

217.19 **ARTICLE 13**

217.20 **MINNESOTA REHABILITATION AND REINVESTMENT ACT**

217.21 Section 1. Minnesota Statutes 2022, section 244.03, is amended to read:

217.22 **244.03 REHABILITATIVE PROGRAMS.**

217.23 Subdivision 1. **Commissioner responsibility.** (a) For individuals committed to the

217.24 commissioner's authority, the commissioner shall provide appropriate mental health programs

217.25 and vocational and educational programs with employment-related goals for inmates. The

217.26 selection, design and implementation of programs under this section shall be the sole

217.27 responsibility of the commissioner, acting within the limitations imposed by the funds

217.28 appropriated for such programs; must develop, implement, and provide, as appropriate:

217.29 (1) substance use disorder treatment programs;

217.30 (2) sexual offender treatment programming;

218.1 (3) domestic abuse programming;

218.2 (4) medical and mental health services;

218.3 (5) spiritual and faith-based programming;

218.4 (6) culturally responsive programming;

218.5 (7) vocational, employment and career, and educational programming; and

218.6 (8) other rehabilitative programs.

218.7 (b) While evidence-based programs must be prioritized, selecting, designing, and

218.8 implementing programs under this section are the sole responsibility of the commissioner,

218.9 acting within the limitations imposed by the funds appropriated for the programs under this

218.10 section.

218.11 Subd. 2. **Challenge prohibited.** No action challenging the level of expenditures for

218.12 rehabilitative programs authorized under this section, nor any action challenging the selection,

218.13 design, or implementation of these programs, including employee assignments, may be

218.14 maintained by an inmate in any court in this state.

218.15 Subd. 3. **Disciplinary sanctions.** The commissioner may impose disciplinary sanctions

218.16 upon on any inmate who refuses to participate in rehabilitative programs.

218.17 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 1b, is amended to read:

218.18 Subd. 1b. **Supervised release; offenders inmates who commit crimes on or after**

218.19 **August 1, 1993.** (a) Except as provided in subdivisions 4 and 5, every inmate sentenced to

218.20 prison for a felony offense committed on or after August 1, 1993, shall serve a supervised

218.21 release term upon completion of the inmate's term of imprisonment and any disciplinary

150.1 **ARTICLE 7**

150.2 **MINNESOTA REHABILITATION AND REINVESTMENT ACT**

150.3 Section 1. Minnesota Statutes 2022, section 244.03, is amended to read:

150.4 **244.03 REHABILITATIVE PROGRAMS.**

150.5 Subdivision 1. **Commissioner responsibility.** (a) For individuals committed to the

150.6 commissioner's authority, the commissioner shall provide appropriate mental health programs

150.7 and vocational and educational programs with employment-related goals for inmates. The

150.8 selection, design and implementation of programs under this section shall be the sole

150.9 responsibility of the commissioner, acting within the limitations imposed by the funds

150.10 appropriated for such programs; must develop, implement, and provide, as appropriate:

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150.13 (3) domestic abuse programming;

150.14 (4) medical and mental health services;

150.15 (5) spiritual and faith-based programming;

150.16 (6) culturally responsive programming;

150.17 (7) vocational, employment and career, and educational programming; and

150.18 (8) other rehabilitative programs.

150.19 (b) While evidence-based programs must be prioritized, selecting, designing, and

150.20 implementing programs under this section are the sole responsibility of the commissioner,

150.21 acting within the limitations imposed by the funds appropriated for the programs under this

150.22 section.

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150.24 rehabilitative programs authorized under this section, nor any action challenging the selection,

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151.4 prison for a felony offense committed on or after August 1, 1993, shall serve a supervised

151.5 release term upon completion of the inmate's term of imprisonment and any disciplinary

218.22 confinement period imposed by the commissioner due to the inmate's violation of any  
218.23 disciplinary rule adopted by the commissioner or refusal to participate in a rehabilitative  
218.24 program required under section 244.03. The amount of time the inmate serves on supervised  
218.25 release ~~shall be~~ is equal in length to the amount of time remaining in to one-third of the  
218.26 inmate's ~~fixed~~ executed sentence ~~after the inmate has served the term of imprisonment and~~  
218.27 ~~any disciplinary confinement period imposed by the commissioner, less any disciplinary~~  
218.28 ~~confinement period imposed by the commissioner and regardless of any earned incentive~~  
218.29 ~~release credit applied toward the individual's term of imprisonment under section 244.44.~~

218.30 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative  
218.31 program as required under section 244.03 shall be placed on supervised release until the  
218.32 inmate has served the disciplinary confinement period for that disciplinary sanction or until  
219.1 the inmate is discharged or released from punitive ~~segregation~~ restrictive-housing  
219.2 confinement, whichever is later. The imposition of a disciplinary confinement period shall  
219.3 be considered to be a disciplinary sanction imposed upon an inmate, and the procedure for  
219.4 imposing the disciplinary confinement period and the rights of the inmate in the procedure  
219.5 shall be those in effect for the imposition of other disciplinary sanctions at each state  
219.6 correctional institution.

219.7 (c) For purposes of this subdivision, "earned incentive release credit" has the meaning  
219.8 given in section 244.41, subdivision 7.

219.9 Sec. 3. **[244.40] MINNESOTA REHABILITATION AND REINVESTMENT ACT.**

219.10 Sections 244.40 to 244.51 may be cited as the "Minnesota Rehabilitation and  
219.11 Reinvestment Act."

219.12 Sec. 4. **[244.41] DEFINITIONS.**

219.13 Subdivision 1. **Scope.** For purposes of the act, the terms defined in this section have the  
219.14 meanings given.

219.15 Subd. 2. **Act.** "Act" means the Minnesota Rehabilitation and Reinvestment Act.

219.16 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of corrections.

219.17 Subd. 4. **Correctional facility.** "Correctional facility" means a state facility under the  
219.18 direct operational authority of the commissioner but does not include a commissioner-licensed  
219.19 local detention facility.

219.20 Subd. 5. **Direct-cost per diem.** "Direct-cost per diem" means the actual nonsalary  
219.21 expenditures, including encumbrances as of July 31 following the end of the fiscal year,  
219.22 from the Department of Corrections expense budgets for food preparation; food provisions;  
219.23 personal support for incarcerated persons, including clothing, linen, and other personal  
219.24 supplies; transportation; and professional technical contracted health care services.

219.25 Subd. 6. **Earned compliance credit.** "Earned compliance credit" means a one-month  
219.26 reduction from the period during active supervision of the supervised release term for every

151.6 confinement period imposed by the commissioner due to the inmate's violation of any  
151.7 disciplinary rule adopted by the commissioner or refusal to participate in a rehabilitative  
151.8 program required under section 244.03. The amount of time the inmate serves on supervised  
151.9 release ~~shall be~~ is equal in length to the amount of time remaining in to one-third of the  
151.10 inmate's ~~fixed~~ executed sentence ~~after the inmate has served the term of imprisonment and~~  
151.11 ~~any disciplinary confinement period imposed by the commissioner, less any disciplinary~~  
151.12 ~~confinement period imposed by the commissioner and regardless of any earned incentive~~  
151.13 ~~release credit applied toward the individual's term of imprisonment under section 244.44.~~

151.14 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative  
151.15 program as required under section 244.03 shall be placed on supervised release until the  
151.16 inmate has served the disciplinary confinement period for that disciplinary sanction or until  
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152.6 from the Department of Corrections expense budgets for food preparation; food provisions;  
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152.8 supplies; transportation; and professional technical contracted health care services.

152.9 Subd. 6. **Earned compliance credit.** "Earned compliance credit" means a one-month  
152.10 reduction from the period during active supervision of the supervised release term for every

219.27 two months that a supervised individual exhibits compliance with the conditions and goals  
219.28 of the individual's supervision plan.

219.29 Subd. 7. **Earned incentive release credit.** "Earned incentive release credit" means credit  
219.30 that is earned and included in calculating an incarcerated person's term of imprisonment for  
220.1 completing objectives established by their individualized rehabilitation plan under section  
220.2 244.42.

220.3 Subd. 8. **Earned incentive release savings.** "Earned incentive release savings" means  
220.4 the calculation of the direct-cost per diem multiplied by the number of incarcerated days  
220.5 saved for the period of one fiscal year.

220.6 Subd. 9. **Executed sentence.** "Executed sentence" means the total period for which an  
220.7 incarcerated person is committed to the custody of the commissioner.

220.8 Subd. 10. **Incarcerated days saved.** "Incarcerated days saved" means the number of  
220.9 days of an incarcerated person's original term of imprisonment minus the number of actual  
220.10 days served, excluding days not served due to death or as a result of time earned in the  
220.11 challenge incarceration program under sections 244.17 to 244.173.

220.12 Subd. 11. **Incarcerated person.** "Incarcerated person" has the meaning given "inmate"  
220.13 in section 244.01, subdivision 2.

220.14 Subd. 12. **Supervised release.** "Supervised release" means the release of an incarcerated  
220.15 person according to section 244.05.

220.16 Subd. 13. **Supervised release term.** "Supervised release term" means the period equal  
220.17 to one-third of the individual's fixed executed sentence, less any disciplinary confinement  
220.18 period or punitive restrictive-housing confinement imposed under section 244.05, subdivision  
220.19 1b.

220.20 Subd. 14. **Supervision abatement status.** "Supervision abatement status" means an end  
220.21 to active correctional supervision of a supervised individual without effect on the legal  
220.22 expiration date of the individual's executed sentence less any earned incentive release credit.

220.23 Subd. 15. **Term of imprisonment.** "Term of imprisonment" has the meaning given in  
220.24 section 244.01, subdivision 8.

220.25 Sec. 5. **[244.42] COMPREHENSIVE ASSESSMENT AND INDIVIDUALIZED**  
220.26 **REHABILITATION PLAN REQUIRED.**

220.27 Subdivision 1. **Comprehensive assessment.** (a) The commissioner must develop a  
220.28 comprehensive assessment process for each person who:

220.29 (1) is committed to the commissioner's custody and confined in a state correctional  
220.30 facility on or after January 1, 2025; and

152.11 two months that a supervised individual exhibits compliance with the conditions and goals  
152.12 of the individual's supervision plan.

152.13 Subd. 7. **Earned incentive release credit.** "Earned incentive release credit" means credit  
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153.9 comprehensive assessment process for each person who:

153.10 (1) is committed to the commissioner's custody and confined in a state correctional  
153.11 facility on or after January 1, 2025; and

220.31 (2) has 365 or more days remaining until the person's scheduled supervised release date  
220.32 or parole eligibility date.

221.1 (b) As part of the assessment process, the commissioner must take into account  
221.2 appropriate rehabilitative programs under section 244.03.

221.3 Subd. 2. **Individualized rehabilitation plan.** After completing the assessment process,  
221.4 the commissioner must ensure the development of an individualized rehabilitation plan,  
221.5 along with identified goals, for every person committed to the commissioner's custody. The  
221.6 individualized rehabilitation plan must be holistic in nature by identifying intended outcomes  
221.7 for addressing:

221.8 (1) the incarcerated person's needs and risk factors;

221.9 (2) the person's identified strengths; and

221.10 (3) available and needed community supports, including victim safety considerations  
221.11 as required under section 244.47, if applicable.

221.12 Subd. 3. **Victim input.** (a) If an individual is committed to the commissioner's custody  
221.13 for a crime listed in section 609.02, subdivision 16, the commissioner must make reasonable  
221.14 efforts to notify a victim of the opportunity to provide input during the assessment and  
221.15 rehabilitation plan process. Victim input may include:

221.16 (1) a summary of victim concerns relative to release;

221.17 (2) concerns related to victim safety during the committed individual's term of  
221.18 imprisonment; or

221.19 (3) requests for imposing victim safety protocols as additional conditions of imprisonment  
221.20 or supervised release.

221.21 (b) The commissioner must consider all victim input statements when developing an  
221.22 individualized rehabilitation plan and establishing conditions governing confinement or  
221.23 release.

221.24 Subd. 4. **Transition and release plan.** For an incarcerated person with less than 365  
221.25 days remaining until the person's supervised release date, the commissioner, in consultation  
221.26 with the incarcerated person, must develop a transition and release plan.

221.27 Subd. 5. **Scope of act.** This act is separate and distinct from other legislatively authorized  
221.28 release programs, including the challenge incarceration program, work release, conditional  
221.29 medical release, or the program for the conditional release of nonviolent controlled substance  
221.30 offenders.

222.1 Sec. 6. **[244.43] EARNED INCENTIVE RELEASE CREDIT.**

222.2 Subdivision 1. **Policy for earned incentive release credit; stakeholder consultation.** (a)  
222.3 To encourage and support rehabilitation when consistent with the public interest and public

153.12 (2) has 365 or more days remaining until the person's scheduled supervised release date  
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153.31 imprisonment; or

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154.14 Subdivision 1. **Policy for earned incentive release credit; stakeholder consultation.** (a)  
154.15 To encourage and support rehabilitation when consistent with the public interest and public

222.4 safety, the commissioner must establish a policy providing for earned incentive release  
222.5 credit as a part of the term of imprisonment. The policy must be established in consultation  
222.6 with the following organizations:

222.7 (1) Minnesota County Attorneys Association;  
222.8 (2) Minnesota Board of Public Defense;  
222.9 (3) Minnesota Association of Community Corrections Act Counties;  
222.10 (4) Minnesota Indian Women's Sexual Assault Coalition;  
222.11 (5) Violence Free Minnesota;  
222.12 (6) Minnesota Coalition Against Sexual Assault;  
222.13 (7) Minnesota Alliance on Crime;  
222.14 (8) Minnesota Sheriffs' Association;  
222.15 (9) Minnesota Chiefs of Police Association;  
222.16 (10) Minnesota Police and Peace Officers Association; and  
222.17 (11) faith-based organizations that reflect the demographics of the incarcerated population.  
222.18 (b) The policy must:

222.19 (1) provide circumstances upon which an incarcerated person may receive earned  
222.20 incentive release credits, including participation in rehabilitative programming under section  
222.21 244.03; and

222.22 (2) address circumstances where:

222.23 (i) the capacity to provide rehabilitative programming in the correctional facility is  
222.24 diminished but the programming is available in the community; and

222.25 (ii) the conditions under which the incarcerated person could be released to the  
222.26 community-based resource but remain subject to commitment to the commissioner and  
222.27 could be considered for earned incentive release credit.

222.28 Subd. 2. **Policy on disparities.** The commissioner must develop a policy establishing a  
222.29 process for assessing and addressing any systemic and programmatic gender and racial  
222.30 disparities that may be identified when awarding earned incentive release credits.

223.1 Sec. 7. **[244.44] APPLYING EARNED INCENTIVE RELEASE CREDIT.**

223.2 Earned incentive release credits are included in calculating the term of imprisonment  
223.3 but are not added to the person's supervised release term, the total length of which remains  
223.4 unchanged. The maximum amount of earned incentive release credit that can be earned and  
223.5 subtracted from the term of imprisonment is 17 percent of the total executed sentence.

154.16 safety, the commissioner must establish a policy providing for earned incentive release  
154.17 credit as a part of the term of imprisonment. The policy must be established in consultation  
154.18 with the following organizations:

154.19 (1) Minnesota County Attorneys Association;  
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154.24 (6) Minnesota Coalition Against Sexual Assault;  
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154.26 (8) Minnesota Sheriffs' Association;  
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155.1 (1) provide circumstances upon which an incarcerated person may receive earned  
155.2 incentive release credits, including participation in rehabilitative programming under section  
155.3 244.03; and

155.4 (2) address circumstances where:

155.5 (i) the capacity to provide rehabilitative programming in the correctional facility is  
155.6 diminished but the programming is available in the community; and

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155.8 community-based resource but remain subject to commitment to the commissioner and  
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155.13 Sec. 7. **[244.44] APPLYING EARNED INCENTIVE RELEASE CREDIT.**

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155.15 but are not added to the person's supervised release term, the total length of which remains  
155.16 unchanged. The maximum amount of earned incentive release credit that can be earned and  
155.17 subtracted from the term of imprisonment is 17 percent of the total executed sentence.

223.6 Earned credit cannot reduce the term of imprisonment to less than one-half of the incarcerated  
223.7 person's executed sentence. Once earned, earned incentive release credits are nonrevocable.

223.8       Sec. 8. **[244.45] INELIGIBILITY FOR EARNED INCENTIVE RELEASE CREDIT.**

223.9           (a) The commissioner, in consultation with the organizations listed in section 244.43,  
223.10 subdivision 1, paragraph (a), shall determine if any of the following offenses shall be  
223.11 ineligible for earned incentive release credit under sections 244.031 to 244.033:

223.12           (1) section 609.185, first degree murder, or 609.19, murder in the second degree;

223.13           (2) section 609.195, murder in the third degree, or 609.221, assault in the first degree;

223.17           (4) section 609.3455, subdivision 5, dangerous sex offenders, where the court shall  
223.18 specify a minimum term of imprisonment, based on the Sentencing Guidelines or any  
223.19 applicable mandatory minimum sentence, that must be served before the offender may be  
223.20 considered for supervised release;

223.21           (5) section 609.229, subdivision 4, paragraph (b), crimes committed for the benefit of  
223.22 a gang where any person convicted and sentenced as required by section 609.229, subdivision  
223.23 4, paragraph (a), is not eligible for probation, parole, discharge, work release, or supervised  
223.24 release until that person has served the full term of imprisonment as provided by law;

223.25           (6) section 152.026 where a person with a mandatory minimum sentence imposed for  
223.26 a first or second degree controlled substance crime is not eligible for probation, parole,  
223.27 discharge, or supervised release until that person has served the full term of imprisonment  
223.28 as provided by law;

223.29           (7) a person who was convicted in any other jurisdiction of a crime and the person's  
223.30 supervision was transferred to this state;

223.31           (8) section 243.166, subdivision 5, paragraph (e), predatory offender registration;

223.14           (3) section 609.342, first degree criminal sexual conduct, 609.343, second degree criminal  
223.15 sexual conduct, or 609.344, third degree criminal sexual conduct, if the offense was  
223.16 committed with force or violence;

224.1           (9) section 609.11, subdivision 6, use of firearm or dangerous weapon during the  
224.2 commission of certain offenses;

224.3           (10) section 609.221, subdivision 5, paragraph (b), use of deadly force against a peace  
224.4 officer, prosecutor, judge, or correctional employee;

224.5           (11) section 609.2231, subdivision 3a, paragraph (d), assault against secure treatment  
224.6 personnel; and

155.18 Earned credit cannot reduce the term of imprisonment to less than one-half of the incarcerated  
155.19 person's executed sentence. Once earned, earned incentive release credits are nonrevocable.

155.20       Sec. 8. **[244.45] INELIGIBILITY FOR EARNED INCENTIVE RELEASE CREDIT.**

155.21       The following individuals are ineligible for earned incentive release credit:

224.7 (12) a person subject to a conditional release term under section 609.3455, subdivisions  
224.8 6 and 7, whether on the present offense or previous offense for which a term of conditional  
224.9 release remains.

224.10 (b) Persons serving life sentences, persons given indeterminate sentences for crimes  
224.11 committed on or before April 30, 1980, or persons subject to good time under section 244.04,  
224.12 or similar laws are ineligible for earned incentive release credit.

224.13 Sec. 9. **[244.46] EARNED COMPLIANCE CREDIT AND SUPERVISION**  
224.14 **ABATEMENT STATUS.**

224.15 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**  
224.16 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

224.17 (b) Except as otherwise provided in the act, once the time served on active supervision  
224.18 plus earned compliance credits equals the total length of the supervised release term, the  
224.19 commissioner must place the individual on supervision abatement status for the remainder  
224.20 of the supervised release term.

224.21 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates  
224.22 the conditions of release while on supervision abatement status, the commissioner may:

224.23 (1) return the individual to active supervision for the remainder of the supervised release  
224.24 term, with or without modifying the conditions of release; or

224.25 (2) revoke the individual's supervised release in accordance with section 244.05,  
224.26 subdivision 3.

224.27 Subd. 3. **Supervision abatement status; requirements.** A person who is placed on  
224.28 supervision abatement status under this section must not be required to regularly report to  
224.29 a supervised release agent or pay a supervision fee but must continue to:

224.30 (1) obey all laws;

224.31 (2) report any new criminal charges; and

225.1 (3) abide by section 243.1605 before seeking written authorization to relocate to another  
225.2 state.

225.3 Subd. 4. **Applicability.** This section does not apply to individuals:

225.4 (1) serving life sentences;

225.5 (2) given indeterminate sentences for crimes committed on or before April 30, 1980; or

155.22 (1) those serving life sentences;

155.23 (2) those given indeterminate sentences for crimes committed on or before April 30,  
155.24 1980; or

155.25 (3) those subject to good time under section 244.04 or similar laws.

155.26 Sec. 9. **[244.46] EARNED COMPLIANCE CREDIT AND SUPERVISION**  
155.27 **ABATEMENT STATUS.**

155.28 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**  
155.29 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

156.1 (b) Except as otherwise provided in the act, once the time served on active supervision  
156.2 plus earned compliance credits equals the total length of the supervised release term, the  
156.3 commissioner must place the individual on supervision abatement status for the remainder  
156.4 of the supervised release term.

156.5 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates  
156.6 the conditions of release while on supervision abatement status, the commissioner may:

156.7 (1) return the individual to active supervision for the remainder of the supervised release  
156.8 term, with or without modifying the conditions of release; or

156.9 (2) revoke the individual's supervised release in accordance with section 244.05,  
156.10 subdivision 3.

156.11 Subd. 3. **Supervision abatement status; requirements.** A person who is placed on  
156.12 supervision abatement status under this section must not be required to regularly report to  
156.13 a supervised release agent or pay a supervision fee but must continue to:

156.14 (1) obey all laws;

156.15 (2) report any new criminal charges; and

156.16 (3) abide by section 243.1605 before seeking written authorization to relocate to another  
156.17 state.

156.18 Subd. 4. **Applicability.** This section does not apply to individuals:

156.19 (1) serving life sentences;

156.20 (2) given indeterminate sentences for crimes committed on or before April 30, 1980; or

225.6 (3) subject to good time under section 244.04 or similar laws.

225.7 Sec. 10. **[244.47] VICTIM INPUT.**

225.8 Subdivision 1. **Notifying victim; victim input.** (a) If an individual is committed to the  
225.9 custody of the commissioner for a crime listed in section 609.02, subdivision 16, and is  
225.10 eligible for earned incentive release credit, the commissioner must make reasonable efforts  
225.11 to notify the victim that the committed individual is eligible for earned incentive release  
225.12 credit.

225.13 (b) Victim input may include:

225.14 (1) a summary of victim concerns relative to eligibility of earned incentive release credit;

225.15 (2) concerns related to victim safety during the committed individual's term of  
225.16 imprisonment; or

225.17 (3) requests for imposing victim safety protocols as additional conditions of imprisonment  
225.18 or supervised release.

225.19 Subd. 2. **Victim input statements.** The commissioner must consider victim input  
225.20 statements when establishing requirements governing conditions of release. The  
225.21 commissioner must provide the name and telephone number of the local victim agency  
225.22 serving the jurisdiction of release to any victim providing input on earned incentive release  
225.23 credit.

225.24 Sec. 11. **[244.48] VICTIM NOTIFICATION.**

225.25 Nothing in this act limits any victim notification obligations of the commissioner required  
225.26 by statute related to a change in custody status, committing offense, end-of-confinement  
225.27 review, or notification registration.

225.28 Sec. 12. **[244.49] INTERSTATE COMPACT.**

225.29 (a) This section applies to a person serving a Minnesota sentence while being supervised  
225.30 in another state according to the Interstate Compact for Adult Supervision.

226.1 (b) As may be allowed under section 243.1605, a person may be eligible for supervision  
226.2 abatement status according to the act only if they meet eligibility criteria for earned  
226.3 compliance credit as established under section 244.46.

226.4 Sec. 13. **[244.50] REALLOCATING EARNED INCENTIVE RELEASE SAVINGS.**

226.5 Subdivision 1. **Establishing reallocation revenue account.** The reallocation of earned  
226.6 incentive release savings account is established in the special revenue fund in the state  
226.7 treasury. Funds in the account are appropriated to the commissioner and must be expended  
226.8 in accordance with the allocation established in subdivision 4 after the requirements of  
226.9 subdivision 2 are met. Funds in the account are available until expended.

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157.25 subdivision 2 are met. Funds in the account are available until expended.



226.10 Subd. 2. **Certifying earned incentive release savings.** On or before the final closeout  
226.11 date of each fiscal year, the commissioner must certify to Minnesota Management and  
226.12 Budget the earned incentive release savings from the previous fiscal year. The commissioner  
226.13 must provide the detailed calculation substantiating the savings amount, including  
226.14 accounting-system-generated data where possible, supporting the direct-cost per diem and  
226.15 the incarcerated days saved.

226.16 Subd. 3. **Savings to be transferred to reallocation revenue account.** After the  
226.17 certification in subdivision 2 is completed, the commissioner must transfer funds from the  
226.18 appropriation from which the savings occurred to the reallocation revenue account according  
226.19 to the allocation in subdivision 4. Transfers must occur by September 1 each year.

226.20 Subd. 4. **Distributing reallocation funds.** The commissioner must distribute funds as  
226.21 follows:

226.22 (1) 25 percent must be transferred to the Office of Justice Programs in the Department  
226.23 of Public Safety for crime victim services;

226.24 (2) 25 percent must be transferred to the Community Corrections Act subsidy  
226.25 appropriation and to the Department of Corrections for supervised release and intensive  
226.26 supervision services, based upon a three-year average of the release jurisdiction of supervised  
226.27 releasees and intensive supervised releasees across the state;

226.28 (3) 25 percent must be transferred to the Department of Corrections for:

226.29 (i) grants to develop and invest in community-based services that support the identified  
226.30 needs of correctionally involved individuals or individuals at risk of becoming involved in  
226.31 the criminal justice system; and

227.1 (ii) sustaining the operation of evidence-based programming in state and local correctional  
227.2 facilities; and

227.3 (4) 25 percent must be transferred to the general fund.

227.4 Sec. 14. **[244.51] REPORTING REQUIRED.**

227.5 Subdivision 1. **Annual report required.** (a) Beginning January 15, 2026, and by January  
227.6 15 each year thereafter for ten years, the commissioner must provide a report to the chairs  
227.7 and ranking minority members of the house of representatives and senate committees and  
227.8 divisions with jurisdiction over public safety and judiciary.

227.9 (b) For the 2026 report, the commissioner must report on implementing the requirements  
227.10 in this act. Starting with the 2027 report, the commissioner must report on the status of the  
227.11 requirements in this act for the previous fiscal year.

227.12 (c) Each report must be provided to the sitting president of the Minnesota Association  
227.13 of Community Corrections Act Counties and the executive directors of the Minnesota  
227.14 Sentencing Guidelines Commission, the Minnesota Indian Women's Sexual Assault Coalition,

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158.29 of Community Corrections Act Counties and the executive directors of the Minnesota  
158.30 Sentencing Guidelines Commission, the Minnesota Indian Women's Sexual Assault Coalition,

227.15 the Minnesota Alliance on Crime, Violence Free Minnesota, the Minnesota Coalition Against  
227.16 Sexual Assault, and the Minnesota County Attorneys Association.

227.17 (d) The report must include but not be limited to:

227.18 (1) a qualitative description of policy development; implementation status; identified  
227.19 implementation or operational challenges; strategies identified to mitigate and ensure that  
227.20 the act does not create or exacerbate gender, racial, and ethnic disparities; and proposed  
227.21 mechanisms for projecting future savings and reallocation of savings;

227.22 (2) the number of persons who were granted earned incentive release credit, the total  
227.23 number of days of incentive release earned, a summary of committing offenses for those  
227.24 persons who earned incentive release credit, a summary of earned incentive release savings,  
227.25 and the demographic data for all persons eligible for earned incentive release credit and the  
227.26 reasons and demographic data of those eligible persons for whom earned incentive release  
227.27 credit was unearned or denied;

227.28 (3) the number of persons who earned supervision abatement status, the total number  
227.29 of days of supervision abatement earned, the committing offenses for those persons granted  
227.30 supervision abatement status, the number of revocations for reoffense while on supervision  
227.31 abatement status, and the demographic data for all persons eligible for, considered for,  
227.32 granted, or denied supervision abatement status and the reasons supervision abatement status  
227.33 was unearned or denied;

228.1 (4) the number of persons deemed ineligible to receive earned incentive release credits  
228.2 and supervise abatement and the demographic data for the persons; and

228.3 (5) the number of victims who submitted input, the number of referrals to local  
228.4 victim-serving agencies, and a summary of the kinds of victim services requested.

228.5 Subd. 2. **Soliciting feedback.** (a) The commissioner must solicit feedback on  
228.6 victim-related operational concerns from the Minnesota Indian Women's Sexual Assault  
228.7 Coalition, Minnesota Alliance on Crime, Minnesota Coalition Against Sexual Assault, and  
228.8 Violence Free Minnesota.

228.9 (b) The feedback should relate to applying earned incentive release credit and supervision  
228.10 abatement status options. A summary of the feedback from the organizations must be  
228.11 included in the annual report.

228.12 Subd. 3. **Evaluating earned incentive release credit and act.** The commissioner must  
228.13 direct the Department of Corrections' research unit to regularly evaluate earned incentive  
228.14 release credits and other provisions of the act. The findings must be published on the  
228.15 Department of Corrections' website and in the annual report.

228.16 Sec. 15. **EFFECTIVE DATE.**

228.17 Sections 1 to 14 are effective August 1, 2023.

158.31 the Minnesota Alliance on Crime, Violence Free Minnesota, the Minnesota Coalition Against  
158.32 Sexual Assault, and the Minnesota County Attorneys Association.

159.1 (d) The report must include but not be limited to:

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159.4 the act does not create or exacerbate gender, racial, and ethnic disparities; and proposed  
159.5 mechanisms for projecting future savings and reallocation of savings;

159.6 (2) the number of persons who were granted earned incentive release credit, the total  
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