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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3061

02/11/2020 Authored by Lee, Gomez, Her, Mann, Dehn and others
The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division

1.1 A bill for an act
1.2 relating to public safety; modifying authority of jails to house federal inmates;
1.3 amending Minnesota Statutes 2018, section 641.03.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 641.03, is amended to read:

1.6 641.03 FEDERAL PRISONERS; FEE.

1.7 (a) Except as provided in paragraph (b), when any person is committed to any jail by
1.8 any process issued under authority of the United States, the sheriff or jailer shall receive
1.9 such person into custody, and safely keep the person until discharged by due course of law,
1.10 subject in all respects to the same liabilities and remedies as though committed under process
1.11 issued under state authority. The United States shall pay to the county the minimum sum
1.12 of \$5 per day for each prisoner so kept and boarded. Provided, that in any county of this
1.13 state, the sheriff shall at the request of the county board of commissioners determine the
1.14 average daily per capita cost for the food, clothing, medical and incidental expense for the
1.15 care and maintenance of persons committed to the county jail for the preceding year. The
1.16 amount found to be the average daily per capita cost of such committed persons shall be
1.17 paid to the county by the United States for each prisoner so kept and boarded during the
1.18 current year.

1.19 (b) The sheriff or jailer may not receive a person into custody when the basis for detention
1.20 is a civil violation of federal immigration law.

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