.29 of corrections" to "Indeterminate Sentence Release Board" or "board" in Minnesota Statutes,
38.30 sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12, and make any
38.31 other necessary grammatical changes.

38.32 **EFFECTIVE DATE.** This section is effective July 1, 2024.