

317.1 **ARTICLE 19**

317.2 **COMMUNITY SUPERVISION REFORM**

317.3 Section 1. Minnesota Statutes 2022, section 243.05, subdivision 1, is amended to read:

317.4 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole

317.5 any person sentenced to confinement in any state correctional facility for adults under the

317.6 control of the commissioner of corrections, provided that:

317.7 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other

317.8 than murder committed in violation of clause (1) of section 609.185 who has not been

317.9 previously convicted of a felony shall be paroled without having served 20 years, less the

317.10 diminution that would have been allowed for good conduct had the sentence been for 20

317.11 years;

317.12 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who

317.13 has been previously convicted of a felony or though not previously convicted of a felony

317.14 is serving a life sentence for murder in the first degree committed in violation of clause (1)

317.15 of section 609.185 shall be paroled without having served 25 years, less the diminution

317.16 which would have been allowed for good conduct had the sentence been for 25 years;

317.17 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole

317.18 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

317.19 (4) any new rule or policy or change of rule or policy adopted by the commissioner of

317.20 corrections which has the effect of postponing eligibility for parole has prospective effect

317.21 only and applies only with respect to persons committing offenses after the effective date

317.22 of the new rule or policy or change.

317.23 (b) Upon being paroled and released, an inmate is and remains in the legal custody and

317.24 under the control of the commissioner, subject at any time to be returned to a facility of the

317.25 Department of Corrections established by law for the confinement or treatment of convicted

317.26 persons and the parole rescinded by the commissioner.

317.27 (c) The written order of the commissioner of corrections, is sufficient authority for any

317.28 peace officer, state correctional investigator, or state parole and probation agent to retake

317.29 and place in actual custody any person on parole or supervised release. In addition, when

317.30 it appears necessary in order to prevent escape or enforce discipline, any state parole and

317.31 probation agent or state correctional investigator may, without order of warrant, take and

317.32 detain a parolee or person on supervised release or work release and bring the person to the

317.33 commissioner for action.

318.1 (d) The written order of the commissioner of corrections is sufficient authority for any

318.2 peace officer, state correctional investigator, or state parole and probation agent to retake

318.3 and place in actual custody any person on probation under the supervision of the

318.4 commissioner pursuant to section 609.135. Additionally, when it appears necessary in order

189.3 **ARTICLE 12**

189.4 **COMMUNITY SUPERVISION**

189.5 Section 1. Minnesota Statutes 2022, section 243.05, subdivision 1, is amended to read:

189.6 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole

189.7 any person sentenced to confinement in any state correctional facility for adults under the

189.8 control of the commissioner of corrections, provided that:

189.9 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other

189.10 than murder committed in violation of clause (1) of section 609.185 who has not been

189.11 previously convicted of a felony shall be paroled without having served 20 years, less the

189.12 diminution that would have been allowed for good conduct had the sentence been for 20

189.13 years;

189.14 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who

189.15 has been previously convicted of a felony or though not previously convicted of a felony

189.16 is serving a life sentence for murder in the first degree committed in violation of clause (1)

189.17 of section 609.185 shall be paroled without having served 25 years, less the diminution

189.18 which would have been allowed for good conduct had the sentence been for 25 years;

189.19 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole

189.20 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

189.21 (4) any new rule or policy or change of rule or policy adopted by the commissioner of

189.22 corrections which has the effect of postponing eligibility for parole has prospective effect

189.23 only and applies only with respect to persons committing offenses after the effective date

189.24 of the new rule or policy or change.

189.25 (b) Upon being paroled and released, an inmate is and remains in the legal custody and

189.26 under the control of the commissioner, subject at any time to be returned to a facility of the

189.27 Department of Corrections established by law for the confinement or treatment of convicted

189.28 persons and the parole rescinded by the commissioner.

189.29 (c) The written order of the commissioner of corrections, is sufficient authority for any

189.30 peace officer, state correctional investigator, or state parole and probation agent to retake

189.31 and place in actual custody any person on parole or supervised release. In addition, when

189.32 it appears necessary in order to prevent escape or enforce discipline, any state parole and

190.1 probation agent or state correctional investigator may, without order of warrant, take and

190.2 detain a parolee or person on supervised release or work release and bring the person to the

190.3 commissioner for action.

190.4 (d) The written order of the commissioner of corrections is sufficient authority for any

190.5 peace officer, state correctional investigator, or state parole and probation agent to retake

190.6 and place in actual custody any person on probation under the supervision of the

190.7 commissioner pursuant to section 609.135. Additionally, when it appears necessary in order

318.5 to prevent escape or enforce discipline, any state parole and probation agent or state
318.6 correctional investigator may, without an order, retake and detain a probationer and bring
318.7 the probationer before the court for further proceedings under section 609.14.

318.8 (e) The written order of the commissioner of corrections is sufficient authority for any
318.9 peace officer, state correctional investigator, or state parole and probation agent to detain
318.10 any person on pretrial release who absconds from pretrial release or fails to abide by the
318.11 conditions of pretrial release.

318.12 (f) Persons conditionally released, and those on probation under the supervision of the
318.13 commissioner of corrections pursuant to section 609.135 may be placed within or outside
318.14 the boundaries of the state at the discretion of the commissioner of corrections or the court,
318.15 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

318.16 (g) Except as otherwise provided in subdivision 1b, in considering applications for
318.17 conditional release or discharge, the commissioner is not required to hear oral argument
318.18 from any attorney or other person not connected with an adult correctional facility of the
318.19 Department of Corrections in favor of or against the parole or release of any inmates. The
318.20 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
318.21 as to the previous history, physical or mental condition, and character of the inmate and, to
318.22 that end, has the authority to require the attendance of the chief executive officer of any
318.23 state adult correctional facility and the production of the records of these facilities, and to
318.24 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
318.25 witnesses for these purposes.

318.26 ~~(h) Unless the district court directs otherwise, state parole and probation agents may~~
318.27 ~~require a person who is under the supervision of the commissioner of corrections to perform~~
318.28 ~~community work service for violating a condition of probation imposed by the court.~~
318.29 ~~Community work service may be imposed for the purpose of protecting the public, to aid~~
318.30 ~~the offender's rehabilitation, or both. Agents may impose up to eight hours of community~~
318.31 ~~work service for each violation and up to a total of 24 hours per offender per 12-month~~
318.32 ~~period, beginning with the date on which community work service is first imposed. The~~
318.33 ~~commissioner may authorize an additional 40 hours of community work services, for a total~~
318.34 ~~of 64 hours per offender per 12-month period, beginning with the date on which community~~
319.1 ~~work service is first imposed. At the time community work service is imposed, parole and~~
319.2 ~~probation agents are required to provide written notice to the offender that states:~~

319.3 ~~(1) the condition of probation that has been violated;~~

319.4 ~~(2) the number of hours of community work service imposed for the violation; and~~

319.5 ~~(3) the total number of hours of community work service imposed to date in the 12-month~~
319.6 ~~period.~~

319.7 An offender may challenge the imposition of community work service by filing a petition
319.8 in district court. An offender must file the petition within five days of receiving written
319.9 notice that community work service is being imposed. If the offender challenges the

190.8 to prevent escape or enforce discipline, any state parole and probation agent or state
190.9 correctional investigator may, without an order, retake and detain a probationer and bring
190.10 the probationer before the court for further proceedings under section 609.14.

190.11 (e) The written order of the commissioner of corrections is sufficient authority for any
190.12 peace officer, state correctional investigator, or state parole and probation agent to detain
190.13 any person on pretrial release who absconds from pretrial release or fails to abide by the
190.14 conditions of pretrial release.

190.15 (f) Persons conditionally released, and those on probation under the supervision of the
190.16 commissioner of corrections pursuant to section 609.135 may be placed within or outside
190.17 the boundaries of the state at the discretion of the commissioner of corrections or the court,
190.18 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

190.19 (g) Except as otherwise provided in subdivision 1b, in considering applications for
190.20 conditional release or discharge, the commissioner is not required to hear oral argument
190.21 from any attorney or other person not connected with an adult correctional facility of the
190.22 Department of Corrections in favor of or against the parole or release of any inmates. The
190.23 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
190.24 as to the previous history, physical or mental condition, and character of the inmate and, to
190.25 that end, has the authority to require the attendance of the chief executive officer of any
190.26 state adult correctional facility and the production of the records of these facilities, and to
190.27 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
190.28 witnesses for these purposes.

190.29 ~~(h) Unless the district court directs otherwise, state parole and probation agents may~~
190.30 ~~require a person who is under the supervision of the commissioner of corrections to perform~~
190.31 ~~community work service for violating a condition of probation imposed by the court.~~
190.32 ~~Community work service may be imposed for the purpose of protecting the public, to aid~~
190.33 ~~the offender's rehabilitation, or both. Agents may impose up to eight hours of community~~
190.34 ~~work service for each violation and up to a total of 24 hours per offender per 12-month~~
191.1 ~~period, beginning with the date on which community work service is first imposed. The~~
191.2 ~~commissioner may authorize an additional 40 hours of community work services, for a total~~
191.3 ~~of 64 hours per offender per 12-month period, beginning with the date on which community~~
191.4 ~~work service is first imposed. At the time community work service is imposed, parole and~~
191.5 ~~probation agents are required to provide written notice to the offender that states:~~

191.6 ~~(1) the condition of probation that has been violated;~~

191.7 ~~(2) the number of hours of community work service imposed for the violation; and~~

191.8 ~~(3) the total number of hours of community work service imposed to date in the 12-month~~
191.9 ~~period.~~

191.10 An offender may challenge the imposition of community work service by filing a petition
191.11 in district court. An offender must file the petition within five days of receiving written
191.12 notice that community work service is being imposed. If the offender challenges the

319.10 ~~imposition of community work service, the state bears the burden of showing, by a~~
319.11 ~~preponderance of the evidence, that the imposition of community work service is reasonable~~
319.12 ~~under the circumstances.~~

319.13 Community work service includes sentencing to service.

319.14 ~~(i) Prior to revoking a nonviolent controlled substance offender's parole or probation~~
319.15 ~~based on a technical violation, when the offender does not present a risk to the public and~~
319.16 ~~the offender is amenable to continued supervision in the community, a parole or probation~~
319.17 ~~agent must identify community options to address and correct the violation including, but~~
319.18 ~~not limited to, inpatient substance use disorder treatment. If a probation or parole agent~~
319.19 ~~determines that community options are appropriate, the agent shall seek to restructure the~~
319.20 ~~offender's terms of release to incorporate those options. If an offender on probation stipulates~~
319.21 ~~in writing to restructure the terms of release, a probation agent must forward a report to the~~
319.22 ~~district court containing:~~

319.23 ~~(1) the specific nature of the technical violation of probation;~~

319.24 ~~(2) the recommended restructure to the terms of probation; and~~

319.25 ~~(3) a copy of the offender's signed stipulation indicating that the offender consents to~~
319.26 ~~the restructuring of probation.~~

319.27 ~~The recommended restructuring of probation becomes effective when confirmed by a~~
319.28 ~~judge. The order of the court shall be proof of such confirmation and amend the terms of~~
319.29 ~~the sentence imposed by the court under section 609.135. If a nonviolent controlled substance~~
319.30 ~~offender's parole or probation is revoked, the offender's agent must first attempt to place~~
319.31 ~~the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance~~
319.32 ~~offender" is a person who meets the criteria described under section 244.0513, subdivision~~
319.33 ~~2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order~~
320.1 ~~of probation or a condition of parole, except an allegation of a subsequent criminal act that~~
320.2 ~~is alleged in a formal complaint, citation, or petition.~~

320.3 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 3, is amended to read:

320.4 Subd. 3. **Sanctions for violation.** ~~(a)~~ If an inmate violates the conditions of the inmate's
320.5 supervised release imposed by the commissioner, the commissioner may:

320.6 (1) continue the inmate's supervised release term; with or without;

320.7 (i) modifying or enlarging the conditions imposed on the inmate; or

320.8 (ii) transferring the inmate's case to a specialized caseload; or

320.9 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate
320.10 period ~~of time~~.

191.13 ~~imposition of community work service, the state bears the burden of showing, by a~~
191.14 ~~preponderance of the evidence, that the imposition of community work service is reasonable~~
191.15 ~~under the circumstances.~~

191.16 Community work service includes sentencing to service.

191.17 ~~(i) Prior to revoking a nonviolent controlled substance offender's parole or probation~~
191.18 ~~based on a technical violation, when the offender does not present a risk to the public and~~
191.19 ~~the offender is amenable to continued supervision in the community, a parole or probation~~
191.20 ~~agent must identify community options to address and correct the violation including, but~~
191.21 ~~not limited to, inpatient substance use disorder treatment. If a probation or parole agent~~
191.22 ~~determines that community options are appropriate, the agent shall seek to restructure the~~
191.23 ~~offender's terms of release to incorporate those options. If an offender on probation stipulates~~
191.24 ~~in writing to restructure the terms of release, a probation agent must forward a report to the~~
191.25 ~~district court containing:~~

191.26 ~~(1) the specific nature of the technical violation of probation;~~

191.27 ~~(2) the recommended restructure to the terms of probation; and~~

191.28 ~~(3) a copy of the offender's signed stipulation indicating that the offender consents to~~
191.29 ~~the restructuring of probation.~~

191.30 ~~The recommended restructuring of probation becomes effective when confirmed by a~~
191.31 ~~judge. The order of the court shall be proof of such confirmation and amend the terms of~~
191.32 ~~the sentence imposed by the court under section 609.135. If a nonviolent controlled substance~~
191.33 ~~offender's parole or probation is revoked, the offender's agent must first attempt to place~~
192.1 ~~the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance~~
192.2 ~~offender" is a person who meets the criteria described under section 244.0513, subdivision~~
192.3 ~~2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order~~
192.4 ~~of probation or a condition of parole, except an allegation of a subsequent criminal act that~~
192.5 ~~is alleged in a formal complaint, citation, or petition.~~

192.6 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 3, is amended to read:

192.7 Subd. 3. **Sanctions for violation.** ~~(a)~~ If an inmate violates the conditions of the inmate's
192.8 supervised release imposed by the commissioner, the commissioner may:

192.9 (1) continue the inmate's supervised release term; with or without;

192.10 (i) modifying or enlarging the conditions imposed on the inmate; or

192.11 (ii) transferring the inmate's case to a specialized caseload; or

192.12 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate
192.13 period ~~of time~~.

320.11 (b) Before revoking an inmate's supervised release because of a technical violation that
320.12 would result in reimprisonment, the commissioner must identify alternative interventions
320.13 to address and correct the violation only if:

320.14 (1) the inmate does not present a risk to the public; and

320.15 (2) the inmate is amenable to continued supervision.

320.16 (c) If alternative interventions are appropriate and available, the commissioner must
320.17 restructure the inmate's terms of release to incorporate the alternative interventions.

320.18 (d) Prior to revoking a nonviolent controlled substance offender's supervised release
320.19 based on a technical violation, when the offender does not present a risk to the public and
320.20 the offender is amenable to continued supervision in the community, the commissioner
320.21 must identify community options to address and correct the violation including, but not
320.22 limited to, inpatient substance use disorder treatment. If the commissioner determines that
320.23 community options are appropriate, the commissioner shall restructure the inmate's terms
320.24 of release to incorporate those options. If a nonviolent controlled substance offender's
320.25 supervised release is revoked, the offender's agent must first attempt to place the offender
320.26 in a local jail. For purposes of this subdivision, "nonviolent controlled substance offender"
320.27 is a person who meets the criteria described under section 244.0513, subdivision 2, clauses
320.28 (1), (2), and (5), and "technical violation" means a violation of a condition of supervised
320.29 release, except an allegation of a subsequent criminal act that is alleged in a formal complaint,
320.30 citation, or petition.

320.31 (e) The period of time for which a supervised release may be revoked may not exceed
320.32 the period of time remaining in the inmate's sentence, except that if a sex offender is
321.1 sentenced and conditionally released under Minnesota Statutes 2004, section 609.108,
321.2 subdivision 5, the period of time for which conditional release may be revoked may not
321.3 exceed the balance of the conditional release term.

321.4 Sec. 3. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

321.5 Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of
321.6 counties has established a human services board pursuant to chapter 402, the district court
321.7 may appoint one or more county probation officers as necessary to perform court services,
321.8 and the human services board shall appoint persons as necessary to provide correctional
321.9 services within the authority granted in chapter 402. In all counties of more than 200,000
321.10 population, which have not organized pursuant to chapter 402, the district court shall appoint
321.11 one or more persons of good character to serve as county probation officers during the
321.12 pleasure of the court. All other counties shall provide adult misdemeanor and juvenile
321.13 probation services to district courts in one of the following ways:

321.14 (1) the court, with the approval of the county boards, may appoint one or more salaried
321.15 county probation officers to serve during the pleasure of the court;

192.14 (b) Before revoking an inmate's supervised release because of a technical violation that
192.15 would result in reimprisonment, the commissioner must identify alternative interventions
192.16 to address and correct the violation only if:

192.17 (1) the inmate does not present a risk to the public; and

192.18 (2) the inmate is amenable to continued supervision.

192.19 (c) If alternative interventions are appropriate and available, the commissioner must
192.20 restructure the inmate's terms of release to incorporate the alternative interventions.

192.21 (d) Prior to revoking a nonviolent controlled substance offender's supervised release
192.22 based on a technical violation, when the offender does not present a risk to the public and
192.23 the offender is amenable to continued supervision in the community, the commissioner
192.24 must identify community options to address and correct the violation including, but not
192.25 limited to, inpatient substance use disorder treatment. If the commissioner determines that
192.26 community options are appropriate, the commissioner shall restructure the inmate's terms
192.27 of release to incorporate those options. If a nonviolent controlled substance offender's
192.28 supervised release is revoked, the offender's agent must first attempt to place the offender
192.29 in a local jail. For purposes of this subdivision, "nonviolent controlled substance offender"
192.30 is a person who meets the criteria described under section 244.0513, subdivision 2, clauses
192.31 (1), (2), and (5), and "technical violation" means a violation of a condition of supervised
193.1 release, except an allegation of a subsequent criminal act that is alleged in a formal complaint,
193.2 citation, or petition.

193.3 (e) The period of time for which a supervised release may be revoked may not exceed
193.4 the period of time remaining in the inmate's sentence, except that if a sex offender is
193.5 sentenced and conditionally released under Minnesota Statutes 2004, section 609.108,
193.6 subdivision 5, the period of time for which conditional release may be revoked may not
193.7 exceed the balance of the conditional release term.

193.8 Sec. 3. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

193.9 Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of
193.10 counties has established a human services board pursuant to chapter 402, the district court
193.11 may appoint one or more county probation officers as necessary to perform court services,
193.12 and the human services board shall appoint persons as necessary to provide correctional
193.13 services within the authority granted in chapter 402. In all counties of more than 200,000
193.14 population, which have not organized pursuant to chapter 402, the district court shall appoint
193.15 one or more persons of good character to serve as county probation officers during the
193.16 pleasure of the court. All other counties shall provide adult misdemeanor and juvenile
193.17 probation services to district courts in one of the following ways:

193.18 (1) the court, with the approval of the county boards, may appoint one or more salaried
193.19 county probation officers to serve during the pleasure of the court;

321.16 (2) when two or more counties offer probation services the district court through the
321.17 county boards may appoint common salaried county probation officers to serve in the several
321.18 counties;

321.19 (3) a county or a district court may request the commissioner of corrections to furnish
321.20 probation services in accordance with the provisions of this section, and the commissioner
321.21 of corrections shall furnish such services to any county or court that fails to provide its own
321.22 probation officer by one of the two procedures listed above;

321.23 (4) if a county or district court providing probation services under clause (1) or (2) asks
321.24 the commissioner of corrections or the legislative body for the state of Minnesota mandates
321.25 the commissioner of corrections to furnish probation services to the district court, the
321.26 probation officers and other employees displaced by the changeover shall be employed by
321.27 the commissioner of corrections. Years of service in the county probation department are
321.28 to be given full credit for future sick leave and vacation accrual purposes;

321.29 (5) all probation officers serving the juvenile courts on July 1, 1972, shall continue to
321.30 serve for a person who is enrolled or eligible to be enrolled in a Tribal Nation or who resides
321.31 in an enrolled member's household, a Tribal Nation may elect to provide probation services
321.32 within the county in which the person resides; and

322.1 (6) if a county receiving probation services under clause (3) decides to provide the
322.2 services under clause (1) or (2), the probation officers and other employees displaced by
322.3 the changeover shall be employed by the county at no loss of salary. Years of service in the
322.4 state are to be given full credit for future sick leave and vacation accrual purposes in the
322.5 county or counties they are now serving.

322.6 (b) A county providing probation services under paragraph (a), clause (1) or (2), is
322.7 designated a "CPO county" for purposes of receiving a subsidy under chapter 401. A county
322.8 receiving probation services under paragraph (a), clause (3), is not eligible for a subsidy
322.9 under chapter 401 and the commissioner of corrections is appropriated the county's share
322.10 of funding for the purpose of providing probation services and authority to seek
322.11 reimbursement from the county under subdivision 5.

322.12 (c) A county that requests the commissioner of corrections to provide probation services
322.13 under paragraph (a), clause (3), shall collaborate with the commissioner to develop a
322.14 comprehensive plan as described in section 401.06.

322.15 ~~(b)~~ (d) The commissioner of management and budget shall place employees transferred
322.16 to state service under paragraph (a), clause (4), in the proper classifications in the classified
322.17 service. Each employee is appointed without examination at no loss in salary or accrued
322.18 vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits
322.19 may occur until the employee's total accrued vacation or sick leave benefits fall below the
322.20 maximum permitted by the state for the employee's position. An employee appointed under

193.20 (2) when two or more counties offer probation services the district court through the
193.21 county boards may appoint common salaried county probation officers to serve in the several
193.22 counties;

193.23 (3) a county or a district court may request the commissioner of corrections to furnish
193.24 probation services in accordance with the provisions of this section, and the commissioner
193.25 of corrections shall furnish such services to any county or court that fails to provide its own
193.26 probation officer by one of the two procedures listed above;

193.27 (4) if a county or district court providing probation services under clause (1) or (2) asks
193.28 the commissioner of corrections or the legislative body for the state of Minnesota mandates
193.29 the commissioner of corrections to furnish probation services to the district court, the
193.30 probation officers and other employees displaced by the changeover shall be employed by
193.31 the commissioner of corrections. Years of service in the county probation department are
193.32 to be given full credit for future sick leave and vacation accrual purposes;

194.1 (5) all probation officers serving the juvenile courts on July 1, 1972, shall continue to
194.2 serve if a county receiving probation services under clause (3) decides to provide the services
194.3 under clause (1) or (2), the probation officers and other employees displaced by the
194.4 changeover shall be employed by the county at no loss of salary. Years of service in the
194.5 state are to be given full credit for future sick leave and vacation accrual purposes in the
194.6 county or counties they are now serving.

194.7 (b) A county or counties providing probation services under paragraph (a), clause (1)
194.8 or (2), is designated a "CPO county" for purposes of receiving a subsidy under chapter 401.
194.9 A county or counties receiving probation services under paragraph (a), clause (3), is not
194.10 eligible for a subsidy under chapter 401 and the commissioner of corrections is appropriated
194.11 the county's share of funding for the purpose of providing probation services and authority
194.12 to seek reimbursement from the county under subdivision 5.

194.13 (c) A county that requests the commissioner of corrections to provide probation services
194.14 under paragraph (a), clause (3), shall collaborate with the commissioner to develop a
194.15 comprehensive plan as described in section 401.06.

194.16 ~~(b)~~ (d) The commissioner of management and budget shall place employees transferred
194.17 to state service under paragraph (a), clause (4), in the proper classifications in the classified
194.18 service. Each employee is appointed without examination at no loss in salary or accrued
194.19 vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits
194.20 may occur until the employee's total accrued vacation or sick leave benefits fall below the
194.21 maximum permitted by the state for the employee's position. An employee appointed under

322.21 paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting
322.22 labor contract remedies, a noncertified employee may appeal for a hearing within ten days
322.23 to the commissioner of management and budget, who may uphold the decision, extend the
322.24 probation period, or certify the employee. The decision of the commissioner of management
322.25 and budget is final. The state shall negotiate with the exclusive representative for the
322.26 bargaining unit to which the employees are transferred regarding their seniority. For purposes
322.27 of computing seniority among those employees transferring from one county unit only, a
322.28 transferred employee retains the same seniority position as the employee had within that
322.29 county's probation office.

322.30 Sec. 4. Minnesota Statutes 2022, section 244.19, is amended by adding a subdivision to
322.31 read:

322.32 Subd. 1a. **Definition.** For purposes of this section, "Tribal Nation" means a federally
322.33 recognized Tribal Nation within the boundaries of the state of Minnesota.

323.1 Sec. 5. Minnesota Statutes 2022, section 244.19, subdivision 2, is amended to read:

323.2 Subd. 2. **Sufficiency of services.** Probation services shall be sufficient in amount to
323.3 meet the needs of the district court in each county. County probation officers serving district
323.4 courts in all counties of not more than 200,000 population shall also, pursuant to subdivision
323.5 3, provide probation and parole services to wards of the commissioner of corrections resident
323.6 in their counties. To provide these probation services counties containing a city of 10,000
323.7 or more population shall, as far as practicable, have one probation officer for not more than
323.8 35,000 population; in counties that do not contain a city of such size, the commissioner of
323.9 corrections shall, after consultation with the chief judge of the district court and, the county
323.10 commissioners, or Tribal Nation through an approved plan and, in the light of experience,
323.11 establish probation districts to be served by one officer.

323.12 All probation officers appointed for any district court or community county corrections
323.13 agency, including Tribal Nations, shall be selected from a list of eligible candidates who
323.14 have. Those candidates must be minimally qualified according to the same or equivalent
323.15 examining procedures as used by the commissioner of management and budget to certify
323.16 eligibles eligibility to the commissioner of corrections in appointing parole agents, and the
323.17 Department of Management and Budget shall furnish the names of such candidates on
323.18 request. This subdivision shall not apply to a political subdivision having a civil service or
323.19 merit system unless the subdivision elects to be covered by this subdivision.

323.20 Sec. 6. Minnesota Statutes 2022, section 244.19, subdivision 3, is amended to read:

323.21 Subd. 3. **Powers and duties.** All county or Tribal Nation probation officers serving a
323.22 district court shall act under the orders of the court in reference to any person committed
323.23 to their care by the court, and in the performance of their duties shall have the general powers
323.24 of a peace officer; and it shall be their duty to make such investigations with regard to any
323.25 person as may be required by the court before, during, or after the trial or hearing, and to
323.26 furnish to the court such information and assistance as may be required; to take charge of

194.22 paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting
194.23 labor contract remedies, a noncertified employee may appeal for a hearing within ten days
194.24 to the commissioner of management and budget, who may uphold the decision, extend the
194.25 probation period, or certify the employee. The decision of the commissioner of management
194.26 and budget is final. The state shall negotiate with the exclusive representative for the
194.27 bargaining unit to which the employees are transferred regarding their seniority. For purposes
194.28 of computing seniority among those employees transferring from one county unit only, a
194.29 transferred employee retains the same seniority position as the employee had within that
194.30 county's probation office.

323.27 any person before, during or after trial or hearing when so directed by the court, and to keep
323.28 such records and to make such reports to the court as the court may order. Tribal Nations
323.29 providing probation services have the same general powers provided to county probation
323.30 officers defined within statute or rule.

323.31 All county or Tribal Nation probation officers serving a district court shall, in addition,
323.32 provide probation and parole services to wards of the commissioner of corrections resident
323.33 in the counties they serve, and shall act under the orders of said commissioner of corrections
323.34 in reference to any ward committed to their care by the commissioner of corrections.

324.1 All probation officers serving a district court shall, under the direction of the authority
324.2 having power to appoint them, initiate programs for the welfare of persons coming within
324.3 the jurisdiction of the court to prevent delinquency and crime and to rehabilitate within the
324.4 community persons who come within the jurisdiction of the court and are properly subject
324.5 to efforts to accomplish prevention and rehabilitation. They shall, under the direction of the
324.6 court, cooperate with all law enforcement agencies, schools, child welfare agencies of a
324.7 public or private character, and other groups concerned with the prevention of crime and
324.8 delinquency and the rehabilitation of persons convicted of crime and delinquency.

324.9 All probation officers serving a district court shall make monthly and annual reports to
324.10 the commissioner of corrections, on forms furnished by the commissioner, containing such
324.11 information on number of cases cited to the juvenile division of district court, offenses,
324.12 adjudications, dispositions, and related matters as may be required by the commissioner of
324.13 corrections. The reports shall include the information on individuals convicted as an extended
324.14 jurisdiction juvenile identified in section 241.016, subdivision 1, paragraph (c).

324.15 Sec. 7. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

324.16 Subd. 5. **Compensation.** ~~In counties of more than 200,000 population, a majority of the~~
324.17 ~~judges of the district court may direct the payment of such salary to probation officers as~~
324.18 ~~may be approved by the county board, and in addition thereto shall be reimbursed for all~~
324.19 ~~necessary expenses incurred in the performance of their official duties.~~ In all counties which
324.20 obtain probation services from the commissioner of corrections the commissioner shall, out
324.21 of appropriations provided therefor, pay probation officers the salary and all benefits fixed
324.22 by the state law or applicable bargaining unit and all necessary expenses, including secretarial
324.23 service, office equipment and supplies, postage, telephone and telegraph services, and travel
324.24 and subsistence. Each county receiving probation services from the commissioner of
324.25 corrections shall reimburse the department of corrections for the total cost and expenses of
324.26 such services as incurred by the commissioner of corrections, excluding the cost and expense
324.27 of services provided under the state's obligation in section 244.20. Total annual costs for
324.28 each county shall be that portion of the total costs and expenses for the services of one
324.29 probation officer represented by the ratio which the county's population bears to the total
324.30 population served by one officer. For the purposes of this section, the population of any
324.31 county shall be the most recent estimate made by the Department of Health. At least every
324.32 six months the commissioner of corrections shall bill for the total cost and expenses incurred
324.33 by the commissioner on behalf of each county which has received probation services. The

194.31 Sec. 4. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

194.32 Subd. 5. **Compensation.** ~~In counties of more than 200,000 population, a majority of the~~
194.33 ~~judges of the district court may direct the payment of such salary to probation officers as~~
194.34 ~~may be approved by the county board, and in addition thereto shall be reimbursed for all~~
195.1 ~~necessary expenses incurred in the performance of their official duties.~~ In all counties which
195.2 obtain probation services from the commissioner of corrections the commissioner shall, out
195.3 of appropriations provided therefor, pay probation officers the salary and all benefits fixed
195.4 by the state law or applicable bargaining unit and all necessary expenses, including secretarial
195.5 service, office equipment and supplies, postage, telephone and telegraph services, and travel
195.6 and subsistence. Each county receiving probation services from the commissioner of
195.7 corrections shall reimburse the department of corrections for the total cost and expenses of
195.8 such services as incurred by the commissioner of corrections, excluding the cost and expense
195.9 of services provided under the state's obligation in section 244.20. Total annual costs for
195.10 each county shall be that portion of the total costs and expenses for the services of one
195.11 probation officer represented by the ratio which the county's population bears to the total
195.12 population served by one officer. For the purposes of this section, the population of any
195.13 county shall be the most recent estimate made by the Department of Health. At least every
195.14 six months the commissioner of corrections shall bill for the total cost and expenses incurred
195.15 by the commissioner on behalf of each county which has received probation services. The

324.34 commissioner of corrections shall notify each county of the cost and expenses and the county
324.35 shall pay to the commissioner the amount due for reimbursement. All such reimbursements
325.1 shall be ~~deposited in the general fund~~ used to provide services for each county according
325.2 to their reimbursement amount. Objections by a county to all allocation of such cost and
325.3 expenses shall be presented to and determined by the commissioner of corrections. Each
325.4 county providing probation services under this section is hereby authorized to use unexpended
325.5 funds and to levy additional taxes for this purpose.

325.6 The county commissioners of any county of not more than 200,000 population shall,
325.7 when requested to do so by the juvenile judge, provide probation officers with suitable
325.8 offices, and may provide equipment, and secretarial help needed to render the required
325.9 services.

325.10 Sec. 8. Minnesota Statutes 2022, section 244.195, subdivision 1, is amended to read:

325.11 Subdivision 1. **Definitions.** (a) As used in this subdivision and sections 244.196 to
325.12 244.1995, the following terms have the meanings given them.

325.13 (b) "Commissioner" means the commissioner of corrections.

325.14 (c) "Conditional release" means parole, supervised release, conditional release as
325.15 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
325.16 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
325.17 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
325.18 any other authorized temporary release from a correctional facility.

325.19 (d) "Court services director" means the director or designee of a county probation agency
325.20 that is not organized under section 244.19 or an agency organized under chapter 401.

325.21 (e) "Detain" means to take into actual custody, including custody within a local
325.22 correctional facility.

325.23 (f) "Local correctional facility" has the meaning given in section 241.021, subdivision
325.24 1.

325.25 (g) "Probation agency" means the Department of Corrections field office or a probation
325.26 agency organized under section 244.19 or chapter 401.

325.27 (h) "Probation officer" means a court services director, county probation officer, or any
325.28 other community supervision officer employed by the commissioner or by a probation
325.29 agency organized under section 244.19 or chapter 401.

325.30 (i) "Release" means to release from actual custody.

326.1 Sec. 9. Minnesota Statutes 2022, section 244.195, subdivision 2, is amended to read:

326.2 Subd. 2. **Detention pending hearing.** When it appears necessary to enforce discipline
326.3 or to prevent a person on conditional release from escaping or absconding from supervision,
326.4 a court services director has the authority to issue a written order directing any peace officer

195.16 commissioner of corrections shall notify each county of the cost and expenses and the county
195.17 shall pay to the commissioner the amount due for reimbursement. All such reimbursements
195.18 shall be ~~deposited in the general fund~~ used to provide services for each county according
195.19 to their reimbursement amount. Objections by a county to all allocation of such cost and
195.20 expenses shall be presented to and determined by the commissioner of corrections. Each
195.21 county providing probation services under this section is hereby authorized to use unexpended
195.22 funds and to levy additional taxes for this purpose.

195.23 The county commissioners of any county of not more than 200,000 population shall,
195.24 when requested to do so by the juvenile judge, provide probation officers with suitable
195.25 offices, and may provide equipment, and secretarial help needed to render the required
195.26 services.

195.27 Sec. 5. Minnesota Statutes 2022, section 244.195, subdivision 1, is amended to read:

195.28 Subdivision 1. **Definitions.** (a) As used in this subdivision and sections 244.196 to
195.29 244.1995, the following terms have the meanings given them.

195.30 (b) "Commissioner" means the commissioner of corrections.

195.31 (c) "Conditional release" means parole, supervised release, conditional release as
195.32 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
195.33 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
196.1 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
196.2 any other authorized temporary release from a correctional facility.

196.3 (d) "Court services director" means the director or designee of a county probation agency
196.4 that is not organized under section 244.19 or an agency organized under chapter 401.

196.5 (e) "Detain" means to take into actual custody, including custody within a local
196.6 correctional facility.

196.7 (f) "Local correctional facility" has the meaning given in section 241.021, subdivision
196.8 1.

196.9 (g) "Probation agency" means the Department of Corrections field office or a probation
196.10 agency organized under section 244.19 or chapter 401.

196.11 (h) "Probation officer" means a court services director, county probation officer, or any
196.12 other community supervision officer employed by the commissioner or by a probation
196.13 agency organized under section 244.19 or chapter 401.

196.14 (i) "Release" means to release from actual custody.

196.15 Sec. 6. Minnesota Statutes 2022, section 244.195, subdivision 2, is amended to read:

196.16 Subd. 2. **Detention pending hearing.** When it appears necessary to enforce discipline
196.17 or to prevent a person on conditional release from escaping or absconding from supervision,
196.18 a court services director has the authority to issue a written order directing any peace officer

326.5 or any probation officer in the state serving the district and juvenile courts to detain and
326.6 bring the person before the court or the commissioner, whichever is appropriate, for
326.7 disposition. If the person on conditional release commits a violation described in section
326.8 609.14, subdivision 1a, paragraph (a), the court services director must have a reasonable
326.9 belief that the order is necessary to prevent the person from escaping or absconding from
326.10 supervision or that the continued presence of the person in the community presents a risk
326.11 to public safety before issuing a written order. This written order is sufficient authority for
326.12 the peace officer or probation officer to detain the person for not more than 72 hours,
326.13 excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the
326.14 commissioner.

326.15 Sec. 10. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision
326.16 to read:

326.17 Subd. 6. **Intermediate sanctions.** (a) Unless the district court directs otherwise, a
326.18 probation officer may require a person committed to the officer's care by the court to perform
326.19 community work service for violating a condition of probation imposed by the court.
326.20 Community work service may be imposed for the purpose of protecting the public, aiding
326.21 the person's rehabilitation, or both. A probation officer may impose up to eight hours of
326.22 community work service for each violation and up to a total of 24 hours per person per
326.23 12-month period, beginning on the date on which community work service is first imposed.
326.24 The court services director or probation agency may authorize an additional 40 hours of
326.25 community work service, for a total of 64 hours per person per 12-month period, beginning
326.26 with the date on which community work service is first imposed. At the time community
326.27 work service is imposed, probation officers are required to provide written notice to the
326.28 person that states:

326.29 (1) the condition of probation that has been violated;

326.30 (2) the number of hours of community work service imposed for the violation; and

326.31 (3) the total number of hours of community work service imposed to date in the 12-month
326.32 period.

327.1 (b) A person on supervision may challenge the imposition of community work service
327.2 by filing a petition in district court within five days of receiving written notice that
327.3 community work service is being imposed. If the person challenges the imposition of
327.4 community work service, the state bears the burden of showing, by a preponderance of the
327.5 evidence, that the imposition of community work service is reasonable under the
327.6 circumstances.

327.7 (c) Community work service includes sentencing to service.

196.19 or any probation officer in the state serving the district and juvenile courts to detain and
196.20 bring the person before the court or the commissioner, whichever is appropriate, for
196.21 disposition. If the person on conditional release commits a violation described in section
196.22 609.14, subdivision 1a, paragraph (a), the court services director must have a reasonable
196.23 belief that the order is necessary to prevent the person from escaping or absconding from
196.24 supervision or that the continued presence of the person in the community presents a risk
196.25 to public safety before issuing a written order. This written order is sufficient authority for
196.26 the peace officer or probation officer to detain the person for not more than 72 hours,
196.27 excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the
196.28 commissioner.

196.29 Sec. 7. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to
196.30 read:

196.31 Subd. 6. **Intermediate sanctions.** (a) Unless the district court directs otherwise, a
196.32 probation officer may require a person committed to the officer's care by the court to perform
197.1 community work service for violating a condition of probation imposed by the court.
197.2 Community work service may be imposed for the purpose of protecting the public, aiding
197.3 the person's rehabilitation, or both. A probation officer may impose up to eight hours of
197.4 community work service for each violation and up to a total of 24 hours per person per
197.5 12-month period, beginning on the date on which community work service is first imposed.
197.6 The court services director or probation agency may authorize an additional 40 hours of
197.7 community work service, for a total of 64 hours per person per 12-month period, beginning
197.8 with the date on which community work service is first imposed. At the time community
197.9 work service is imposed, probation officers are required to provide written notice to the
197.10 person that states:

197.11 (1) the condition of probation that has been violated;

197.12 (2) the number of hours of community work service imposed for the violation; and

197.13 (3) the total number of hours of community work service imposed to date in the 12-month
197.14 period.

197.15 (b) A person on supervision may challenge the imposition of community work service
197.16 by filing a petition in district court within five days of receiving written notice that
197.17 community work service is being imposed. If the person challenges the imposition of
197.18 community work service, the state bears the burden of showing, by a preponderance of the
197.19 evidence, that the imposition of community work service is reasonable under the
197.20 circumstances.

197.21 (c) Community work service includes sentencing to service.

327.8 Sec. 11. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision
327.9 to read:

327.10 Subd. 7. **Contacts.** Supervision contacts may be conducted over videoconference
327.11 technology in accordance with the probation agency's established policy.

327.12 Sec. 12. Minnesota Statutes 2022, section 244.20, is amended to read:

327.13 **244.20 PROBATION SUPERVISION.**

327.14 Notwithstanding sections 244.19, subdivision 1, and 609.135, subdivision 1, the
327.15 Department of Corrections shall have exclusive responsibility for providing probation
327.16 services for adult felons in counties that do not take part in the Community Corrections Act.
327.17 ~~In counties that do not take part in the Community Corrections Act, the responsibility for~~
327.18 ~~providing probation services for individuals convicted of gross misdemeanor offenses shall~~
327.19 ~~be discharged according to local judicial policy.~~

327.20 Sec. 13. Minnesota Statutes 2022, section 244.21, is amended to read:

327.21 **244.21 INFORMATION ON OFFENDERS UNDER SUPERVISION; REPORTS.**

327.22 Subdivision 1. **Collection of information by probation service providers; report**
327.23 **required.** By January 1, 1998, probation service providers shall begin collecting and
327.24 maintaining information on offenders under supervision. The commissioner of corrections
327.25 shall specify the nature and extent of the information to be collected. By April 1 of every
327.26 year, each probation service provider shall report a summary of the information collected
327.27 to the commissioner as a condition of state subsidy funding under chapter 401.

327.28 Subd. 2. **Commissioner of corrections report.** By January 15, ~~1998~~ 2024, the
327.29 commissioner of corrections shall report to the chairs and ranking minority members of the
327.30 ~~senate crime prevention and house of representatives judiciary legislative committees with~~
327.31 ~~jurisdiction over public safety~~ policy and finance on recommended methods of coordinating
328.1 the exchange of information collected on offenders under subdivision 1: (1) between
328.2 probation service providers; and (2) between probation service providers and the Department
328.3 of Corrections, ~~without requiring service providers to acquire uniform computer software.~~

328.4 Sec. 14. Minnesota Statutes 2022, section 401.01, is amended to read:

328.5 **401.01 PURPOSE AND DEFINITION; ASSISTANCE ~~GRANTS~~ SUBSIDIES.**

328.6 Subdivision 1. **Grants Subsidies.** For the purpose of more effectively protecting society
328.7 and to promote efficiency and economy in the delivery of correctional services, the
328.8 commissioner is authorized to ~~make grants to assist~~ subsidize counties and Tribal Nations
328.9 in the development, implementation, and operation of community-based corrections programs
328.10 including preventive or diversionary correctional programs, conditional release programs,
328.11 community corrections centers, and facilities for the detention or confinement, care and
328.12 treatment of persons convicted of crime or adjudicated delinquent. ~~The commissioner may~~
328.13 ~~authorize the use of a percentage of a grant for the operation of an emergency shelter or~~

197.22 Sec. 8. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to
197.23 read:

197.24 Subd. 7. **Contacts.** Supervision contacts may be conducted over videoconference
197.25 technology in accordance with the probation agency's established policy.

197.26 Sec. 9. Minnesota Statutes 2022, section 244.20, is amended to read:

197.27 **244.20 PROBATION SUPERVISION.**

197.28 Notwithstanding sections 244.19, subdivision 1, and 609.135, subdivision 1, the
197.29 Department of Corrections shall have exclusive responsibility for providing probation
197.30 services for adult felons in counties that do not take part in the Community Corrections Act.
197.31 ~~In counties that do not take part in the Community Corrections Act, the responsibility for~~
198.1 ~~providing probation services for individuals convicted of gross misdemeanor offenses shall~~
198.2 ~~be discharged according to local judicial policy.~~

198.3 Sec. 10. Minnesota Statutes 2022, section 244.21, is amended to read:

198.4 **244.21 INFORMATION ON OFFENDERS UNDER SUPERVISION; REPORTS.**

198.5 Subdivision 1. **Collection of information by probation service providers; report**
198.6 **required.** By January 1, 1998, probation service providers shall begin collecting and
198.7 maintaining information on offenders under supervision. The commissioner of corrections
198.8 shall specify the nature and extent of the information to be collected. By April 1 of every
198.9 year, each probation service provider shall report a summary of the information collected
198.10 to the commissioner as a condition of state subsidy funding under chapter 401.

198.11 Subd. 2. **Commissioner of corrections report.** By January 15, ~~1998~~ 2024, the
198.12 commissioner of corrections shall report to the chairs of the ~~senate crime prevention and~~
198.13 ~~house of representatives judiciary legislative committees with jurisdiction over public safety~~
198.14 ~~and finance on recommended methods of coordinating the exchange of information collected~~
198.15 ~~on offenders under subdivision 1: (1) between probation service providers; and (2) between~~
198.16 ~~probation service providers and the Department of Corrections, without requiring service~~
198.17 ~~providers to acquire uniform computer software.~~

198.18 Sec. 11. Minnesota Statutes 2022, section 401.01, is amended to read:

198.19 **401.01 PURPOSE AND DEFINITION; ASSISTANCE ~~GRANTS~~ SUBSIDIES.**

198.20 Subdivision 1. **Grants Subsidies.** For the purpose of more effectively protecting society
198.21 and to promote efficiency and economy in the delivery of correctional services, the
198.22 commissioner is authorized to ~~make grants to assist~~ subsidize counties in the development,
198.23 implementation, and operation of community-based corrections programs including
198.24 preventive or diversionary correctional programs, conditional release programs, community
198.25 corrections centers, and facilities for the detention or confinement, care and treatment of
198.26 persons convicted of crime or adjudicated delinquent. ~~The commissioner may authorize the~~
198.27 ~~use of a percentage of a grant for the operation of an emergency shelter or make a separate~~

328.14 ~~make a separate grant for the rehabilitation of a facility owned by the grantee and used as~~
328.15 ~~a shelter to bring the facility into compliance with state and local laws pertaining to health,~~
328.16 ~~fire, and safety, and to provide security.~~

328.17 Subd. 2. **Definitions.** (a) For the purposes of sections 401.01 to 401.16, the following
328.18 terms have the meanings given them.

328.19 (b) ~~"CCA county"~~ "CCA jurisdiction" means a county or Tribal Nation that participates
328.20 in the Community Corrections Act.

328.21 (c) "Commissioner" means the commissioner of corrections or a designee.

328.22 (d) "Conditional release" means parole, supervised release, conditional release as
328.23 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
328.24 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
328.25 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
328.26 any other authorized temporary release from a correctional facility.

328.27 (e) "County probation officer" means a probation officer appointed under section 244.19.

328.28 (f) "CPO county" means a county that participates in funding under this act by providing
328.29 local corrections service for all juveniles and individuals on probation for misdemeanors,
328.30 pursuant to section 244.19, subdivision 1, paragraph (a), clause (1) or (2).

328.31 (g) "Detain" means to take into actual custody, including custody within a local
328.32 correctional facility.

329.1 ~~(g)~~ (h) "Joint board" means the board provided in section 471.59.

329.2 ~~(h)~~ (i) "Local correctional facility" has the meaning given in section 241.021, subdivision
329.3 1.

329.4 ~~(i)~~ (j) "Local correctional service" means those services authorized by and employees,
329.5 officers, and agents appointed under section 244.19, subdivision 1.

329.6 ~~(j)~~ (k) "Release" means to release from actual custody.

329.7 (l) "Tribal government" means one of the federally recognized Tribes described in section
329.8 3.922.

329.9 Sec. 15. Minnesota Statutes 2022, section 401.02, is amended to read:

329.10 **401.02 COUNTIES OR REGIONS; SERVICES INCLUDABLE.**

329.11 Subdivision 1. **Qualification of counties or Tribal Nations.** (a) One or more counties;
329.12 ~~having an aggregate population of 30,000 or more persons, or Tribal Nations~~ may qualify
329.13 ~~for a grant as provided in subsidy under section 401.01 by the enactment of appropriate~~
329.14 ~~resolutions creating and establishing a corrections advisory board,~~ designating the officer
329.15 or agency to be responsible for administering ~~grant funds~~ subsidies, and providing for the
329.16 preparation of a comprehensive plan for the development, implementation and operation

198.28 ~~grant for the rehabilitation of a facility owned by the grantee and used as a shelter to bring~~
198.29 ~~the facility into compliance with state and local laws pertaining to health, fire, and safety,~~
198.30 ~~and to provide security.~~

198.31 Subd. 2. **Definitions.** (a) For the purposes of sections 401.01 to 401.16, the following
198.32 terms have the meanings given them.

199.1 (b) "CCA county" means a county that participates in the Community Corrections Act.

199.2 (c) "Commissioner" means the commissioner of corrections or a designee.

199.3 (d) "Conditional release" means parole, supervised release, conditional release as
199.4 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section
199.5 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work
199.6 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and
199.7 any other authorized temporary release from a correctional facility.

199.8 (e) "County probation officer" means a probation officer appointed under section 244.19.

199.9 (f) "CPO county" means a county that participates in funding under this act by providing
199.10 local corrections service for all juveniles and individuals on probation for misdemeanors,
199.11 pursuant to section 244.19, subdivision 1, paragraph (a), clause (1) or (2).

199.12 (g) "Detain" means to take into actual custody, including custody within a local
199.13 correctional facility.

199.14 ~~(g)~~ (h) "Joint board" means the board provided in section 471.59.

199.15 ~~(h)~~ (i) "Local correctional facility" has the meaning given in section 241.021, subdivision
199.16 1.

199.17 ~~(i)~~ (j) "Local correctional service" means those services authorized by and employees,
199.18 officers, and agents appointed under section 244.19, subdivision 1.

199.19 ~~(j)~~ (k) "Release" means to release from actual custody.

199.20 (l) "Tribal government" means one of the federally recognized Tribes described in section
199.21 3.922.

199.22 Sec. 12. Minnesota Statutes 2022, section 401.02, is amended to read:

199.23 **401.02 COUNTIES OR REGIONS; SERVICES INCLUDABLE.**

199.24 Subdivision 1. **Qualification of counties or Tribal governments.** (a) One or more
199.25 counties, ~~having an aggregate population of 30,000 or more persons, or Tribal governments~~
199.26 ~~may qualify for a grant as provided in subsidy under section 401.01 by the enactment of~~
199.27 ~~appropriate resolutions creating and establishing a corrections advisory board,~~ designating
199.28 the officer or agency to be responsible for administering ~~grant funds~~ subsidies, and providing
199.29 for the preparation of a comprehensive plan for the development, implementation and

329.17 of the correctional services described in ~~section~~ sections 401.01 and 401.11, including the
329.18 assumption of those correctional services, other than the operation of state facilities, presently
329.19 provided in such counties by the Department of Corrections, or for Tribal Nations, probation
329.20 services within a Tribal Nation, and providing for centralized administration and control of
329.21 those correctional services described in section 401.01. Counties participating as a CCA
329.22 county must also enact the appropriate resolutions creating and establishing a corrections
329.23 advisory board.

329.24 Where counties or Tribal governments combine as authorized in this section, they shall
329.25 comply with the provisions of section 471.59.

329.26 (b) A county that has participated in the Community Corrections Act for five or more
329.27 years is eligible to continue to participate in the Community Corrections Act.

329.28 (c) If a county or Tribal government withdraws from the subsidy program as outlined
329.29 in subdivision 1 and asks the commissioner of corrections or the legislature mandates the
329.30 commissioner of corrections to furnish probation services to the county, the probation
329.31 officers and other employees displaced by the changeover shall be employed by the
330.1 commissioner of corrections at no loss of salary. Years of service in the county probation
330.2 department are to be given full credit for future sick leave and vacation accrual purposes.

330.3 Subd. 2. **Planning counties; advisory board members expenses.** To assist counties
330.4 or Tribal Nations which have complied with the provisions of subdivision 1 and require
330.5 financial aid to defray all or a part of the expenses incurred by corrections advisory board
330.6 members in discharging their official duties pursuant to section 401.08, the commissioner
330.7 may designate counties or Tribal Nations as "planning counties", and, upon receipt of
330.8 resolutions by the governing boards of the counties or Tribal Nations certifying the need
330.9 for and inability to pay the expenses described in this subdivision, advance to the counties
330.10 or Tribal Nations an amount not to exceed five percent of the maximum quarterly subsidy
330.11 for which the counties or Tribal Nations are eligible. The expenses described in this
330.12 subdivision shall be paid in the same manner and amount as for state employees.

330.13 Subd. 3. **Establishment and reorganization of administrative structure.** Any county,
330.14 Tribal Nation, or group of counties which have qualified for participation in the ~~community~~
330.15 ~~corrections~~ subsidy program provided by this chapter may establish, organize, and reorganize
330.16 an administrative structure and provide for the budgeting, staffing, and operation of court
330.17 services and probation, construction or improvement to juvenile detention and juvenile
330.18 correctional facilities and adult detention and correctional facilities, and other activities
330.19 required to conform to the purposes of this chapter. No contrary general or special statute
330.20 divests any county or group of counties of the authority granted by this subdivision.

330.21 Subd. 5. **Intermediate sanctions.** Unless the district court directs otherwise, county
330.22 probation officers may require a person committed to the officer's care by the court to
330.23 perform community work service for violating a condition of probation imposed by the
330.24 court. Community work service may be imposed for the purpose of protecting the public,
330.25 to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours

199.30 operation of the correctional services described in ~~section~~ sections 401.01 and 401.11,
199.31 including the assumption of those correctional services, other than the operation of state
200.1 facilities, presently provided in such counties by the Department of Corrections, and
200.2 providing for centralized administration and control of those correctional services described
200.3 in section 401.01. Counties participating as a CCA county must also enact the appropriate
200.4 resolutions creating and establishing a corrections advisory board.

200.5 Where counties or Tribal governments combine as authorized in this section, they shall
200.6 comply with the provisions of section 471.59.

200.7 (b) A county that has participated in the Community Corrections Act for five or more
200.8 years is eligible to continue to participate in the Community Corrections Act.

200.9 (c) If a county or Tribal government withdraws from the subsidy program as outlined
200.10 in subdivision 1 and asks the commissioner of corrections or the legislature mandates the
200.11 commissioner of corrections to furnish probation services to the county, the probation
200.12 officers and other employees displaced by the changeover shall be employed by the
200.13 commissioner of corrections at no loss of salary. Years of service in the county probation
200.14 department are to be given full credit for future sick leave and vacation accrual purposes.

200.15 Subd. 2. **Planning counties; advisory board members expenses.** To assist counties
200.16 which have complied with the provisions of subdivision 1 and require financial aid to defray
200.17 all or a part of the expenses incurred by corrections advisory board members in discharging
200.18 their official duties pursuant to section 401.08, the commissioner may designate counties
200.19 as "planning counties", and, upon receipt of resolutions by the governing boards of the
200.20 counties certifying the need for and inability to pay the expenses described in this subdivision,
200.21 advance to the counties an amount not to exceed five percent of the maximum quarterly
200.22 subsidy for which the counties are eligible. The expenses described in this subdivision shall
200.23 be paid in the same manner and amount as for state employees.

200.24 Subd. 3. **Establishment and reorganization of administrative structure.** Any county
200.25 or group of counties which have qualified for participation in the ~~community corrections~~
200.26 subsidy program provided by this chapter may establish, organize, and reorganize an
200.27 administrative structure and provide for the budgeting, staffing, and operation of court
200.28 services and probation, construction or improvement to juvenile detention and juvenile
200.29 correctional facilities and adult detention and correctional facilities, and other activities
200.30 required to conform to the purposes of this chapter. No contrary general or special statute
200.31 divests any county or group of counties of the authority granted by this subdivision.

200.32 Subd. 5. **Intermediate sanctions.** Unless the district court directs otherwise, county
200.33 probation officers may require a person committed to the officer's care by the court to
200.34 perform community work service for violating a condition of probation imposed by the
201.1 court. Community work service may be imposed for the purpose of protecting the public,
201.2 to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours

330.26 of community work service for each violation and up to a total of 24 hours per offender per
330.27 12-month period, beginning on the date on which community work service is first imposed.
330.28 The chief executive officer of a community corrections agency may authorize an additional
330.29 40 hours of community work service, for a total of 64 hours per offender per 12-month
330.30 period, beginning with the date on which community work service is first imposed. At the
330.31 time community work service is imposed, probation officers are required to provide written
330.32 notice to the offender that states:

330.33 (1) the condition of probation that has been violated;

330.34 (2) the number of hours of community work service imposed for the violation; and

331.1 (3) the total number of hours of community work service imposed to date in the 12-month
331.2 period.

331.3 An offender may challenge the imposition of community work service by filing a petition
331.4 in district court. An offender must file the petition within five days of receiving written
331.5 notice that community work service is being imposed. If the offender challenges the
331.6 imposition of community work service, the state bears the burden of showing, by a
331.7 preponderance of the evidence, that the imposition of community work service is reasonable
331.8 under the circumstances.

331.9 Community work service includes sentencing to service.

331.10 Sec. 16. Minnesota Statutes 2022, section 401.025, is amended to read:

331.11 **401.025 DETENTION AND RELEASE; PROBATIONERS, CONDITIONAL**
331.12 **RELEASEES, AND PRETRIAL RELEASEES.**

331.13 Subdivision 1. **Peace officers and probation officers serving CCA counties**
331.14 **jurisdictions**. (a) When it appears necessary to enforce discipline or to prevent a person on
331.15 conditional release from escaping or absconding from supervision, the chief executive
331.16 officer or designee of a community corrections agency in a CCA county jurisdiction has
331.17 the authority to issue a written order directing any peace officer or any probation officer in
331.18 the state serving the district and juvenile courts to detain and bring the person before the
331.19 court or the commissioner, whichever is appropriate, for disposition. If the person on
331.20 conditional release commits a violation described in section 609.14, subdivision 1a, paragraph
331.21 (a), the chief executive officer or designee must have a reasonable belief that the order is
331.22 necessary to prevent the person from escaping or absconding from supervision or that the
331.23 continued presence of the person in the community presents a risk to public safety before
331.24 issuing a written order. This written order is sufficient authority for the peace officer or
331.25 probation officer to detain the person for not more than 72 hours, excluding Saturdays,
331.26 Sundays, and holidays, pending a hearing before the court or the commissioner.

331.27 (b) The chief executive officer or designee of a community corrections agency in a CCA
331.28 county jurisdiction has the authority to issue a written order directing a peace officer or
331.29 probation officer serving the district and juvenile courts to release a person detained under

201.3 of community work service for each violation and up to a total of 24 hours per offender per
201.4 12-month period, beginning on the date on which community work service is first imposed.
201.5 The chief executive officer of a community corrections agency may authorize an additional
201.6 40 hours of community work service, for a total of 64 hours per offender per 12-month
201.7 period, beginning with the date on which community work service is first imposed. At the
201.8 time community work service is imposed, probation officers are required to provide written
201.9 notice to the offender that states:

201.10 (1) the condition of probation that has been violated;

201.11 (2) the number of hours of community work service imposed for the violation; and

201.12 (3) the total number of hours of community work service imposed to date in the 12-month
201.13 period.

201.14 An offender may challenge the imposition of community work service by filing a petition
201.15 in district court. An offender must file the petition within five days of receiving written
201.16 notice that community work service is being imposed. If the offender challenges the
201.17 imposition of community work service, the state bears the burden of showing, by a
201.18 preponderance of the evidence, that the imposition of community work service is reasonable
201.19 under the circumstances.

201.20 Community work service includes sentencing to service.

201.21 Sec. 13. Minnesota Statutes 2022, section 401.025, subdivision 1, is amended to read:

201.22 Subdivision 1. **Peace officers and probation officers serving CCA counties**. (a) When
201.23 it appears necessary to enforce discipline or to prevent a person on conditional release from
201.24 escaping or absconding from supervision, the chief executive officer or designee of a
201.25 community corrections agency in a CCA county has the authority to issue a written order
201.26 directing any peace officer or any probation officer in the state serving the district and
201.27 juvenile courts to detain and bring the person before the court or the commissioner, whichever
201.28 is appropriate, for disposition. If the person on conditional release commits a violation
201.29 described in section 609.14, subdivision 1a, paragraph (a), the chief executive officer or
201.30 designee must have a reasonable belief that the order is necessary to prevent the person
201.31 from escaping or absconding from supervision or that the continued presence of the person
201.32 in the community presents a risk to public safety before issuing a written order. This written
201.33 order is sufficient authority for the peace officer or probation officer to detain the person
202.1 for not more than 72 hours, excluding Saturdays, Sundays, and holidays, pending a hearing
202.2 before the court or the commissioner.

202.3 (b) The chief executive officer or designee of a community corrections agency in a CCA
202.4 county has the authority to issue a written order directing a peace officer or probation officer
202.5 serving the district and juvenile courts to release a person detained under paragraph (a)

331.30 paragraph (a) within 72 hours, excluding Saturdays, Sundays, and holidays, without an
331.31 appearance before the court or the commissioner. This written order is sufficient authority
331.32 for the peace officer or probation officer to release the detained person.

332.1 (c) The chief executive officer or designee of a community corrections agency in a CCA
332.2 county jurisdiction has the authority to issue a written order directing any peace officer or
332.3 any probation officer serving the district and juvenile courts to detain any person on
332.4 court-ordered pretrial release who absconds from pretrial release or fails to abide by the
332.5 conditions of pretrial release. A written order issued under this paragraph is sufficient
332.6 authority for the peace officer or probation officer to detain the person.

332.7 Subd. 2. **Peace officers and probation officers in other counties and state correctional**
332.8 **investigators.** (a) The chief executive officer or designee of a community corrections agency
332.9 in a CCA county jurisdiction has the authority to issue a written order directing any state
332.10 correctional investigator or any peace officer, probation officer, or county probation officer
332.11 from another county to detain a person under sentence or on probation who:

332.12 (1) fails to report to serve a sentence at a local correctional facility;
332.13 (2) fails to return from furlough or authorized temporary release from a local correctional
332.14 facility;
332.15 (3) escapes from a local correctional facility; or
332.16 (4) absconds from court-ordered home detention.

332.17 (b) The chief executive officer or designee of a community corrections agency in a CCA
332.18 county jurisdiction has the authority to issue a written order directing any state correctional
332.19 investigator or any peace officer, probation officer, or county probation officer from another
332.20 county to detain any person on court-ordered pretrial release who absconds from pretrial
332.21 release or fails to abide by the conditions of pretrial release.

332.22 (c) A written order issued under paragraph (a) or (b) is sufficient authority for the state
332.23 correctional investigator, peace officer, probation officer, or county probation officer to
332.24 detain the person.

332.25 Subd. 3. **Offenders under Department of Corrections commitment.** CCA counties
332.26 jurisdictions shall comply with the policies prescribed by the commissioner when providing
332.27 supervision and other correctional services to persons conditionally released pursuant to
332.28 sections 241.26, 242.19, 243.05, 243.1605, 244.05, and 244.065, including intercounty
332.29 transfer of persons on conditional release and the conduct of presentence investigations.

202.6 within 72 hours, excluding Saturdays, Sundays, and holidays, without an appearance before
202.7 the court or the commissioner. This written order is sufficient authority for the peace officer
202.8 or probation officer to release the detained person.

202.9 (c) The chief executive officer or designee of a community corrections agency in a CCA
202.10 county has the authority to issue a written order directing any peace officer or any probation
202.11 officer serving the district and juvenile courts to detain any person on court-ordered pretrial
202.12 release who absconds from pretrial release or fails to abide by the conditions of pretrial
202.13 release. A written order issued under this paragraph is sufficient authority for the peace
202.14 officer or probation officer to detain the person.

202.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
202.16 that occur on or after that date.

333.1 Sec. 17. Minnesota Statutes 2022, section 401.04, is amended to read:

333.2 **401.04 ACQUISITION OF PROPERTY; SELECTION OF ADMINISTRATIVE**
333.3 **STRUCTURE; EMPLOYEES.**

333.4 Any county ~~or~~, group of counties, or Tribal Nation electing to come within the provisions
333.5 of sections 401.01 to 401.16 may (a) acquire by any lawful means, including purchase, lease
333.6 or transfer of custodial control, the lands, buildings and equipment necessary and incident
333.7 to the accomplishment of the purposes of sections 401.01 to 401.16, (b) determine and
333.8 establish the administrative structure best suited to the efficient administration and delivery
333.9 of the correctional services described in section 401.01, and (c) employ a director and other
333.10 officers, employees and agents as deemed necessary to carry out the provisions of sections
333.11 401.01 to 401.16. To the extent that participating counties shall assume and take over state
333.12 and local correctional services presently provided in counties, employment shall be given
333.13 to those state and local officers, employees and agents thus displaced; if hired by a county,
333.14 employment shall, to the extent possible and notwithstanding the provisions of any other
333.15 law or ordinance to the contrary, be deemed a transfer in grade with all of the benefits
333.16 enjoyed by such officer, employee or agent while in the service of the state or local
333.17 correctional service.

333.18 State or local employees displaced by county participation in the subsidy program
333.19 provided by this chapter are on layoff status and, if not hired by a participating county as
333.20 provided herein, may exercise their rights under layoff procedures established by law or
333.21 union agreement whichever is applicable.

333.22 State or local officers and employees displaced by a county's participation in the
333.23 Community Corrections Act and hired by the participating county shall retain all fringe
333.24 benefits and recall from layoff benefits accrued by seniority and enjoyed by them while in
333.25 the service of the state.

333.26 Sec. 18. Minnesota Statutes 2022, section 401.05, subdivision 1, is amended to read:

333.27 Subdivision 1. **Authorization to use and accept funds.** Any ~~county~~ CCA jurisdiction
333.28 or group of counties electing to come within the provisions of sections 401.01 to 401.16
333.29 may, through their governing bodies, use unexpended funds; accept gifts, grants, and
333.30 subsidies from any lawful source; and apply for and accept federal funds.

334.1 Sec. 19. Minnesota Statutes 2022, section 401.06, is amended to read:

334.2 **401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY;**
334.3 **COMPLIANCE.**

334.4 Subdivision 1. **Commissioner approval required.** (a) No county, Tribal Nation, or
334.5 group of counties or Tribal government or group of Tribal governments electing to provide
334.6 correctional services pursuant to sections 401.01 to 401.16 shall be under this chapter is
334.7 eligible for the subsidy ~~herein provided~~ unless and until its comprehensive plan ~~shall have~~
334.8 has been approved by the commissioner. A comprehensive plan must comply with

202.17 Sec. 14. Minnesota Statutes 2022, section 401.06, is amended to read:

202.18 **401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY;**
202.19 **COMPLIANCE.**

202.20 Subdivision 1. **Commissioner approval required.** (a) No county or group of counties
202.21 or Tribal government or group of Tribal governments electing to provide correctional
202.22 services pursuant to sections 401.01 to 401.16 shall be under this chapter is eligible for the
202.23 subsidy ~~herein provided~~ unless and until its comprehensive plan ~~shall have~~ has been approved
202.24 by the commissioner. A comprehensive plan must comply with commissioner-developed

334.9 commissioner-developed standards and reporting requirements and must sufficiently address
334.10 community needs and supervision standards.

334.11 (b) If the commissioner provides supervision to a county that elects not to provide the
334.12 supervision, the commissioner must prepare a comprehensive plan for the county and present
334.13 it to the local county board of commissioners. The Department of Corrections is subject to
334.14 all the standards and requirements under this chapter and supervision standards and policies.

334.15 (c) A comprehensive plan is valid for four years and a corrections advisory board must
334.16 review and update the plan two years after the plan has been approved or two years after
334.17 submitted to the commissioner, whichever is earlier.

334.18 (d) All approved comprehensive plans, including updated plans, must be made publicly
334.19 available on the Department of Corrections website.

334.20 Subd. 2. **Rulemaking.** The commissioner ~~shall~~ must, pursuant to in accordance with
334.21 the Administrative Procedure Act, promulgate adopt rules establishing standards of eligibility
334.22 for CCA and CPO counties and Tribal Nations to receive funds under sections 401.01 to
334.23 401.16 this chapter.

334.24 Subd. 3. **Substantial compliance required.** (a) To remain eligible for the subsidy
334.25 counties ~~shall~~, CCA jurisdictions must maintain substantial compliance with the minimum
334.26 standards established pursuant according to sections 401.01 to 401.16 this chapter and the
334.27 policies and procedures governing the services described in under section 401.025 as
334.28 prescribed by the commissioner.

334.29 (b) Counties ~~shall also~~ must;

334.30 (1) be in substantial compliance with other correctional operating standards permitted
334.31 by law and established by the commissioner; and ~~shall~~

335.1 (2) report statistics required by the commissioner, including but not limited to information
335.2 on individuals convicted as an extended jurisdiction juvenile identified in under section
335.3 241.016, subdivision 1, paragraph (c).

335.4 Subd. 4. **Commissioner review.** (a) The commissioner ~~shall~~ must review annually the
335.5 comprehensive plans submitted by participating counties CCA jurisdictions, including the
335.6 facilities and programs operated under the plans. The commissioner is hereby authorized
335.7 to may enter upon any facility operated under the plan, and inspect books and records, for
335.8 purposes of recommending needed changes or improvements.

335.9 When (b) If the commissioner ~~shall determine~~ determines that there are reasonable
335.10 grounds to believe that a county CCA jurisdiction or group of counties or Tribal government
335.11 or group of Tribal governments is not in substantial compliance with minimum standards,
335.12 the commissioner must provide at least 30 days' notice ~~shall be given~~ to the county or
335.13 counties and CCA jurisdiction of a commissioner-conducted hearing conducted by the
335.14 commissioner to ascertain whether there is substantial compliance or satisfactory progress
335.15 being made toward compliance.

202.25 standards and reporting requirements and must sufficiently address community needs and
202.26 supervision standards.

202.27 (b) If the commissioner provides supervision to a county that elects not to provide the
202.28 supervision, the commissioner must prepare a comprehensive plan for the county and present
202.29 it to the local county board of commissioners. The Department of Corrections is subject to
202.30 all the standards and requirements under this chapter and supervision standards and policies.

202.31 (c) A comprehensive plan is valid for four years and a corrections advisory board must
202.32 review and update the plan two years after the plan has been approved or two years after
202.33 submitted to the commissioner, whichever is earlier.

203.1 (d) All approved comprehensive plans, including updated plans, must be made publicly
203.2 available on the Department of Corrections website.

203.3 Subd. 2. **Rulemaking.** The commissioner ~~shall~~ must, pursuant to in accordance with
203.4 the Administrative Procedure Act, promulgate adopt rules establishing standards of eligibility
203.5 for CCA and CPO counties and Tribal governments to receive funds under sections 401.01
203.6 to 401.16 this chapter.

203.7 Subd. 3. **Substantial compliance required.** (a) To remain eligible for the subsidy,
203.8 counties ~~shall~~ and Tribal governments must maintain substantial compliance with the
203.9 minimum standards established pursuant according to sections 401.01 to 401.16 this chapter
203.10 and the policies and procedures governing the services described in under section 401.025
203.11 as prescribed by the commissioner.

203.12 (b) Counties ~~shall also~~ must;

203.13 (1) be in substantial compliance with other correctional operating standards permitted
203.14 by law and established by the commissioner; and

203.15 ~~shall~~ (2) report statistics required by the commissioner, including but not limited to
203.16 information on individuals convicted as an extended jurisdiction juvenile identified in under
203.17 section 241.016, subdivision 1, paragraph (c).

203.18 Subd. 4. **Commissioner review.** (a) The commissioner ~~shall~~ must review annually the
203.19 comprehensive plans submitted by participating counties and Tribal governments, including
203.20 the facilities and programs operated under the plans. The commissioner is hereby authorized
203.21 to may enter upon any facility operated under the plan, and inspect books and records, for
203.22 purposes of recommending needed changes or improvements.

203.23 When (b) If the commissioner ~~shall determine~~ determines that there are reasonable
203.24 grounds to believe that a county or group of counties or Tribal government or group of
203.25 Tribal governments is not in substantial compliance with minimum standards, the
203.26 commissioner must provide at least 30 days' notice ~~shall be given~~ to the county or counties
203.27 and or Tribal government or Tribal governments of a commissioner-conducted hearing
203.28 conducted by the commissioner to ascertain whether there is substantial compliance or
203.29 satisfactory progress being made toward compliance.

335.16 Subd. 5. **Noncompliance with comprehensive plan.** (a) After a hearing, the
335.17 commissioner may sanction a county or group of counties or Tribal government or group
335.18 of Tribal governments under this subdivision if the commissioner determined that the agency
335.19 is not maintaining substantial compliance with minimum standards or that satisfactory
335.20 progress toward compliance has not been made.

335.21 (b) The commissioner may suspend all or a portion of any subsidy ~~until the required~~
335.22 ~~standard of operation has been met~~ without issuing a corrective action plan.

335.23 (c) The commissioner may issue a corrective action plan, which must:

335.24 (1) be in writing;

335.25 (2) identify all deficiencies;

335.26 (3) detail the corrective action required to remedy the deficiencies; and

335.27 (4) provide a deadline to:

335.28 (i) correct each deficiency; and

335.29 (ii) report to the commissioner progress toward correcting the deficiency.

335.30 (d) After the deficiency has been corrected, documentation must be submitted to the
335.31 commissioner detailing compliance with the corrective action plan. If the commissioner
335.32 determines that the county or group of counties or Tribal government or group of Tribal
336.1 governments has not complied with the plan, the commissioner may suspend all or a portion
336.2 of the subsidy.

336.3 Sec. 20. Minnesota Statutes 2022, section 401.08, subdivision 2, is amended to read:

336.4 Subd. 2. **Appointment; terms.** The members of the corrections advisory board shall be
336.5 appointed by the board of county commissioners ~~or~~ the joint board in the case of multiple
336.6 counties, or a Tribal Nation and shall serve for terms of two years from and after the date
336.7 of their appointment, and shall remain in office until their successors are duly appointed.
336.8 The board may elect its own officers.

336.9 Sec. 21. Minnesota Statutes 2022, section 401.08, subdivision 4, is amended to read:

336.10 Subd. 4. **Comprehensive plan.** The corrections advisory board provided in sections
336.11 401.01 to 401.16, shall actively participate in the formulation of the comprehensive plan
336.12 for the development, implementation, and operation of the correctional program and services
336.13 described in section 401.01, and shall make a formal recommendation to the county board,
336.14 Tribal government, or joint board at least annually concerning the comprehensive plan and
336.15 its implementation during the ensuing year.

203.30 Subd. 5. **Noncompliance with comprehensive plan.** (a) After a hearing, the
203.31 commissioner may sanction a county or group of counties or Tribal government or group
203.32 of Tribal governments under this subdivision if the commissioner determined that the agency
204.1 is not maintaining substantial compliance with minimum standards or that satisfactory
204.2 progress toward compliance has not been made.

204.3 (b) The commissioner may suspend all or a portion of any subsidy ~~until the required~~
204.4 ~~standard of operation has been met~~ without issuing a corrective action plan.

204.5 (c) The commissioner may issue a corrective action plan, which must:

204.6 (1) be in writing;

204.7 (2) identify all deficiencies;

204.8 (3) detail the corrective action required to remedy the deficiencies; and

204.9 (4) provide a deadline to:

204.10 (i) correct each deficiency; and

204.11 (ii) report to the commissioner progress toward correcting the deficiency.

204.12 (d) After the deficiency has been corrected, documentation must be submitted to the
204.13 commissioner detailing compliance with the corrective action plan. If the commissioner
204.14 determines that the county or group of counties or Tribal government or group of Tribal
204.15 governments has not complied with the plan, the commissioner may suspend all or a portion
204.16 of the subsidy.

336.16 Sec. 22. Minnesota Statutes 2022, section 401.09, is amended to read:

336.17 **401.09 OTHER SUBSIDY PROGRAMS; PURCHASE OF STATE SERVICES.**

336.18 Failure of a county CCA jurisdiction or group of counties to elect to come within the
336.19 provisions of sections 401.01 to 401.16 shall not affect their eligibility for any other state
336.20 grant or subsidy for correctional purposes otherwise provided by law. Any comprehensive
336.21 plan submitted pursuant to sections 401.01 to 401.16 may include the purchase of selected
336.22 correctional services from the state by contract, including the temporary detention and
336.23 confinement of persons convicted of crime or adjudicated delinquent; confinement to be in
336.24 an appropriate state facility as otherwise provided by law. The commissioner shall annually
336.25 determine the costs of the purchase of services under this section and deduct them from the
336.26 subsidy due and payable to the county or counties concerned; provided that no contract
336.27 shall exceed in cost the amount of subsidy to which the participating county or counties are
336.28 eligible.

337.1 Sec. 23. Minnesota Statutes 2022, section 401.10, is amended to read:

337.2 **401.10 COMMUNITY CORRECTIONS AID.**

337.3 Subdivision 1. ~~Aid calculations Funding formula. To determine the community~~
337.4 ~~corrections aid amount to be paid to each participating county, the commissioner of~~
337.5 ~~corrections must apply the following formula:~~

337.6 (1) ~~For each of the 87 counties in the state, a percent score must be calculated for each~~
337.7 ~~of the following five factors:~~

337.8 (i) ~~percent of the total state population aged ten to 24 residing within the county according~~
337.9 ~~to the most recent federal census, and, in the intervening years between the taking of the~~
337.10 ~~federal census, according to the most recent estimate of the state demographer;~~

337.11 (ii) ~~percent of the statewide total number of felony case filings occurring within the~~
337.12 ~~county, as determined by the state court administrator;~~

337.13 (iii) ~~percent of the statewide total number of juvenile case filings occurring within the~~
337.14 ~~county, as determined by the state court administrator;~~

337.15 (iv) ~~percent of the statewide total number of gross misdemeanor case filings occurring~~
337.16 ~~within the county, as determined by the state court administrator; and~~

337.17 (v) ~~percent of the total statewide number of convicted felony offenders who did not~~
337.18 ~~receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines~~
337.19 ~~Commission.~~

337.20 The percents in items (ii) to (v) must be calculated by combining the most recent
337.21 three year period of available data. The percents in items (i) to (v) each must sum to 100
337.22 percent across the 87 counties.

204.17 Sec. 15. Minnesota Statutes 2022, section 401.09, is amended to read:

204.18 **401.09 OTHER SUBSIDY PROGRAMS; PURCHASE OF STATE SERVICES.**

204.19 Failure of a county or group of counties to elect to come within the provisions of sections
204.20 401.01 to 401.16 shall not affect their eligibility for any other state grant or subsidy for
204.21 correctional purposes otherwise provided by law. Any comprehensive plan submitted
204.22 pursuant to sections 401.01 to 401.16 may include the purchase of selected correctional
204.23 services from the state by contract, including the temporary detention and confinement of
204.24 persons convicted of crime or adjudicated delinquent; confinement to be in an appropriate
204.25 state facility as otherwise provided by law. The commissioner shall annually determine the
204.26 costs of the purchase of services under this section and deduct them from the subsidy due
204.27 and payable to the county or counties concerned; provided that no contract shall exceed in
204.28 cost the amount of subsidy to which the participating county or counties are eligible.

205.1 Sec. 16. Minnesota Statutes 2022, section 401.10, is amended to read:

205.2 **401.10 COMMUNITY CORRECTIONS AID.**

205.3 Subdivision 1. ~~Aid calculations Funding formula. To determine the community~~
205.4 ~~corrections aid amount to be paid to each participating county, the commissioner of~~
205.5 ~~corrections must apply the following formula:~~

205.6 (1) ~~For each of the 87 counties in the state, a percent score must be calculated for each~~
205.7 ~~of the following five factors:~~

205.8 (i) ~~percent of the total state population aged ten to 24 residing within the county according~~
205.9 ~~to the most recent federal census, and, in the intervening years between the taking of the~~
205.10 ~~federal census, according to the most recent estimate of the state demographer;~~

205.11 (ii) ~~percent of the statewide total number of felony case filings occurring within the~~
205.12 ~~county, as determined by the state court administrator;~~

205.13 (iii) ~~percent of the statewide total number of juvenile case filings occurring within the~~
205.14 ~~county, as determined by the state court administrator;~~

205.15 (iv) ~~percent of the statewide total number of gross misdemeanor case filings occurring~~
205.16 ~~within the county, as determined by the state court administrator; and~~

205.17 (v) ~~percent of the total statewide number of convicted felony offenders who did not~~
205.18 ~~receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines~~
205.19 ~~Commission.~~

205.20 The percents in items (ii) to (v) must be calculated by combining the most recent
205.21 three year period of available data. The percents in items (i) to (v) each must sum to 100
205.22 percent across the 87 counties.

337.23 (2) For each of the 87 counties, the county's pereents in clause (1), items (i) to (v), must
337.24 be weighted, summed, and divided by the sum of the weights to yield an average percent
337.25 for each county, referred to as the county's "composite need percent." When performing
337.26 this caleulation, the weight for each of the pereents in clause (1), items (i) to (v), is 1.0. The
337.27 composite need percent must sum to 100 percent across the 87 counties.

337.28 (3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is the
337.29 county's adjusted net tax capacity amount, defined in the same manner as it is defined for
337.30 cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax
337.31 capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the
337.32 87 counties.

338.1 (4) For each of the 87 counties, the county's composite need percent must be divided by
338.2 the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by
338.3 the county's composite need percent, results in the county's "tax base adjusted need percent."

338.4 (5) For each of the 87 counties, the county's tax base adjusted need percent must be
338.5 added to twice the composite need percent, and the sum must be divided by 3, to yield the
338.6 county's "weighted need percent."

338.7 (6) Each participating county's weighted need percent must be added to the weighted
338.8 need percent of each other participating county to yield the "total weighted need percent
338.9 for participating counties."

338.10 (7) Each participating county's weighted need percent must be divided by the total
338.11 weighted need percent for participating counties to yield the county's "share percent." The
338.12 share pereents for participating counties must sum to 100 percent.

338.13 (8) Each participating county's "base funding amount" is the aid amount that the county
338.14 received under this section for fiseal year 1995 plus the amount received in easeload or
338.15 workload reduction, felony easeload reduction, and sex offender supervision grants in fiseal
338.16 year 2015, as reported by the commissioner of corrections. In fiseal year 1997 and thereafter,
338.17 no county's aid amount under this section may be less than its base funding amount, provided
338.18 that the total amount appropriated for this purpose is at least as much as the aggregate base
338.19 funding amount defined in clause (9).

338.20 (9) The "aggregate base funding amount" is equal to the sum of the base funding amounts
338.21 for all participating counties. If a county that participated under this section chooses not to
338.22 participate in any given year, then the aggregate base funding amount must be reduced by
338.23 that county's base funding amount. If a county that did not participate under this section in
338.24 fiseal year 1995 chooses to participate on or after July 1, 2015, then the aggregate base
338.25 funding amount must be increased by the amount of aid that the county would have received
338.26 had it participated in fiseal year 1995 plus the estimated amount it would have received in
338.27 easeload or workload reduction, felony easeload reduction, and sex offender supervision

205.23 (2) For each of the 87 counties, the county's pereents in clause (1), items (i) to (v), must
205.24 be weighted, summed, and divided by the sum of the weights to yield an average percent
205.25 for each county, referred to as the county's "composite need percent." When performing
205.26 this caleulation, the weight for each of the pereents in clause (1), items (i) to (v), is 1.0. The
205.27 composite need percent must sum to 100 percent across the 87 counties.

205.28 (3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is the
205.29 county's adjusted net tax capacity amount, defined in the same manner as it is defined for
205.30 cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax
205.31 capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the
205.32 87 counties.

206.1 (4) For each of the 87 counties, the county's composite need percent must be divided by
206.2 the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by
206.3 the county's composite need percent, results in the county's "tax base adjusted need percent."

206.4 (5) For each of the 87 counties, the county's tax base adjusted need percent must be
206.5 added to twice the composite need percent, and the sum must be divided by 3, to yield the
206.6 county's "weighted need percent."

206.7 (6) Each participating county's weighted need percent must be added to the weighted
206.8 need percent of each other participating county to yield the "total weighted need percent
206.9 for participating counties."

206.10 (7) Each participating county's weighted need percent must be divided by the total
206.11 weighted need percent for participating counties to yield the county's "share percent." The
206.12 share pereents for participating counties must sum to 100 percent.

206.13 (8) Each participating county's "base funding amount" is the aid amount that the county
206.14 received under this section for fiseal year 1995 plus the amount received in easeload or
206.15 workload reduction, felony easeload reduction, and sex offender supervision grants in fiseal
206.16 year 2015, as reported by the commissioner of corrections. In fiseal year 1997 and thereafter,
206.17 no county's aid amount under this section may be less than its base funding amount, provided
206.18 that the total amount appropriated for this purpose is at least as much as the aggregate base
206.19 funding amount defined in clause (9).

206.20 (9) The "aggregate base funding amount" is equal to the sum of the base funding amounts
206.21 for all participating counties. If a county that participated under this section chooses not to
206.22 participate in any given year, then the aggregate base funding amount must be reduced by
206.23 that county's base funding amount. If a county that did not participate under this section in
206.24 fiseal year 1995 chooses to participate on or after July 1, 2015, then the aggregate base
206.25 funding amount must be increased by the amount of aid that the county would have received
206.26 had it participated in fiseal year 1995 plus the estimated amount it would have received in
206.27 easeload or workload reduction, felony easeload reduction, and sex offender supervision

338.28 ~~grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount~~
338.29 ~~of increase shall be that county's base funding amount.~~

338.30 (10) In any given year, the total amount appropriated for this purpose first must be
338.31 allocated to participating counties in accordance with each county's base funding amount.
338.32 Then, any remaining amount in excess of the aggregate base funding amount must be
338.33 allocated to participating counties in proportion to each county's share percent, and is referred
338.34 to as the county's "formula amount."

339.1 Each participating county's "community corrections aid amount" equals the sum of (i)
339.2 the county's base funding amount, and (ii) the county's formula amount.

339.3 (11) However, if in any year the total amount appropriated for the purpose of this section
339.4 is less than the aggregate base funding amount, then each participating county's community
339.5 corrections aid amount is the product of (i) the county's base funding amount multiplied by
339.6 (ii) the ratio of the total amount appropriated to the aggregate base funding amount.

339.7 For each participating county, the county's community corrections aid amount calculated
339.8 in this subdivision is the total amount of subsidy to which the county is entitled under
339.9 sections 401.01 to 401.16.

339.10 (a) Beginning in fiscal year 2024, the subsidy paid to each county and Tribal government
339.11 and the commissioner of corrections for supervision in counties or Tribal jurisdictions served
339.12 by the department shall equal the sum of:

339.13 (1) a base funding amount equal to \$200,000, plus:

339.14 (i) ten percent of the total for all appropriations to the commissioner for community
339.15 supervision and postrelease services during the fiscal year prior to the fiscal year for which
339.16 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
339.17 total population as determined by the most recent census; and

339.18 (ii) ten percent of the total for all appropriations to the commissioner for community
339.19 supervision and postrelease services during the fiscal year prior to the fiscal year for which
339.20 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
339.21 total geographic area; and

339.22 (2) a community supervision formula equal to the sum of:

339.23 (i) for felony cases, a felony per diem rate of \$5.33 multiplied by the sum of the county's
339.24 adult felony population, adult supervised release and parole populations, and juvenile
339.25 supervised release and parole populations as reported in the most recent probation survey
339.26 published by the commissioner, multiplied by 365; and

339.27 (ii) for gross misdemeanor, misdemeanor, and juvenile probation cases, the felony per
339.28 diem rate used in item (i) multiplied by 0.5 and then multiplied by the sum of the county's

206.28 ~~grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount~~
206.29 ~~of increase shall be that county's base funding amount.~~

206.30 (10) In any given year, the total amount appropriated for this purpose first must be
206.31 allocated to participating counties in accordance with each county's base funding amount.
206.32 Then, any remaining amount in excess of the aggregate base funding amount must be
206.33 allocated to participating counties in proportion to each county's share percent, and is referred
206.34 to as the county's "formula amount."

207.1 Each participating county's "community corrections aid amount" equals the sum of (i)
207.2 the county's base funding amount, and (ii) the county's formula amount.

207.3 (11) However, if in any year the total amount appropriated for the purpose of this section
207.4 is less than the aggregate base funding amount, then each participating county's community
207.5 corrections aid amount is the product of (i) the county's base funding amount multiplied by
207.6 (ii) the ratio of the total amount appropriated to the aggregate base funding amount.

207.7 For each participating county, the county's community corrections aid amount calculated
207.8 in this subdivision is the total amount of subsidy to which the county is entitled under
207.9 sections 401.01 to 401.16.

207.10 (a) Beginning in fiscal year 2024, the subsidy paid to each county and Tribal government
207.11 and the commissioner of corrections for supervision in counties or Tribal jurisdictions served
207.12 by the department shall equal the sum of:

207.13 (1) a base funding amount equal to \$200,000, plus:

207.14 (i) ten percent of the total for all appropriations to the commissioner for community
207.15 supervision and postrelease services during the fiscal year prior to the fiscal year for which
207.16 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
207.17 total population as determined by the most recent census; and

207.18 (ii) ten percent of the total for all appropriations to the commissioner for community
207.19 supervision and postrelease services during the fiscal year prior to the fiscal year for which
207.20 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's
207.21 total geographic area; and

207.22 (2) a community supervision formula equal to the sum of:

207.23 (i) for felony cases, a felony per diem rate of \$5.33 multiplied by the sum of the county's
207.24 adult felony population, adult supervised release and parole populations, and juvenile
207.25 supervised release and parole populations as reported in the most recent probation survey
207.26 published by the commissioner and then, multiplied by 365; and

207.27 (ii) for gross misdemeanor, misdemeanor, and juvenile probation cases, the felony per
207.28 diem rate used in item (i) multiplied by 0.5 and then multiplied by the sum of the county's

339.29 gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent
339.30 probation survey published by the commissioner, multiplied by 365.

339.31 (b) Each participating county's community corrections aid amount equals the sum of (1)
339.32 the county's base funding amount, and (2) the county's formula amount.

340.1 (c) If in any year the total amount appropriated for the purpose of this section is more
340.2 than or less than the total of base funding plus community supervision formula funding for
340.3 all counties, the sum of each county's base funding plus community supervision formula
340.4 funding shall be adjusted by the ratio of amounts appropriated for this purpose divided by
340.5 the total of base funding plus community supervision formula funding for all counties.

340.6 (d) For each Tribal Nation, a base funding amount of \$250,000 is allotted annually
340.7 through legislative appropriation to each Tribal Nation to purchase probation services
340.8 regardless of participation in a CCA jurisdiction. An additional formula amount through
340.9 legislative appropriation must be developed and approved by the commissioner for equitable
340.10 distribution for Tribal Nations under a CCA jurisdiction.

340.11 Subd. 2. **Transfer of funds.** Notwithstanding any law to the contrary, the commissioner
340.12 of corrections, after notifying the committees on finance of the senate and ways and means
340.13 of the house of representatives, may, at the end of any fiscal year, transfer any unobligated
340.14 funds, including funds available due the withdrawal of a county under section 401.16, in
340.15 any appropriation to the Department of Corrections to the appropriation under sections
340.16 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes
340.17 of sections 401.01 to 401.16.

340.18 Subd. 3. **Formula review.** ~~Prior to January 16, 2002, the committees with jurisdiction~~
340.19 ~~over community corrections funding decisions in the house of representatives and the senate,~~
340.20 ~~in consultation with the Department of Corrections and any interested county organizations,~~
340.21 ~~must review the formula in subdivision 1 and make recommendations to the legislature for~~
340.22 ~~its continuation, modification, replacement, or discontinuation. For fiscal year 2025 and~~
340.23 ~~subsequent fiscal years, the commissioner shall make a funding recommendation based~~
340.24 ~~upon the commissioner's workload study and the caseload data collected by the commissioner.~~

340.25 Subd. 4. **Report; supervision fees.** (a) The commissioner must collect annual summary
340.26 expenditure data and funding from each community supervision provider in the state.

340.27 (b) On January 15, 2025, and every year thereafter, the commissioner must submit a
340.28 report to the chairs and ranking minority members of the legislative committees with
340.29 jurisdiction over public safety finance and policy on the data collected under paragraph (a).
340.30 The report may be made in conjunction with reporting under section 244.21.

207.29 gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent
207.30 probation survey published by the commissioner, multiplied by 365.

207.31 (b) Each participating county's "community corrections aid amount" equals the sum of
207.32 (1) the county's base funding amount, and (2) the county's formula amount.

208.1 (c) If in any year the total amount appropriated for the purpose of this section is more
208.2 than or less than the total of base funding plus community supervision formula funding for
208.3 all counties, then the sum of each county's base funding plus community supervision formula
208.4 funding shall be adjusted by the ratio of amounts appropriated for this purpose divided by
208.5 the total of base funding plus community supervision formula funding for all counties.

208.6 Subd. 2. **Transfer of funds.** Notwithstanding any law to the contrary, the commissioner
208.7 of corrections, after notifying the committees on finance of the senate and ways and means
208.8 of the house of representatives, may, at the end of any fiscal year, transfer any unobligated
208.9 funds, including funds available due the withdrawal of a county under section 401.16, in
208.10 any appropriation to the Department of Corrections to the appropriation under sections
208.11 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes
208.12 of sections 401.01 to 401.16.

208.13 Subd. 3. **Formula review.** ~~Prior to January 16, 2002, the committees with jurisdiction~~
208.14 ~~over community corrections funding decisions in the house of representatives and the senate,~~
208.15 ~~in consultation with the Department of Corrections and any interested county organizations,~~
208.16 ~~must review the formula in subdivision 1 and make recommendations to the legislature for~~
208.17 ~~its continuation, modification, replacement, or discontinuation. For fiscal year 2025 and~~
208.18 ~~subsequent fiscal years, the commissioner shall make a funding recommendation based~~
208.19 ~~upon the commissioner's workload study and the caseload data collected by the commissioner.~~

208.20 Subd. 4. **Report; supervision fees.** (a) The commissioner must collect annual summary
208.21 expenditure data and funding from each community supervision provider in the state.

208.22 (b) On January 15, 2025, and every year thereafter, the commissioner must submit a
208.23 report to the chairs and ranking minority members of the legislative committees and divisions
208.24 with jurisdiction over public safety finance and policy on the data collected under paragraph
208.25 (a). The report may be made in conjunction with reporting under section 244.21.

341.1 Sec. 24. Minnesota Statutes 2022, section 401.11, is amended to read:

341.2 **401.11 COMPREHENSIVE PLAN ITEMS; GRANT REVIEW.**

341.3 Subdivision 1. **Items.** The comprehensive plan submitted to the commissioner for
341.4 approval ~~shall~~ must include ~~those~~ items prescribed by ~~rule~~ policy of the commissioner,
341.5 ~~which may require the inclusion of the following including but not limited to:~~

341.6 ~~(a)~~ (1) the manner in which presentence and postsentence investigations and reports for
341.7 the district courts and social history reports for the juvenile courts will be made;

341.8 ~~(b)~~ (2) the manner in which conditional release services to the courts and persons under
341.9 jurisdiction of the commissioner ~~of corrections~~ will be provided;

341.10 ~~(c)~~ (3) a program for ~~the detention, supervision, and treatment of~~ detaining, supervising,
341.11 and treating persons under pretrial detention or under commitment;

341.12 ~~(d)~~ (4) delivery of other local correctional services ~~defined in section 401.01;~~

341.13 ~~(e)~~ (5) proposals for new programs, which proposals must demonstrate a need for the
341.14 program, ~~its~~ and the program's purpose, objective, administrative structure, staffing pattern,
341.15 staff training, financing, evaluation process, degree of community involvement, client
341.16 participation, and duration ~~of program; and~~

341.17 (6) outcome and output data, expenditures, and costs.

341.18 Subd. 2. **Review.** ~~In addition to the foregoing requirements made by this section, Each~~
341.19 ~~participating CCA county or group of counties shall~~ must develop and implement a procedure
341.20 ~~for the review of grant~~ reviewing subsidy applications made to the corrections advisory
341.21 board and for the manner in which corrections advisory board action will be taken on ~~them~~
341.22 the applications. A description of ~~this~~ the procedure must be made available to members of
341.23 the public upon request.

341.24 Sec. 25. Minnesota Statutes 2022, section 401.12, is amended to read:

341.25 **401.12 CONTINUATION OF CURRENT SPENDING LEVEL BY COUNTIES.**

341.26 Participating counties or Tribal Nations shall not diminish their current level of spending
341.27 for correctional expenses as defined in section 401.01, to the extent of any subsidy received
341.28 pursuant to sections 401.01 to 401.16; rather the subsidy herein provided is for the
341.29 expenditure for correctional purposes in excess of those funds currently being expended.
341.30 Should a participating county CCA jurisdiction be unable to expend the full amount of the
341.31 subsidy to which it would be entitled in any one year under the provisions of sections 401.01
341.32 to 401.16, the commissioner shall retain the surplus, subject to disbursement in the following
342.1 year wherein such county CCA jurisdiction can demonstrate a need for and ability to expend
342.2 same for the purposes provided in section 401.01. If in any biennium the subsidy is increased
342.3 by an inflationary adjustment which results in the county CCA jurisdiction receiving more
342.4 actual subsidy than it did in the previous calendar year, the county CCA jurisdiction shall

208.26 Sec. 17. Minnesota Statutes 2022, section 401.11, is amended to read:

208.27 **401.11 COMPREHENSIVE PLAN ITEMS; GRANT REVIEW.**

208.28 Subdivision 1. **Items.** The comprehensive plan submitted to the commissioner for
208.29 approval ~~shall~~ must include ~~those~~ items prescribed by ~~rule~~ policy of the commissioner,
208.30 ~~which may require the inclusion of the following including but not limited to:~~

208.31 ~~(a)~~ (1) the manner in which presentence and postsentence investigations and reports for
208.32 the district courts and social history reports for the juvenile courts will be made;

209.1 ~~(b)~~ (2) the manner in which conditional release services to the courts and persons under
209.2 jurisdiction of the commissioner ~~of corrections~~ will be provided;

209.3 ~~(c)~~ (3) a program for ~~the detention, supervision, and treatment of~~ detaining, supervising,
209.4 and treating persons under pretrial detention or under commitment;

209.5 ~~(d)~~ (4) delivery of other local correctional services ~~defined in section 401.01;~~

209.6 ~~(e)~~ (5) proposals for new programs, which proposals must demonstrate a need for the
209.7 program, ~~its~~ and the program's purpose, objective, administrative structure, staffing pattern,
209.8 staff training, financing, evaluation process, degree of community involvement, client
209.9 participation, and duration ~~of program; and~~

209.10 (6) outcome and output data, expenditures, and costs.

209.11 Subd. 2. **Review.** ~~In addition to the foregoing requirements made by this section, Each~~
209.12 ~~participating CCA county or group of counties shall~~ must develop and implement a procedure
209.13 ~~for the review of grant~~ reviewing subsidy applications made to the corrections advisory
209.14 board and for the manner in which corrections advisory board action will be taken on ~~them~~
209.15 the applications. A description of ~~this~~ the procedure must be made available to members of
209.16 the public upon request.

342.5 be eligible for that increase only if the current level of spending is increased by a percentage
342.6 equal to that increase within the same biennium.

342.7 Sec. 26. Minnesota Statutes 2022, section 401.14, subdivision 1, is amended to read:

342.8 Subdivision 1. **Payment.** Upon compliance by a county CCA jurisdiction or group of
342.9 counties with the prerequisites for participation in the subsidy prescribed by sections 401.01
342.10 to 401.16, and approval of the comprehensive plan by the commissioner, the commissioner
342.11 shall determine whether funds exist for the payment of the subsidy and proceed to pay same
342.12 in accordance with applicable rules.

342.13 Sec. 27. Minnesota Statutes 2022, section 401.14, subdivision 3, is amended to read:

342.14 Subd. 3. **Installment payments.** The commissioner of corrections shall make payments
342.15 for community corrections services to each county CCA jurisdiction in 12 installments per
342.16 year. The commissioner shall ensure that the pertinent payment of the allotment for each
342.17 month is made to each county CCA jurisdiction on the first working day after the end of
342.18 each month of the calendar year, except for the last month of the calendar year. The
342.19 commissioner shall ensure that each county receives its payment of the allotment for that
342.20 month no later than the last working day of that month. ~~The payment described in this~~
342.21 ~~subdivision for services rendered during June 1985 shall be made on the first working day~~
342.22 ~~of July 1985.~~

342.23 Sec. 28. Minnesota Statutes 2022, section 401.15, subdivision 1, is amended to read:

342.24 Subdivision 1. **Certified statements; determinations; adjustments.** Within 60 days
342.25 of the end of each calendar quarter, participating ~~counties~~ CCA jurisdictions which have
342.26 received the payments authorized by section 401.14 shall submit to the commissioner
342.27 certified statements detailing the amounts expended and costs incurred in furnishing the
342.28 correctional services provided in sections 401.01 to 401.16. Upon receipt of certified
342.29 statements, the commissioner shall, in the manner provided in sections 401.10 and 401.12,
342.30 determine the amount each participating county is entitled to receive, making any adjustments
342.31 necessary to rectify any disparity between the amounts received pursuant to the estimate
342.32 provided in section 401.14 and the amounts actually expended. If the amount received
342.33 pursuant to the estimate is greater than the amount actually expended during the quarter,
343.1 the commissioner may withhold the difference from any subsequent monthly payments
343.2 made pursuant to section 401.14. Upon certification by the commissioner of the amount a
343.3 participating ~~county~~ CCA jurisdiction is entitled to receive under the provisions of section
343.4 401.14 or of this subdivision the commissioner of management and budget shall thereupon
343.5 issue a payment to the chief fiscal officer of each participating ~~county~~ CCA jurisdiction for
343.6 the amount due together with a copy of the certificate prepared by the commissioner.

209.17 Sec. 18. Minnesota Statutes 2022, section 401.14, subdivision 3, is amended to read:

209.18 Subd. 3. **Installment payments.** The commissioner of corrections shall make payments
209.19 for community corrections services to each county in 12 installments per year. The
209.20 commissioner shall ensure that the pertinent payment of the allotment for each month is
209.21 made to each county on the first working day after the end of each month of the calendar
209.22 year, except for the last month of the calendar year. The commissioner shall ensure that
209.23 each county receives its payment of the allotment for that month no later than the last
209.24 working day of that month. ~~The payment described in this subdivision for services rendered~~
209.25 ~~during June 1985 shall be made on the first working day of July 1985.~~

343.7 Sec. 29. Minnesota Statutes 2022, section 401.16, is amended to read:

343.8 **401.16 WITHDRAWAL FROM PROGRAM.**

343.9 Any participating ~~county CCA jurisdiction~~ may, at the beginning of any calendar quarter,
343.10 by resolution of its board of commissioners ~~or Tribal Council leaders~~, notify the
343.11 commissioner of its intention to withdraw from the subsidy program established by sections
343.12 401.01 to 401.16, and the withdrawal shall be effective the last day of the ~~last month of the~~
343.13 ~~quarter in third quarter after~~ which the notice was given. ~~Upon withdrawal, the unexpended~~
343.14 ~~balance of moneys allocated to the county, or that amount necessary to reinstate state~~
343.15 ~~correctional services displaced by that county's participation, including complement positions,~~
343.16 ~~may, upon approval of the legislative advisory commission, be transferred to the~~
343.17 ~~commissioner for the reinstatement of the displaced services and the payment of any other~~
343.18 ~~correctional subsidies for which the withdrawing county had previously been eligible.~~

343.19 Sec. 30. **[401.17] COMMUNITY SUPERVISION ADVISORY COMMITTEE.**

343.20 Subdivision 1. Establishment; members. (a) The commissioner must establish a
343.21 Community Supervision Advisory Committee to develop and make recommendations to
343.22 the commissioner on standards for probation, supervised release, and community supervision.
343.23 The committee consists of 17 members as follows:

343.24 (1) two directors appointed by the Minnesota Association of Community Corrections
343.25 Act Counties;

343.26 (2) two probation directors appointed by the Minnesota Association of County Probation
343.27 Officers;

343.28 (3) three county commissioner representatives appointed by the Association of Minnesota
343.29 Counties;

343.30 (4) two behavioral health, treatment, or programming providers who work directly with
343.31 individuals on correctional supervision, one appointed by the Department of Human Services
343.32 and one appointed by the Minnesota Association of County Social Service Administrators;

344.1 (5) two representatives appointed by the Minnesota Indian Affairs Council;

344.2 (6) one commissioner-appointed representative from the Department of Corrections;

344.3 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

344.4 (8) three individuals who have been supervised, either individually or collectively, under
344.5 each of the state's three community supervision delivery systems appointed by the
344.6 commissioner in consultation with the Minnesota Association of County Probation Officers
344.7 and the Minnesota Association of Community Corrections Act Counties; and

344.8 (9) an advocate for victims of crime appointed by the commissioner.

209.26 Sec. 19. Minnesota Statutes 2022, section 401.16, is amended to read:

209.27 **401.16 WITHDRAWAL FROM PROGRAM.**

209.28 Any participating ~~county or Tribal government~~ may, at the beginning of any calendar
209.29 quarter, by resolution of its board of commissioners ~~or Tribal government leaders~~, notify
209.30 the commissioner of its intention to withdraw from the subsidy program established by
209.31 sections 401.01 to 401.16, and the withdrawal shall be effective the last day of the ~~last month~~
209.32 ~~of the quarter in third quarter after~~ which the notice was given. ~~Upon withdrawal, the~~
210.1 ~~unexpended balance of moneys allocated to the county, or that amount necessary to reinstate~~
210.2 ~~state correctional services displaced by that county's participation, including complement~~
210.3 ~~positions, may, upon approval of the legislative advisory commission, be transferred to the~~
210.4 ~~commissioner for the reinstatement of the displaced services and the payment of any other~~
210.5 ~~correctional subsidies for which the withdrawing county had previously been eligible.~~

210.6 Sec. 20. **[401.17] COMMUNITY SUPERVISION ADVISORY COMMITTEE.**

210.7 Subdivision 1. Establishment; members. (a) The commissioner must establish a
210.8 Community Supervision Advisory Committee to develop and make recommendations to
210.9 the commissioner on standards for probation, supervised release, and community supervision.
210.10 The committee consists of 16 members as follows:

210.11 (1) two directors appointed by the Minnesota Association of Community Corrections
210.12 Act Counties;

210.13 (2) two probation directors appointed by the Minnesota Association of County Probation
210.14 Officers;

210.15 (3) three county commissioner representatives appointed by the Association of Minnesota
210.16 Counties;

210.17 (4) two behavioral health, treatment, or programming providers who work directly with
210.18 individuals on correctional supervision, one appointed by the Department of Human Services
210.19 and one appointed by the Minnesota Association of County Social Service Administrators;

210.20 (5) two representatives appointed by the Minnesota Indian Affairs Council;

210.21 (6) one commissioner-appointed representative from the Department of Corrections;

210.22 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

210.23 (8) ~~three~~ individuals who have been supervised, either individually or collectively, under
210.24 each of the state's three community supervision delivery systems appointed by the
210.25 commissioner in consultation with the Minnesota Association of County Probation Officers
210.26 and the Minnesota Association of Community Corrections Act Counties; and

210.27 (9) an advocate for victims of crime appointed by the commissioner.

344.9 (b) When an appointing authority selects an individual for membership on the committee,
344.10 the authority must make reasonable efforts to reflect geographic diversity and to appoint
344.11 qualified members of protected groups, as defined under section 43A.02, subdivision 33.

344.12 (c) The commissioner must convene the first meeting of the committee on or before July
344.13 15, 2024.

344.14 Subd. 2. **Terms; removal; reimbursement.** (a) If there is a vacancy, the appointing
344.15 authority must appoint an individual to fill the vacancy. Committee members must elect
344.16 any officers and create any subcommittees necessary for the efficient discharge of committee
344.17 duties.

344.18 (b) A member may be removed by the appointing authority at any time at the pleasure
344.19 of the appointing authority.

344.20 (c) Each committee member must be reimbursed for all reasonable expenses actually
344.21 paid or incurred by that member in the performance of official duties in the same manner
344.22 as other employees of the state. The public members of the committee must be compensated
344.23 at the rate of \$55 for each day or part of the day spent on committee activities.

344.24 Subd. 3. **Duties; committee.** (a) The committee must comply with section 401.10.

344.25 (b) By June 30, 2024, the committee must provide written advice and recommendations
344.26 to the commissioner on developing policy on:

344.27 (1) developing statewide supervision standards and definitions to be applied to community
344.28 supervision provided by CPO counties, CCA counties, the Department of Corrections, and
344.29 Tribal governments;

344.30 (2) requiring community supervision agencies to use the same agreed-upon risk screener
344.31 and risk and needs assessment tools as the main supervision assessment methods or a
344.32 universal five-level matrix allowing for consistent supervision levels and that all tools in
345.1 use be validated on Minnesota's community supervision population and revalidated every
345.2 five years;

345.3 (3) requiring the use of assessment-driven, formalized collaborative case planning to
345.4 focus case planning goals on identified criminogenic and behavioral health need areas for
345.5 moderate- and high-risk individuals;

345.6 (4) limiting standard conditions required for all people on supervision across all
345.7 supervision systems and judicial districts, ensuring that conditions of supervision are directly
345.8 related to the offense of the person on supervision, and tailoring special conditions to people
345.9 on supervision identified as high-risk and high-need;

345.10 (5) providing gender-responsive, culturally appropriate services and trauma-informed
345.11 approaches;

210.28 (b) When an appointing authority selects an individual for membership on the committee,
210.29 the authority must make reasonable efforts to reflect geographic diversity and to appoint
210.30 qualified members of protected groups, as defined under section 43A.02, subdivision 33.

211.1 (c) The commissioner must convene the first meeting of the committee on or before July
211.2 15, 2024.

211.3 Subd. 2. **Terms; removal; reimbursement.** (a) If there is a vacancy, the appointing
211.4 authority must appoint an individual to fill the vacancy. Committee members must elect
211.5 any officers and create any subcommittees necessary for the efficient discharge of committee
211.6 duties.

211.7 (b) A member may be removed by the appointing authority at any time at the pleasure
211.8 of the appointing authority.

211.9 (c) Each committee member must be reimbursed for all reasonable expenses actually
211.10 paid or incurred by that member in the performance of official duties in the same manner
211.11 as other employees of the state. The public members of the committee must be compensated
211.12 at the rate of \$55 for each day or part of the day spent on committee activities.

211.13 Subd. 3. **Duties; committee.** (a) The committee must comply with section 401.10.

211.14 (b) By June 30, 2024, the committee must provide written advice and recommendations
211.15 to the commissioner on developing policy on:

211.16 (1) developing statewide supervision standards and definitions to be applied to community
211.17 supervision provided by CPO counties, CCA counties, the Department of Corrections, and
211.18 Tribal governments;

211.19 (2) requiring community supervision agencies to use the same agreed-upon risk screener
211.20 and risk and needs assessment tools as the main supervision assessment methods or a
211.21 universal five-level matrix allowing for consistent supervision levels and that all tools in
211.22 use be validated on Minnesota's community supervision population and revalidated every
211.23 five years;

211.24 (3) requiring the use of assessment-driven, formalized collaborative case planning to
211.25 focus case planning goals on identified criminogenic and behavioral health need areas for
211.26 moderate- and high-risk individuals;

211.27 (4) limiting standard conditions required for all people on supervision across all
211.28 supervision systems and judicial districts, ensuring that conditions of supervision are directly
211.29 related to the offense of the person on supervision, and tailoring special conditions to people
211.30 on supervision identified as high-risk and high-need;

211.31 (5) providing gender-responsive, culturally appropriate services and trauma-informed
211.32 approaches;

345.12 (6) developing a statewide incentives and sanctions grid to guide responses to client
345.13 behavior while under supervision to be reviewed and updated every five years to maintain
345.14 alignment with national best practices;

345.15 (7) developing performance indicators for supervision success as well as recidivism;

345.16 (8) developing a statewide training, coaching, and quality assurance system overseen
345.17 by an evidence-based practices coordinator; and

345.18 (9) devising a plan, by December 1, 2024, to eliminate the financial penalty incurred by
345.19 a jurisdiction that successfully discharges an offender from supervision before the offender's
345.20 term of supervision concludes.

345.21 (c) By December 1, 2024, and every six years thereafter, the committee must review
345.22 and reassess the existing workload study published by the commissioner under subdivision
345.23 4 and make recommendations to the commissioner based on the committee's review.

345.24 (d) By June 30, 2024, the committee must submit a report on supervision fees to the
345.25 commissioner and the chairs and ranking minority members of the legislative committees
345.26 with jurisdiction over corrections **finance** and **policy**. The committee must collect data on
345.27 supervision fees and include the data in the report.

345.28 Subd. 4. **Duties; commissioner.** The commissioner, in consultation with the committee,
345.29 must complete a workload study by December 1, 2024, to develop a capitated rate for
345.30 equitably funding community supervision throughout the state. The study must be updated
345.31 every six years after the initial study is completed.

346.1 Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in
346.2 consultation with the Minnesota Counties Computer Cooperative, must create a method to
346.3 (1) standardize data classifications across the three delivery systems, and (2) collect data
346.4 for the commissioner to publish in an annual report to the chairs and ranking minority
346.5 members of the legislative committees and divisions with jurisdiction over public safety
346.6 finance and policy.

346.7 (b) The advisory committee's method, at a minimum, must provide for collecting the
346.8 following data:

346.9 (1) the number of offenders placed on probation each year;

346.10 (2) the offense levels and offense types for which offenders are placed on probation;

346.11 (3) violation and revocation rates and the identified grounds for the violations and
346.12 revocations, including final disposition of the violation action such as execution of the
346.13 sentence, imposition of new conditions, or a custodial sanction;

346.14 (4) the number of offenders granted early discharge from probation;

212.1 (6) developing a statewide incentives and sanctions grid to guide responses to client
212.2 behavior while under supervision to be reviewed and updated every five years to maintain
212.3 alignment with national best practices;

212.4 (7) developing performance indicators for supervision success as well as recidivism;

212.5 (8) developing a statewide training, coaching, and quality assurance system overseen
212.6 by an evidence-based practices coordinator; and

212.7 (9) devising a plan, by December 1, 2024, to eliminate the financial penalty incurred by
212.8 a jurisdiction that successfully discharges an offender from supervision before the offender's
212.9 term of supervision concludes.

212.10 (c) By December 1, 2024, and every six years thereafter, the committee must review
212.11 and reassess the existing workload study published by the commissioner under subdivision
212.12 4 and make recommendations to the commissioner based on the committee's review.

212.13 (d) By June 30, 2024, the committee must submit a report on supervision fees to the
212.14 commissioner and the chairs and ranking minority members of the legislative committees
212.15 with jurisdiction over corrections **policy** and **funding**. The committee must collect data on
212.16 supervision fees and include the data in the report.

212.17 Subd. 4. **Duties; commissioner.** The commissioner, in consultation with the committee,
212.18 must complete a workload study by December 1, 2024, to develop a capitated rate for
212.19 equitably funding community supervision throughout the state. The study must be updated
212.20 every six years after the initial study is completed.

212.21 Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in
212.22 consultation with the Minnesota Counties Computer Cooperative, must create a method to
212.23 (1) standardize data classifications across the three delivery systems, and (2) collect data
212.24 for the commissioner to publish in an annual report to the chairs and ranking minority
212.25 members of the legislative committees and divisions with jurisdiction over public safety
212.26 finance and policy.

212.27 (b) The advisory committee's method, at a minimum, must provide for collecting the
212.28 following data:

212.29 (1) the number of offenders placed on probation each year;

212.30 (2) the offense levels and offense types for which offenders are placed on probation;

213.1 (3) violation and revocation rates and the identified grounds for the violations and
213.2 revocations, including final disposition of the violation action such as execution of the
213.3 sentence, imposition of new conditions, or a custodial sanction;

213.4 (4) the number of offenders granted early discharge from probation;

346.15 (5) the number of offenders restructured on supervision, including imposition of new
346.16 conditions of release; and

346.17 (6) the number of offenders revoked from supervision and the identified grounds for
346.18 revocation.

346.19 (c) On February 1, 2025, and every year thereafter, the commissioner must prepare a
346.20 report that contains the data collected under the method established by the committee under
346.21 this subdivision. The report must provide an analysis of the collected data disaggregated
346.22 by race, gender, and county.

346.23 (d) Nothing in this section overrides the commissioner's authority to require additional
346.24 data be provided under sections 241.065, 401.06, 401.10, and 401.11.

346.25 Subd. 6. **Response.** (a) Within 45 days of receiving the committee's recommendations,
346.26 the commissioner must respond in writing to the committee's advice and recommendations
346.27 under subdivision 3. The commissioner's response must explain:

346.28 (1) whether the agency will adopt policy changes based on the recommendations;
346.29 (2) the timeline for adopting policy changes; and

346.30 (3) why the commissioner will not or cannot include any individual recommendations
346.31 of the committee in the agency's policy.

347.1 (b) The commissioner must submit the advice and recommendations of the committee
347.2 to the chairs and ranking minority members of the legislative committees with jurisdiction
347.3 over public safety finance and policy.

347.4 Subd. 7. **Staff; meeting room; office equipment.** The commissioner must provide the
347.5 committee with a committee administrator, staff support, a meeting room, and access to
347.6 office equipment and services.

347.7 Sec. 31. Minnesota Statutes 2022, section 609.14, subdivision 1, is amended to read:

347.8 Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the
347.9 conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct
347.10 which warrants the imposing or execution of sentence, the court may without notice revoke
347.11 the stay and direct that the defendant be taken into immediate custody. Revocation shall
347.12 only be used as a last resort when rehabilitation has failed.

347.13 (b) When it appears that the defendant violated any of the conditions of probation during
347.14 the term of the stay, but the term of the stay has since expired, the defendant's probation
347.15 officer or the prosecutor may ask the court to initiate probation revocation proceedings
347.16 under the Rules of Criminal Procedure at any time within six months after the expiration
347.17 of the stay. The court also may initiate proceedings under these circumstances on its own
347.18 motion. If proceedings are initiated within this six-month period, the court may conduct a

213.5 (5) the number of offenders restructured on supervision, including imposition of new
213.6 conditions of release; and

213.7 (6) the number of offenders revoked from supervision and the identified grounds for
213.8 revocation.

213.9 (c) On February 1, 2025, and every year thereafter, the commissioner must prepare a
213.10 report that contains the data collected under the method established by the committee under
213.11 this subdivision. The report must provide an analysis of the collected data by race, gender,
213.12 and county.

213.13 (d) Nothing in this section overrides the commissioner's authority to require additional
213.14 data be provided under sections 241.065, 401.06, 401.10, and 401.11.

213.15 Subd. 6. **Response.** (a) Within 45 days of receiving the committee's recommendations,
213.16 the commissioner must respond in writing to the committee's advice and recommendations
213.17 under subdivision 3. The commissioner's response must explain:

213.18 (1) whether the agency will adopt policy changes based on the recommendations;
213.19 (2) the timeline for adopting policy changes; and

213.20 (3) why the commissioner will not or cannot include any individual recommendations
213.21 of the committee in the agency's policy.

213.22 (b) The commissioner must submit the advice and recommendations of the committee
213.23 to the chairs and ranking minority members of the legislative committees with jurisdiction
213.24 over public safety and finance.

213.25 Subd. 7. **Staff; meeting room; office equipment.** The commissioner must provide the
213.26 committee with a committee administrator, staff support, a meeting room, and access to
213.27 office equipment and services.

213.28 Sec. 21. Minnesota Statutes 2022, section 609.14, subdivision 1, is amended to read:

213.29 Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the
213.30 conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct
213.31 which warrants the imposing or execution of sentence, the court may without notice revoke
214.1 the stay and direct that the defendant be taken into immediate custody. Revocation should
214.2 only be used as a last resort when rehabilitation has failed.

214.3 (b) When it appears that the defendant violated any of the conditions of probation during
214.4 the term of the stay, but the term of the stay has since expired, the defendant's probation
214.5 officer or the prosecutor may ask the court to initiate probation revocation proceedings
214.6 under the Rules of Criminal Procedure at any time within six months after the expiration
214.7 of the stay. The court also may initiate proceedings under these circumstances on its own
214.8 motion. If proceedings are initiated within this six-month period, the court may conduct a

347.19 revocation hearing and take any action authorized under rule 27.04 at any time during or
347.20 after the six-month period.

347.21 (c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after
347.22 proceedings to revoke the stay have been initiated by a court order revoking the stay and
347.23 directing either that the defendant be taken into custody or that a summons be issued in
347.24 accordance with paragraph (a), the proceedings to revoke the stay may be concluded and
347.25 the summary hearing provided by subdivision 2 may be conducted after the expiration of
347.26 the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke
347.27 the stay shall not be dismissed on the basis that the summary hearing is conducted after the
347.28 term of the stay or after the six-month period. The ability or inability to locate or apprehend
347.29 the defendant prior to the expiration of the stay or during or after the six-month period shall
347.30 not preclude the court from conducting the summary hearing unless the defendant
347.31 demonstrates that the delay was purposefully caused by the state in order to gain an unfair
347.32 advantage.

347.33 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to violations
347.34 that occur on or after that date.

348.1 Sec. 32. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to
348.2 read:

348.3 Subd. 1a. Violations where policies favor continued rehabilitation. (a) Correctional
348.4 treatment is better provided through a community resource than through confinement and
348.5 would not unduly depreciate the seriousness of the violation if probation was not revoked.
348.6 Policies favoring probation outweigh the need for confinement if a person has not previously
348.7 violated a condition of probation or intermediate sanction and does any of the following in
348.8 violation of a condition imposed by the court:

348.9 (1) fails to abstain from the use of controlled substances without a valid prescription,
348.10 unless the person is under supervision for a violation of section:

348.11 (i) 169A.20;

348.12 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

348.13 (iii) 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to
348.14 (6);

348.15 (2) fails to abstain from the use of alcohol, unless the person is under supervision for a
348.16 violation of section:

348.17 (i) 169A.20;

348.18 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

214.9 revocation hearing and take any action authorized under rule 27.04 at any time during or
214.10 after the six-month period.

214.11 (c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after
214.12 proceedings to revoke the stay have been initiated by a court order revoking the stay and
214.13 directing either that the defendant be taken into custody or that a summons be issued in
214.14 accordance with paragraph (a), the proceedings to revoke the stay may be concluded and
214.15 the summary hearing provided by subdivision 2 may be conducted after the expiration of
214.16 the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke
214.17 the stay shall not be dismissed on the basis that the summary hearing is conducted after the
214.18 term of the stay or after the six-month period. The ability or inability to locate or apprehend
214.19 the defendant prior to the expiration of the stay or during or after the six-month period shall
214.20 not preclude the court from conducting the summary hearing unless the defendant
214.21 demonstrates that the delay was purposefully caused by the state in order to gain an unfair
214.22 advantage.

214.23 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to violations
214.24 that occur on or after that date.

214.25 Sec. 22. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to
214.26 read:

214.27 Subd. 1a. Violations where policies favor continued rehabilitation. (a) Correctional
214.28 treatment is better provided through a community resource than through confinement, it
214.29 would not unduly depreciate the seriousness of the violation if probation was not revoked,
214.30 and the policies favoring probation outweigh the need for confinement if a person has not
214.31 previously violated a condition of probation or intermediate sanction and does any of the
214.32 following in violation of a condition imposed by the court:

214.33 (1) fails to abstain from the use of controlled substances without a valid prescription,
214.34 unless the person is under supervision for a violation of section:

215.1 (i) 169A.20;

215.2 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

215.3 (iii) 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to
215.4 (6);

215.5 (2) fails to abstain from the use of alcohol, unless the person is under supervision for a
215.6 violation of section:

215.7 (i) 169A.20;

215.8 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

348.19 (iii) 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to
348.20 (6);
348.21 (3) possesses drug paraphernalia in violation of section 152.092;
348.22 (4) fails to obtain or maintain employment;
348.23 (5) fails to pursue a course of study or vocational training;
348.24 (6) fails to report a change in employment, unless the person is prohibited from having
348.25 contact with minors and the employment would involve such contact;
348.26 (7) violates a curfew;
348.27 (8) fails to report contact with a law enforcement agency, unless the person was charged
348.28 with a misdemeanor, gross misdemeanor, or felony; or
348.29 (9) commits any offense for which the penalty is a petty misdemeanor.
349.1 (b) A violation by a person described in paragraph (a) does not warrant the imposition
349.2 or execution of sentence and the court may not direct that the person be taken into immediate
349.3 custody unless the court receives a written report, signed under penalty of perjury pursuant
349.4 to section 358.116, showing probable cause to believe the person violated probation and
349.5 establishing by a preponderance of the evidence that the continued presence of the person
349.6 in the community would present a risk to public safety. If the court does not direct that the
349.7 person be taken into custody, the court may request a supplemental report from the
349.8 supervising agent containing:
349.9 (1) the specific nature of the violation;
349.10 (2) the response of the person under supervision to the violation, if any; and
349.11 (3) the actions the supervising agent has taken or will take to address the violation.
349.12 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
349.13 that occur on or after that date.
349.14 Sec. 33. **LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**
349.15 By August 1, 2025, each local correctional agency under Minnesota Statutes, section
349.16 244.18, must provide a plan for phasing out local correctional fees. A copy of the plan must
349.17 be provided to all individuals under supervision by the agency. Local correctional fees must
349.18 not increase from the effective date of this section through August 1, 2025.
349.19 Sec. 34. **COMMUNITY SUPERVISION ADVISORY COMMITTEE; REPORT.**
349.20 (a) By January 15, 2025, the committee must submit a report to the chairs and ranking
349.21 minority members of the legislative committees with jurisdiction over public safety policy

215.9 (iii) 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to
215.10 (6);
215.11 (3) possesses drug paraphernalia in violation of section 152.092;
215.12 (4) fails to obtain or maintain employment;
215.13 (5) fails to pursue a course of study or vocational training;
215.14 (6) fails to report a change in employment, unless the person is prohibited from having
215.15 contact with minors and the employment would involve such contact;
215.16 (7) violates a curfew;
215.17 (8) fails to report contact with a law enforcement agency, unless the person was charged
215.18 with a misdemeanor, gross misdemeanor, or felony; or
215.19 (9) commits any offense for which the penalty is a petty misdemeanor.
215.20 (b) A violation by a person described in paragraph (a) does not warrant the imposition
215.21 or execution of sentence and the court may not direct that the person be taken into immediate
215.22 custody unless the court receives a written report, signed under penalty of perjury pursuant
215.23 to section 358.116, showing probable cause to believe the person violated probation and
215.24 establishing by a preponderance of the evidence that the continued presence of the person
215.25 in the community would present a risk to public safety. If the court does not direct that the
215.26 person be taken into custody, the court may request a supplemental report from the
215.27 supervising agent containing:
215.28 (1) the specific nature of the violation;
215.29 (2) the response of the person under supervision to the violation, if any; and
215.30 (3) the actions the supervising agent has taken or will take to address the violation.
216.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
216.2 that occur on or after that date.
216.3 Sec. 23. **LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**
216.4 By August 1, 2025, each local correctional agency under Minnesota Statutes, section
216.5 244.18, must provide a plan for phasing out local correctional fees. A copy of the plan must
216.6 be provided to all individuals under supervision by the agency. Local correctional fees must
216.7 not increase from the effective date of this section through August 1, 2025.
216.8 Sec. 24. **COMMUNITY SUPERVISION ADVISORY COMMITTEE; REPORT.**
216.9 (a) By January 15, 2025, the committee must submit a report to the chairs and ranking
216.10 minority members of the legislative committees with jurisdiction over public safety policy

349.22 and finance on progress toward developing standards and recommendations under Minnesota
349.23 Statutes, section 401.17, subdivision 3.

349.24 (b) By January 15, 2026, the committee must submit a final report to the chairs and
349.25 ranking minority members of the legislative committees with jurisdiction over public safety
349.26 policy and finance on the standards and recommendations developed according to Minnesota
349.27 Statutes, section 401.17, subdivision 3. At a minimum, the recommendations must include
349.28 a proposed state-level Community Supervision Advisory Board with a governance structure
349.29 and duties for the board.

350.1 **Sec. 35. REPEALER.**

350.2 (a) Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, and 8; 244.22; 244.24;
350.3 and 244.30, are repealed.

350.4 (b) Minnesota Statutes 2022, section 244.18, is repealed.

350.5 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2023, and paragraph (b) is
350.6 effective August 1, 2025.

216.11 and finance on progress toward developing standards and recommendations under Minnesota
216.12 Statutes, section 401.17, subdivision 3.

216.13 (b) By January 15, 2026, the committee must submit a final report to the chairs and
216.14 ranking minority members of the legislative committees with jurisdiction over public safety
216.15 policy and finance on the standards and recommendations developed according to Minnesota
216.16 Statutes, section 401.17, subdivision 3. At a minimum, the recommendations must include
216.17 a proposed state-level Community Supervision Advisory Board with a governance structure
216.18 and duties for the board.

216.19 **Sec. 25. REPEALER.**

216.20 (a) Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, and 8; 244.22; 244.24;
216.21 and 244.30, are repealed.

216.22 (b) Minnesota Statutes 2022, section 244.18, is repealed.

216.23 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2023, and paragraph (b) is
216.24 effective August 1, 2025.