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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3304

05/08/2023 Authored by Wiens and Feist
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring a report regarding the sentencing of certain
1.3 military veterans; amending Minnesota Statutes 2022, section 609.1056, by adding
1.4 a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 609.1056, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 3a. Reporting. (a) If the court imposes a deferred sentence under subdivision 2,
1.9 paragraph (d), the court shall prepare a deferred sentence report containing the following
1.10 information:

- 1.11 (1) the name of the defendant;
1.12 (2) the case number;
1.13 (3) the underlying charge or charges;
1.14 (4) the fact that proceedings have been deferred pursuant to this section;
1.15 (5) the length of the term of probation ordered by the court;
1.16 (6) the conditions of probation; and
1.17 (7) a copy of the sentencing worksheet prepared pursuant to section 609.115, if a
1.18 worksheet was prepared.

1.19 (b) If the defendant violates a condition of probation and the court enters an adjudication
1.20 of guilt as described in subdivision 2, paragraph (f), the court shall prepare a violation report
1.21 containing the following information:

2.1 (1) the name of the defendant;

2.2 (2) the case number;

2.3 (3) whether the violation was a technical violation as defined in section 244.196,
2.4 subdivision 6, or involved allegation of a subsequent criminal act; and

2.5 (4) the sentence announced by the court.

2.6 (c) The deferred sentence report prepared under paragraph (a) and any violation report
2.7 prepared under paragraph (b) must be forwarded to the Sentencing Guidelines Commission.
2.8 By January 15 of each year, the Sentencing Guidelines Commission shall provide a report
2.9 to the committees and divisions with jurisdiction over public safety finance and policy and
2.10 veterans and military affairs finance and policy that consists solely of summary data and
2.11 includes:

2.12 (1) the number of individuals who received a deferred sentence pursuant to subdivision
2.13 2, paragraph (d), in the previous year, disaggregated by county;

2.14 (2) the number of individuals who received an adjudication of guilt as described in
2.15 subdivision 2, paragraph (f), in the previous year, disaggregated by county;

2.16 (3) for the individuals identified in clause (2), the number who committed a technical
2.17 violation of probation and the number alleged to have committed a subsequent criminal act;
2.18 and

2.19 (4) the number of proceedings dismissed pursuant to subdivision 3 in the previous year,
2.20 disaggregated by county.

2.21 (d) The report required under paragraph (c) may be submitted as a section of any other
2.22 annual report required to be submitted by the Sentencing Guidelines Commission.

2.23 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to deferred
2.24 sentences announced on or after that date.