

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor April 8, 1999

Signed by the governor April 12, 1999, 2:11 p.m.

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**CHAPTER 37—H.F.No. 1258**

*An act relating to family law; reviving the summary dissolution process; repealing Laws 1991, chapter 271, section 9, as amended.*

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

**Section 1. REPEALER; REVIVAL OF SECTION 518.195.**

Laws 1991, chapter 271, section 9, as amended by Laws 1996, chapter 408, article 11, section 9, is repealed effective July 1, 1997. Notwithstanding Minnesota Statutes, section 645.36, Minnesota Statutes 1996, section 518.195, as amended by Laws 1997, chapter 245, article 2, section 5, is revived effective July 1, 1997.

Presented to the governor April 8, 1999

Signed by the governor April 12, 1999, 2:12 p.m.

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**CHAPTER 38—S.F.No. 117**

*An act relating to crime; limiting the time period during which a defendant may challenge a restitution request; amending Minnesota Statutes 1998, section 611A.045, subdivision 3.*

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

Section 1. Minnesota Statutes 1998, section 611A.045, subdivision 3, is amended to read:

**Subd. 3. DISPUTE; EVIDENTIARY BURDEN; PROCEDURES.** (a) At the sentencing, dispositional hearing, or hearing on the restitution request, the offender shall have the burden to produce evidence if the offender intends to challenge the amount of restitution or specific items of restitution or their dollar amounts. This burden of production must include a detailed sworn affidavit of the offender setting forth all challenges to the restitution or items of restitution, and specifying all reasons justifying dollar amounts of restitution which differ from the amounts requested by the victim or victims. The affidavit must be served on the prosecuting attorney and the court at least five business days before the hearing. A dispute as to the proper amount or type of restitution must be resolved by the court by the preponderance of the evidence. The burden of demonstrating the amount of loss sustained by a victim as a result of the offense and the appropriateness of a particular type of restitution is on the prosecution.

**New language is indicated by underline, deletions by ~~strikeout~~.**