

**169A.284 COMPREHENSIVE ASSESSMENT CHARGE; SURCHARGE.**

Subdivision 1. **When required.** (a) When a court sentences a person convicted of an offense enumerated in section 169A.70, subdivision 2 (substance use disorder assessment; requirement; form), except as provided in paragraph (c), it shall order the person to pay the cost of the substance use disorder assessment directly to the entity conducting the assessment or providing the assessment services in an amount determined by the entity conducting or providing the service and shall impose a substance use disorder assessment charge of \$25. The court may waive the \$25 substance use disorder assessment charge, but may not waive the cost for the assessment paid directly to the entity conducting the assessment or providing assessment services. A person shall pay an additional surcharge of \$5 if the person is convicted of a violation of section 169A.20 (driving while impaired) within five years of a prior impaired driving conviction or a prior conviction for an offense arising out of an arrest for a violation of section 169A.20 or Minnesota Statutes 1998, section 169.121 (driver under influence of alcohol or controlled substance) or 169.129 (aggravated DWI-related violations; penalty). This section applies when the sentence is executed, stayed, or suspended. The court may not waive payment of or authorize payment in installments of the substance use disorder assessment charge and surcharge unless it makes written findings on the record that the convicted person is indigent or that the substance use disorder assessment charge and surcharge would create undue hardship for the convicted person or that person's immediate family.

(b) The substance use disorder assessment charge and surcharge required under this section are in addition to the surcharge required by section 357.021, subdivision 6 (surcharges on criminal and traffic offenders).

(c) The court must not order the person convicted of an offense enumerated in section 169A.70, subdivision 2, to pay the cost of the substance use disorder assessment if the individual is eligible for payment of the assessment under chapter 254B or 256B.

Subd. 2. **Distribution of money.** The court administrator shall collect and forward the substance use disorder assessment charge and the \$5 surcharge, if any, to the commissioner of management and budget to be deposited in the state treasury and credited to the general fund.

**History:** 2000 c 478 art 1 s 15; 2009 c 83 art 2 s 17; 2009 c 101 art 2 s 109; 2025 c 38 art 4 s 5