

401.10 FUNDING COMMUNITY SUPERVISION.

Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023, the community supervision subsidy paid to each county, the commissioner for supervision of non-CCA jurisdictions served by the Department of Corrections, and each applicable Tribal Nation providing services as a CCA jurisdiction or CPO jurisdiction as defined in section 244.19, subdivision 1a, paragraph (b), equals the sum of:

(1) a base funding amount equal to \$150,000; and

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

(i) for individuals with a felony sentence, the felony per diem rate of \$5.62 shall be multiplied by the average total population over the three most recent years, as reported in the probation surveys published by the commissioner. This population includes the county or Tribal Nation's adult felony population, adult supervised release population, adult parole population, juvenile supervised release population, and juvenile parole population. The resulting amount shall then be multiplied by 365 to calculate the total annual allocation; and

(ii) for individuals sentenced for a gross misdemeanor, for a misdemeanor, or under juvenile probation, the felony per diem rate of \$5.62 shall be multiplied by 0.5, and then multiplied by the average total population over the three most recent years, as reported in the probation surveys published by the commissioner. This population includes the county or Tribal Nation's gross misdemeanor population, misdemeanor population, and juvenile probation population. The resulting amount shall then be multiplied by 365 to calculate the total annual allocation.

(b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), the base funding amount must be shared equally between the jurisdiction and the commissioner for the provision of felony supervision under section 244.20.

(c) If in any year the total amount appropriated for the purpose of this section is more than or less than the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal Nation's base funding plus community supervision formula funding is adjusted by the ratio of amounts appropriated for this purpose divided by the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

(e) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

Subd. 1a. **Prorating subsidy for Interstate Transfer Unit.** Before disbursing the community supervision subsidy in subdivision 1, the commissioner must prorate the cost of the Interstate Transfer Unit based upon

the county's share of the average total probation population over the three most recent years as reported in the probation survey published by the commissioner and deduct that amount from the county's subsidy.

Subd. 2. MS 2022 [Repealed by amendment, 2023 c 52 art 17 s 24]

Subd. 3. MS 2022 [Repealed by amendment, 2023 c 52 art 17 s 24]

Subd. 4. **Report.** By January 15, 2025, and every odd-numbered year thereafter, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy. At a minimum, the report must summarize and contain the following data:

(1) the commissioner's most recent workload study under section 401.17, subdivision 4; and

(2) projected growth in the community supervision formula calculated by analyzing supervision population trends and data.

History: 1973 c 354 s 10; 1975 c 304 s 11; 1988 c 719 art 5 s 84; 1989 c 329 art 13 s 20; 1996 c 408 art 8 s 19; 2015 c 65 art 5 s 9; 2023 c 52 art 17 s 24; 2024 c 123 art 8 s 20; 2025 c 35 art 7 s 16-18