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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2550

- 03/18/2019 Authored by Mariani
- 03/27/2019 The bill was read for the first time and referred to the Committee on Government Operations
- 03/27/2019 Adoption of Report: Re-referred to the Committee on Ways and Means
- 05/20/2019 Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration
- 05/20/2019 Pursuant to Joint Rule 3.02(b), returned to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to public safety; adding security screening systems to ionizing

1.3 radiation-producing equipment; modifying jail inmate transfer provisions;

1.4 establishing guidelines for the use of administrative and disciplinary segregation

1.5 in state correctional institutions; extending retention of certain criminal gang

1.6 investigative data; establishing a local correctional officers discipline procedures

1.7 act; reestablishing the ombudsman for corrections; establishing the powers and

1.8 duties of the ombudsman; increasing the number of correctional officers;

1.9 authorizing a jail to share certain inmate mental illness information with a local

1.10 county social services agency; requiring state and local jail and prison inmates to

1.11 be housed in publicly owned and operated jails and prisons; prohibiting the state

1.12 and counties from contracting with private prisons; establishing pilot project to

1.13 decrease risk of recidivism among incarcerated women; establishing pilot program

1.14 to address mental health among correctional officers and inmates in state

1.15 correctional facilities; establishing a Peace Officer Excellence Task Force;

1.16 establishing a task force on the implementation of dosage probation; requiring

1.17 reports; appropriating money; amending Minnesota Statutes 2018, sections 13.851,

1.18 by adding a subdivision; 15A.0815, subdivision 3; 144.121, subdivision 1a, by

1.19 adding a subdivision; 151.37, subdivision 12; 241.01, subdivision 3a; 241.025,

1.20 subdivisions 1, 2; 241.75, subdivision 2; 242.192; 243.48, subdivision 1; 299C.091,

1.21 subdivision 5; 631.412; 641.15, subdivision 3a; proposing coding for new law in

1.22 Minnesota Statutes, chapters 241; 243; 641; repealing Minnesota Statutes 2018,

1.23 section 401.13.

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

1.25 Section 1. Minnesota Statutes 2018, section 13.851, is amended by adding a subdivision  
1.26 to read:

1.27 Subd. 12. **Mental health screening.** The treatment of data collected by a sheriff or local  
1.28 corrections agency related to individuals who may have a mental illness is governed by  
1.29 section 641.15, subdivision 3a.

2.1 Sec. 2. Minnesota Statutes 2018, section 15A.0815, subdivision 3, is amended to read:

2.2 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall  
 2.3 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually  
 2.4 on January 1. The new limit must equal the limit for the prior year increased by the percentage  
 2.5 increase, if any, in the Consumer Price Index for all urban consumers from October of the  
 2.6 second prior year to October of the immediately prior year. The commissioner of management  
 2.7 and budget must publish the limit on the department's website. This subdivision applies to  
 2.8 the following positions:

- 2.9 Executive director of Gambling Control Board;
- 2.10 Commissioner of Iron Range resources and rehabilitation;
- 2.11 Commissioner, Bureau of Mediation Services;
- 2.12 Ombudsman for mental health and developmental disabilities;
- 2.13 Ombudsman for corrections;
- 2.14 Chair, Metropolitan Council;
- 2.15 School trust lands director;
- 2.16 Executive director of pari-mutuel racing; and
- 2.17 Commissioner, Public Utilities Commission.

2.18 Sec. 3. Minnesota Statutes 2018, section 144.121, subdivision 1a, is amended to read:

2.19 Subd. 1a. **Fees for ionizing radiation-producing equipment.** (a) A facility with ionizing  
 2.20 radiation-producing equipment must pay an annual initial or annual renewal registration  
 2.21 fee consisting of a base facility fee of \$100 and an additional fee for each radiation source,  
 2.22 as follows:

2.23	(1) medical or veterinary equipment	\$ 100
2.24	(2) dental x-ray equipment	\$ 40
2.25	(3) x-ray equipment not used on	\$ 100
2.26	humans or animals	
2.27	(4) devices with sources of ionizing	\$ 100
2.28	radiation not used on humans or	
2.29	animals	
2.30	(5) <u>security screening system</u>	<u>\$ 100</u>

3.1 (b) A facility with radiation therapy and accelerator equipment must pay an annual  
3.2 registration fee of \$500. A facility with an industrial accelerator must pay an annual  
3.3 registration fee of \$150.

3.4 (c) Electron microscopy equipment is exempt from the registration fee requirements of  
3.5 this section.

3.6 (d) For purposes of this section, a security screening system means radiation-producing  
3.7 equipment designed and used for security screening of humans who are in the custody of a  
3.8 correctional or detention facility, and used by the facility to image and identify contraband  
3.9 items concealed within or on all sides of a human body. For purposes of this section, a  
3.10 correctional or detention facility is a facility licensed under section 241.021 and operated  
3.11 by a state agency or political subdivision charged with detection, enforcement, or  
3.12 incarceration in respect to state criminal and traffic laws.

3.13 Sec. 4. Minnesota Statutes 2018, section 144.121, is amended by adding a subdivision to  
3.14 read:

3.15 Subd. 9. **Exemption from examination requirements; operators of security screening**  
3.16 **systems.** (a) An employee of a correctional or detention facility who operates a security  
3.17 screening system and the facility in which the system is being operated are exempt from  
3.18 the requirements of subdivisions 5 and 6.

3.19 (b) An employee of a correctional or detention facility who operates a security screening  
3.20 system and the facility in which the system is being operated must meet the requirements  
3.21 of a variance to Minnesota Rules, parts 4732.0305 and 4732.0565, issued under Minnesota  
3.22 Rules, parts 4717.7000 to 4717.7050. This paragraph expires on December 31 of the year  
3.23 that the permanent rules adopted by the commissioner governing security screening systems  
3.24 are published in the State Register.

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

3.26 Sec. 5. Minnesota Statutes 2018, section 151.37, subdivision 12, is amended to read:

3.27 Subd. 12. **Administration of opiate antagonists for drug overdose.** (a) A licensed  
3.28 physician, a licensed advanced practice registered nurse authorized to prescribe drugs  
3.29 pursuant to section 148.235, or a licensed physician assistant authorized to prescribe drugs  
3.30 pursuant to section 147A.18 may authorize the following individuals to administer opiate  
3.31 antagonists, as defined in section 604A.04, subdivision 1:

3.32 (1) an emergency medical responder registered pursuant to section 144E.27;

4.1 (2) a peace officer as defined in section 626.84, subdivision 1, paragraphs (c) and (d);  
4.2 ~~and~~

4.3 (3) employees of a correctional facility; and

4.4 (4) staff of community-based health disease prevention or social service programs.

4.5 (b) For the purposes of this subdivision, opiate antagonists may be administered by one  
4.6 of these individuals only if:

4.7 (1) the licensed physician, licensed physician assistant, or licensed advanced practice  
4.8 registered nurse has issued a standing order to, or entered into a protocol with, the individual;  
4.9 and

4.10 (2) the individual has training in the recognition of signs of opiate overdose and the use  
4.11 of opiate antagonists as part of the emergency response to opiate overdose.

4.12 (c) Nothing in this section prohibits the possession and administration of naloxone  
4.13 pursuant to section 604A.04.

4.14 Sec. 6. Minnesota Statutes 2018, section 241.01, subdivision 3a, is amended to read:

4.15 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the  
4.16 following powers and duties:

4.17 (a) To accept persons committed to the commissioner by the courts of this state for care,  
4.18 custody, and rehabilitation.

4.19 (b) To determine the place of confinement of committed persons in a correctional facility  
4.20 or other facility of the Department of Corrections and to prescribe reasonable conditions  
4.21 and rules for their employment, conduct, instruction, and discipline within or outside the  
4.22 facility. After July 1, 2019, the commissioner shall not allow inmates to be housed in facilities  
4.23 that are not owned and operated by the state, a local unit of government, or a group of local  
4.24 units of government. Inmates shall not exercise custodial functions or have authority over  
4.25 other inmates.

4.26 (c) To administer the money and property of the department.

4.27 (d) To administer, maintain, and inspect all state correctional facilities.

4.28 (e) To transfer authorized positions and personnel between state correctional facilities  
4.29 as necessary to properly staff facilities and programs.

4.30 (f) To utilize state correctional facilities in the manner deemed to be most efficient and  
4.31 beneficial to accomplish the purposes of this section, but not to close the Minnesota

5.1 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without  
5.2 legislative approval. The commissioner may place juveniles and adults at the same state  
5.3 minimum security correctional facilities, if there is total separation of and no regular contact  
5.4 between juveniles and adults, except contact incidental to admission, classification, and  
5.5 mental and physical health care.

5.6 (g) To organize the department and employ personnel the commissioner deems necessary  
5.7 to discharge the functions of the department, including a chief executive officer for each  
5.8 facility under the commissioner's control who shall serve in the unclassified civil service  
5.9 and may, under the provisions of section 43A.33, be removed only for cause.

5.10 (h) To define the duties of these employees and to delegate to them any of the  
5.11 commissioner's powers, duties and responsibilities, subject to the commissioner's control  
5.12 and the conditions the commissioner prescribes.

5.13 (i) To annually develop a comprehensive set of goals and objectives designed to clearly  
5.14 establish the priorities of the Department of Corrections. This report shall be submitted to  
5.15 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory  
5.16 committees.

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

5.18 Sec. 7. Minnesota Statutes 2018, section 241.025, subdivision 1, is amended to read:

5.19 Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace  
5.20 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the  
5.21 classified service subject to the provisions of section 43A.01, subdivision 2, and establish  
5.22 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known  
5.23 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary  
5.24 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law  
5.25 enforcement agency is limited to the activities related to the arrest of Department of  
5.26 Corrections' discretionary and statutory released violators and Department of Corrections'  
5.27 escapees. The Department of Corrections Fugitive Apprehension Unit may exercise general  
5.28 law enforcement duties upon request for assistance from a law enforcement agency and  
5.29 subject to availability and resources of the Department of Corrections Fugitive Apprehension  
5.30 Unit.

6.1 Sec. 8. Minnesota Statutes 2018, section 241.025, subdivision 2, is amended to read:

6.2 Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive  
6.3 apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the  
6.4 fugitive apprehension unit unless otherwise directed by the law enforcement agency with  
6.5 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement  
6.6 agency of the jurisdiction in which a new crime is committed.

6.7 Sec. 9. Minnesota Statutes 2018, section 241.75, subdivision 2, is amended to read:

6.8 Subd. 2. **Health care decisions.** The medical director of the Department of Corrections  
6.9 may make a health care decision for an inmate incarcerated in a state correctional facility  
6.10 or placed in an outside facility on conditional medical release if the inmate's attending  
6.11 physician determines that the inmate lacks decision-making capacity and:

6.12 (1) there is not a documented health care agent designated by the inmate or the health  
6.13 care agent is not reasonably available to make the health care decision;

6.14 (2) if there is a documented health care directive, the decision is consistent with that  
6.15 directive;

6.16 (3) the decision is consistent with reasonable medical practice and other applicable law;  
6.17 and

6.18 (4) the medical director has made a good faith attempt to consult with the inmate's next  
6.19 of kin or emergency contact person in making the decision, to the extent those persons are  
6.20 reasonably available.

6.21 Sec. 10. **[241.90] OFFICE OF OMBUDSMAN; CREATION; QUALIFICATIONS;**  
6.22 **FUNCTION.**

6.23 The Office of Ombudsman for the Department of Corrections is hereby created. The  
6.24 ombudsman shall serve at the pleasure of the governor in the unclassified service, shall be  
6.25 selected without regard to political affiliation, and shall be a person highly competent and  
6.26 qualified to analyze questions of law, administration, and public policy. No person may  
6.27 serve as ombudsman while holding any other public office. The ombudsman for corrections  
6.28 shall be accountable to the governor and shall have the authority to investigate decisions,  
6.29 acts, and other matters of the Department of Corrections so as to promote the highest  
6.30 attainable standards of competence, efficiency, and justice in the administration of  
6.31 corrections.

7.1 Sec. 11. **[241.91] DEFINITION.**

7.2 For the purposes of sections 241.90 to 241.95, "administrative agency" or "agency"  
 7.3 means any division, official, or employee of the Department of Corrections, including the  
 7.4 commissioner of corrections, charged with the care and custody of inmates and any regional  
 7.5 or local correctional facility licensed or inspected by the commissioner of corrections,  
 7.6 whether public or private, established and operated for the detention and confinement of  
 7.7 adults or juveniles, including but not limited to programs or facilities operating under chapter  
 7.8 401, secure juvenile detention facilities, municipal holding facilities, juvenile temporary  
 7.9 holdover facilities, regional or local jails, lockups, work houses, work farms, and detention  
 7.10 facilities, but does not include:

7.11 (1) any court or judge;

7.12 (2) any member of the senate or house of representatives;

7.13 (3) the governor or the governor's personal staff;

7.14 (4) any instrumentality of the federal government;

7.15 (5) any interstate compact; or

7.16 (6) any person responsible for the supervision of offenders placed on supervised release,  
 7.17 parole, or probation.

7.18 Sec. 12. **[241.92] ORGANIZATION OF OFFICE OF OMBUDSMAN.**

7.19 Subdivision 1. **Employee selection.** The ombudsman may select, appoint, and compensate  
 7.20 out of available funds assistants and employees as deemed necessary to discharge  
 7.21 responsibilities. The ombudsman and full-time staff shall be members of the Minnesota  
 7.22 State Retirement Association.

7.23 Subd. 2. **Assistant ombudsman.** The ombudsman may appoint an assistant ombudsman  
 7.24 in the unclassified service.

7.25 Subd. 3. **Delegation of duties.** The ombudsman may delegate to staff members any of  
 7.26 the ombudsman's authority or duties except the duty of formally making recommendations  
 7.27 to an administrative agency or reports to the Office of the Governor or to the legislature.

7.28 Sec. 13. **[241.93] POWERS OF OMBUDSMAN; INVESTIGATIONS; ACTION ON**  
 7.29 **COMPLAINTS; RECOMMENDATIONS.**

7.30 Subdivision 1. **Powers.** The ombudsman may:

- 8.1 (1) prescribe the methods by which complaints are to be made, reviewed, and acted  
8.2 upon; provided, however, that the ombudsman may not levy a complaint fee;
- 8.3 (2) determine the scope and manner of investigations to be made;
- 8.4 (3) except as otherwise provided, determine the form, frequency, and distribution of  
8.5 conclusions, recommendations, and proposals; provided, however, that the governor or a  
8.6 representative may, at any time the governor deems necessary, request and receive  
8.7 information from the ombudsman. Neither the ombudsman nor any member of the  
8.8 ombudsman's staff shall be compelled to testify or to produce evidence in any judicial or  
8.9 administrative proceeding with respect to any matter involving the exercise of the  
8.10 ombudsman's official duties except as may be necessary to enforce the provisions of sections  
8.11 241.90 to 241.95;
- 8.12 (4) investigate, upon a complaint or upon personal initiative, any action of an  
8.13 administrative agency;
- 8.14 (5) request and be given access to information in the possession of an administrative  
8.15 agency deemed necessary for the discharge of responsibilities;
- 8.16 (6) examine the records and documents of an administrative agency;
- 8.17 (7) enter and inspect, at any time, premises within the control of an administrative agency;
- 8.18 (8) subpoena any person to appear, give testimony, or produce documentary or other  
8.19 evidence that the ombudsman deems relevant to a matter under inquiry, and may petition  
8.20 the appropriate state court to seek enforcement with the subpoena; provided, however, that  
8.21 any witness at a hearing or before an investigation shall possess the same privileges reserved  
8.22 to a witness in the courts or under the laws of this state;
- 8.23 (9) bring an action in an appropriate state court to provide the operation of the powers  
8.24 provided in this subdivision. The ombudsman may use the services of legal assistance to  
8.25 Minnesota prisoners for legal counsel. The provisions of sections 241.90 to 241.95 are in  
8.26 addition to other provisions of law under which any remedy or right of appeal or objection  
8.27 is provided for any person, or any procedure provided for inquiry or investigation concerning  
8.28 any matter. Nothing in sections 241.90 to 241.95 shall be construed to limit or affect any  
8.29 other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary  
8.30 process; and
- 8.31 (10) be present at commissioner of corrections parole, supervised release, and parole  
8.32 revocation hearings and deliberations.



9.1 Subd. 2. **Actions against ombudsman.** No proceeding or civil action except removal  
9.2 from office or a proceeding brought pursuant to chapter 13 shall be commenced against the  
9.3 ombudsman for actions taken under the provisions of sections 241.90 to 241.95, unless the  
9.4 act or omission is actuated by malice or is grossly negligent.

9.5 Subd. 3. **Matters appropriate for investigation.** (a) In selecting matters for attention,  
9.6 the ombudsman should particularly address actions of an administrative agency that may  
9.7 be:

9.8 (1) contrary to law or rule;

9.9 (2) unreasonable, unfair, oppressive, or inconsistent with any policy or judgment of an  
9.10 administrative agency;

9.11 (3) mistaken in law or arbitrary in the ascertainment of facts;

9.12 (4) unclear or inadequately explained when reasons should have been revealed; or

9.13 (5) inefficiently performed.

9.14 (b) The ombudsman may also be concerned with strengthening procedures and practices  
9.15 that lessen the risk that objectionable actions of the administrative agency will occur.

9.16 Subd. 4. **Complaints.** (a) The ombudsman may receive a complaint from any source  
9.17 concerning an action of an administrative agency. The ombudsman may, on personal motion  
9.18 or at the request of another, investigate any action of an administrative agency.

9.19 (b) The ombudsman may exercise powers without regard to the finality of any action of  
9.20 an administrative agency; however, the ombudsman may require a complainant to pursue  
9.21 other remedies or channels of complaint open to the complainant before accepting or  
9.22 investigating the complaint.

9.23 (c) After completing investigation of a complaint, the ombudsman shall inform the  
9.24 complainant, the administrative agency, and the official or employee of the action taken.

9.25 (d) A letter to the ombudsman from a person in an institution under the control of an  
9.26 administrative agency shall be forwarded immediately and unopened to the ombudsman's  
9.27 office. A reply from the ombudsman to the person shall be promptly delivered unopened  
9.28 to the person after its receipt by the institution.

9.29 (e) No complainant shall be punished nor shall the general condition of the complainant's  
9.30 confinement or treatment be unfavorably altered as a result of the complainant having made  
9.31 a complaint to the ombudsman.

10.1 Subd. 5. Investigation of adult local jails and detention facilities. Either the  
 10.2 ombudsman or the jail inspection unit of the Department of Corrections may investigate  
 10.3 complaints involving local adult jails and detention facilities. The ombudsman and  
 10.4 Department of Corrections must enter into an arrangement with one another that ensures  
 10.5 they are not duplicating services.

10.6 Subd. 6. Recommendations. (a) If, after duly considering a complaint and whatever  
 10.7 material the ombudsman deems pertinent, the ombudsman is of the opinion that the complaint  
 10.8 is valid, the ombudsman may recommend that an administrative agency should:

10.9 (1) consider the matter further;

10.10 (2) modify or cancel its actions;

10.11 (3) alter a ruling;

10.12 (4) explain more fully the action in question; or

10.13 (5) take any other step that the ombudsman recommends to the administrative agency  
 10.14 involved.

10.15 If the ombudsman so requests, the agency shall, within the time the ombudsman specifies,  
 10.16 inform the ombudsman about the action taken on the ombudsman's recommendations or  
 10.17 the reasons for not complying with it.

10.18 (b) If the ombudsman has reason to believe that any public official or employee has  
 10.19 acted in a manner warranting criminal or disciplinary proceedings, the ombudsman may  
 10.20 refer the matter to the appropriate authorities.

10.21 (c) If the ombudsman believes that an action upon which a valid complaint is founded  
 10.22 has been dictated by a statute, and that the statute produces results or effects that are unfair  
 10.23 or otherwise objectionable, the ombudsman shall bring to the attention of the governor and  
 10.24 the legislature the ombudsman's view concerning desirable statutory change.

10.25 Subd. 7. Grants. The ombudsman may apply for and receive grants from public and  
 10.26 private entities for purposes of carrying out the ombudsman's powers and duties under  
 10.27 sections 241.90 to 241.95.

10.28 Sec. 14. [241.94] ACCESS BY OMBUDSMAN TO DATA.

10.29 Notwithstanding section 13.384 or 13.85, the ombudsman has access to corrections and  
 10.30 detention data and medical data maintained by an agency and classified as private data on  
 10.31 individuals or confidential data on individuals when access to the data is necessary for the  
 10.32 ombudsman to perform the powers under section 241.93.

11.1 Sec. 15. **[241.95] PUBLICATION OF RECOMMENDATIONS; REPORTS.**

11.2 Subdivision 1. **Publication.** The ombudsman may publish conclusions and suggestions  
 11.3 by transmitting them to the Office of the Governor. Before announcing a conclusion or  
 11.4 recommendation that expressly or impliedly criticizes an administrative agency or any  
 11.5 person, the ombudsman shall consult with that agency or person. When publishing an opinion  
 11.6 adverse to an administrative agency or any person, the ombudsman shall include in the  
 11.7 publication any statement of reasonable length made to the ombudsman by that agency or  
 11.8 person in defense or mitigation of the action.

11.9 Subd. 2. **Annual report.** In addition to whatever reports the ombudsman may make on  
 11.10 an ad hoc basis, the ombudsman shall report to the governor and the senate and house  
 11.11 committee chairs and ranking minority members for the committees with fiscal and policy  
 11.12 jurisdiction over public safety and corrections at the end of each year on the ombudsman's  
 11.13 functions during the preceding year.

11.14 Sec. 16. Minnesota Statutes 2018, section 242.192, is amended to read:

11.15 **242.192 CHARGES TO COUNTIES.**

11.16 The commissioner shall charge counties or other appropriate jurisdictions 65 percent of  
 11.17 the per diem cost of confinement, excluding educational costs and nonbillable service, of  
 11.18 juveniles at the Minnesota Correctional Facility-Red Wing and of juvenile females committed  
 11.19 to the commissioner of corrections. This charge applies to juveniles committed to the  
 11.20 commissioner of corrections and juveniles admitted to the Minnesota Correctional  
 11.21 Facility-Red Wing under established admissions criteria. This charge applies to both counties  
 11.22 that participate in the Community Corrections Act and those that do not. The commissioner  
 11.23 shall determine the per diem cost of confinement based on projected population, pricing  
 11.24 incentives, and market conditions,~~and the requirement that expense and revenue balance~~  
 11.25 ~~out over a period of two years.~~ All money received under this section must be deposited in  
 11.26 the state treasury and credited to the general fund.

11.27 Sec. 17. Minnesota Statutes 2018, section 243.48, subdivision 1, is amended to read:

11.28 Subdivision 1. **General searches.** The commissioner of corrections, the governor,  
 11.29 lieutenant governor, members of the legislature, ~~and state officers,~~ and the ombudsman for  
 11.30 corrections may visit the inmates at pleasure, but no other persons without permission of  
 11.31 the chief executive officer of the facility, under rules prescribed by the commissioner. A  
 11.32 moderate fee may be required of visitors, other than those allowed to visit at pleasure. All  
 11.33 fees so collected shall be reported and remitted to the commissioner of management and

12.1 budget under rules as the commissioner may deem proper, and when so remitted shall be  
12.2 placed to the credit of the general fund.

12.3 Sec. 18. [243.521] ADMINISTRATIVE AND DISCIPLINARY SEGREGATION.

12.4 Subdivision 1. **Authorization.** In any adult correctional facility under the control of the  
12.5 commissioner of corrections, the commissioner may require an inmate to be placed on  
12.6 disciplinary segregation status for rule violations or on administrative segregation status  
12.7 when the continued presence of the inmate in general population would pose a serious threat  
12.8 to life, property, self, staff, or other inmates or to the security or orderly running of the  
12.9 institution. Inmates pending investigation for trial on a criminal act or pending transfer may  
12.10 be included, provided the warden's written approval is sought and granted within seven  
12.11 business days of placing the inmate in restrictive housing under this provision. The warden  
12.12 of each facility must document any time approval is granted and the reason for it, and submit  
12.13 a quarterly report to the commissioner of corrections.

12.14 Subd. 2. **Conditions in segregated housing.** The restrictive housing unit shall provide  
12.15 living conditions that are approximate to those offenders in general population, including  
12.16 reduced lighting during nighttime hours.

12.17 Subd. 3. **Review of disciplinary segregation status.** The commissioner of corrections  
12.18 shall receive notification of all inmates with consecutive placement in a restrictive housing  
12.19 setting for more than 30 days. This notification shall occur on a monthly basis. In the event  
12.20 an inmate is placed into restrictive housing for more than 120 days, the reason for the  
12.21 placement and the behavior management plan for the inmate shall be submitted to the  
12.22 commissioner of corrections.

12.23 Subd. 4. **Graduated interventions.** The commissioner shall design and implement a  
12.24 continuum of interventions, including informal sanctions, administrative segregation, formal  
12.25 discipline, disciplinary segregation, and step-down management. The commissioner shall  
12.26 implement a method of due process for all offenders with formal discipline proceedings.

12.27 Subd. 5. **Mental health screening.** (a) If it is apparent that the inmate is exhibiting  
12.28 serious symptoms of a mental illness that prevents the inmate from understanding or fully  
12.29 participating in the disciplinary process, a mental health professional shall be consulted  
12.30 regarding appropriate treatment and placement. For other inmates placed in a restrictive  
12.31 setting, an inmate shall be screened by a health services staff member within 24 hours of  
12.32 placement in a restrictive housing setting. If the screening indicates symptoms of a mental  
12.33 illness, a qualified mental health professional shall be consulted regarding appropriate  
12.34 treatment and placement. The health services staff member shall document any time an

13.1 inmate screens in for symptoms of a mental health illness and whether or not the health  
13.2 services staff member connected with a mental health professional.

13.3 (b) If mental health staff believe the inmate's behavior may be more appropriately treated  
13.4 through alternative interventions or programming, or determine that the inmate's actions  
13.5 were the result of mental illness, this information must be considered during the disciplinary  
13.6 process.

13.7 Subd. 6. **Mental health care within segregated housing.** A health services staff member  
13.8 shall perform a daily wellness round in the restrictive housing setting. If a health services  
13.9 staff member indicates symptoms of a mental illness, a qualified mental health professional  
13.10 shall be consulted regarding appropriate treatment and placement.

13.11 Subd. 7. **Incentives for return to the general population.** The commissioner shall  
13.12 design and implement a system of incentives so that an inmate who demonstrates appropriate  
13.13 behavior can earn additional privileges and an accelerated return to the general population.

13.14 Subd. 8. **Discharge from segregated housing.** An inmate shall not be released into the  
13.15 community directly from a stay in restrictive housing for 60 or more days absent a compelling  
13.16 reason. In cases where there is a compelling reason, the commissioner of corrections or  
13.17 deputy commissioner shall directly authorize the inmates release into the community from  
13.18 restrictive housing.

13.19 Subd. 9. **Reporting.** (a) By January 15, 2020, and by January 15 each year thereafter,  
13.20 the commissioner of corrections shall report to the chairs and ranking minority members  
13.21 of the house of representatives and senate committees with jurisdiction over public safety  
13.22 and judiciary on the status of the implementation of the provisions in this section. This  
13.23 report shall include but not be limited to data regarding:

13.24 (1) the number of inmates in each institution placed in restrictive housing during the  
13.25 past year;

13.26 (2) the ages of inmates placed in restrictive housing during the past year;

13.27 (3) the number of inmates transferred from restrictive housing to the mental health unit;

13.28 (4) disciplinary sanctions by infraction;

13.29 (5) the lengths of terms served in restrictive housing, including terms served  
13.30 consecutively; and

13.31 (6) the number of inmates by race in restrictive housing.

14.1 (b) The Department of Corrections shall submit a qualitative report detailing outcomes,  
 14.2 measures, and challenges to implementation of a step-down management program by April  
 14.3 1, 2020.

14.4 Sec. 19. **[243.95] PRIVATE PRISON CONTRACTS PROHIBITED.**

14.5 The commissioner may not contract with privately owned and operated prisons for the  
 14.6 care, custody, and rehabilitation of offenders committed to the custody of the commissioner.

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

14.8 Sec. 20. Minnesota Statutes 2018, section 299C.091, subdivision 5, is amended to read:

14.9 Subd. 5. **Removal of data from system.** Notwithstanding section 138.17, the bureau  
 14.10 shall destroy data entered into the system when three years have elapsed since the data were  
 14.11 entered into the system, except as otherwise provided in this subdivision. If the bureau has  
 14.12 information that the individual has been convicted as an adult, or has been adjudicated or  
 14.13 has a stayed adjudication as a juvenile for an offense that would be a crime if committed  
 14.14 by an adult, since entry of the data into the system, the data must be maintained until three  
 14.15 years have elapsed since the last record of a conviction or adjudication or stayed adjudication  
 14.16 of the individual-, except that if the individual is committed to the custody of the  
 14.17 commissioner of corrections and the commissioner documents activities meeting the criminal  
 14.18 gang identification criteria that take place while the individual is confined in a state  
 14.19 correctional facility, the three-year period begins after release from incarceration. Upon  
 14.20 request of the law enforcement agency that submitted data to the system, the bureau shall  
 14.21 destroy the data regardless of whether three years have elapsed since the data were entered  
 14.22 into the system.

14.23 Sec. 21. Minnesota Statutes 2018, section 631.412, is amended to read:

14.24 **631.412 SAME SEX ESCORT FOR INMATES BEING TRANSFERRED.**

14.25 (a) Except as provided in paragraph (b), when a sheriff or other correctional officer has  
 14.26 custody of a person charged with or convicted of a crime and transfers that person more  
 14.27 than 100 miles, that sheriff or other correctional officer shall provide the transferee with a  
 14.28 custodial escort of the same sex as the transferee. A sheriff may employ, when the occasion  
 14.29 exists, a suitable person to carry out this section. The expenses of the person's employment  
 14.30 must be paid out of county funds not otherwise appropriated.

14.31 (b) A sheriff or other correctional officer is not required to provide a same sex escort if:

14.32 (1) the vehicle used to transport the transferee has video and audio recording equipment

15.1 installed; (2) the vehicle's video and audio recording equipment is operational and positioned  
 15.2 to record the portion of the vehicle where the transferee is held during the transfer; and (3)  
 15.3 the video and audio equipment records the duration of the transfer. A recording of an inmate  
 15.4 transfer made under this paragraph must be maintained by the sheriff or agency employing  
 15.5 the correctional officer for at least 12 months after the date of the transfer.

15.6 **Sec. 22. [641.015] PLACEMENT IN PRIVATE PRISONS PROHIBITED.**

15.7 Subdivision 1. **Placement prohibited.** After August 1, 2019, a sheriff shall not allow  
 15.8 inmates committed to the custody of the sheriff to be housed in facilities that are not owned  
 15.9 and operated by a local government, or a group of local units of government.

15.10 Subd. 2. **Contracts prohibited.** The county board may not authorize the sheriff to  
 15.11 contract with privately owned and operated prisons for the care, custody, and rehabilitation  
 15.12 of offenders committed to the custody of the sheriff.

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

15.14 **Sec. 23. [641.061] LOCAL CORRECTIONAL OFFICERS DISCIPLINE**  
 15.15 **PROCEDURES.**

15.16 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this  
 15.17 subdivision have the meanings given them.

15.18 (b) "Correctional officer" or "officer" means a person employed in a security capacity  
 15.19 by a local correctional or detention facility.

15.20 (c) "Exclusive representative" means an employee organization which has been certified  
 15.21 by the commissioner of the Bureau of Mediation Services to meet and negotiate with an  
 15.22 employer on behalf of all employees in the appropriate unit.

15.23 (d) "Formal statement" means the questioning of an officer in the course of obtaining a  
 15.24 recorded, stenographic, or signed statement to be used as evidence in a disciplinary  
 15.25 proceeding against the officer.

15.26 Subd. 2. **Applicability.** This section applies to local correctional authorities.

15.27 Subd. 3. **Formal statement; procedures.** A formal statement of a correctional officer  
 15.28 must be taken according to subdivisions 4 to 15.

15.29 Subd. 4. **Place of formal statement.** A formal statement must be taken at a facility of  
 15.30 the employing or investigating agency or at a place agreed to by the investigating individual  
 15.31 and the investigated correctional officer and exclusive representative.

16.1 Subd. 5. **Complaint.** A correctional officer's formal statement may not be taken unless  
16.2 a written complaint signed by the complainant stating the complainant's knowledge is filed  
16.3 with the employing or investigating agency and the correctional officer and exclusive  
16.4 representative have been given a summary of the allegations.

16.5 Subd. 6. **Witnesses; investigative reports.** Upon request, the investigating agency or  
16.6 the correctional officer shall provide the other party with a list of witnesses the agency or  
16.7 correctional officer expects to testify at an administrative hearing or arbitration authorized  
16.8 to recommend, approve, or order discipline and the substance of the testimony. A party is  
16.9 entitled to copies of any witness statements in the possession of the other party and an officer  
16.10 is entitled to a copy of the investigating agency's investigative report, provided that any  
16.11 references in a witness statement or investigative report that would reveal the identity of  
16.12 confidential informants need not be disclosed except for good cause shown upon order of  
16.13 the person presiding over the administrative hearing or arbitration.

16.14 Subd. 7. **Sessions.** Sessions at which a formal statement is taken must be of reasonable  
16.15 duration and must give the correctional officer reasonable periods for rest and personal  
16.16 necessities. When practicable, sessions must be held during the correctional officer's regularly  
16.17 scheduled work shift. If the session is not held during the correctional officer's regularly  
16.18 scheduled work shift, the correctional officer must be paid by the employing agency at the  
16.19 officer's current compensation rate for time spent attending the session. Notification of a  
16.20 formal statement must also be provided to the correctional officer's exclusive representative  
16.21 and the exclusive representative shall be allowed to be present during the session.

16.22 Subd. 8. **Record.** A complete record of sessions at which a formal statement is taken  
16.23 must be made by electronic recording or otherwise. A complete copy or transcript must be  
16.24 provided to the correctional officer and the officer's exclusive representative without charge  
16.25 or undue delay. The session may be recorded by the investigating officer and by the  
16.26 correctional officer under investigation.

16.27 Subd. 9. **Presence of attorney and union representative.** The correctional officer  
16.28 whose formal statement is taken has the right to have a union representative or an attorney  
16.29 retained by the officer, or both, present during the session. The correctional officer may  
16.30 request the presence of a union representative, attorney, or both, at any time before or during  
16.31 the session. When a request under this subdivision is made, no formal statement may be  
16.32 taken until a reasonable opportunity is provided for the correctional officer to obtain the  
16.33 presence of a union representative or attorney.



17.1 Subd. 10. **Admissions.** Before an officer's formal statement is taken, the officer shall  
17.2 be advised in writing or on the record that admissions made in the course of the formal  
17.3 statement may be used as evidence of misconduct or as a basis for discipline.

17.4 Subd. 11. **Disclosure of financial records.** No employer may require an officer to  
17.5 produce or disclose the officer's personal financial records except pursuant to a valid search  
17.6 warrant or subpoena.

17.7 Subd. 12. **Release of photographs.** No local correctional facility or governmental unit  
17.8 may publicly release photographs of an officer without the written permission of the officer,  
17.9 except that the facility or unit may display a photograph of an officer to a prospective witness  
17.10 as part of an agency or unit investigation.

17.11 Subd. 13. **Disciplinary letter.** No disciplinary letter or reprimand may be included in  
17.12 an officer's personnel record unless the officer has been given a copy of the letter or  
17.13 reprimand.

17.14 Subd. 14. **Retaliatory action prohibited.** No officer may be discharged, disciplined,  
17.15 or threatened with discharge or discipline as retaliation for or solely by reason of the officer's  
17.16 exercise of the rights provided by this section.

17.17 Subd. 15. **Rights not reduced.** The rights of officers provided by this section are in  
17.18 addition to and do not diminish the rights and privileges of officers that are provided under  
17.19 an applicable collective bargaining agreement or any other applicable law.

17.20 Sec. 24. Minnesota Statutes 2018, section 641.15, subdivision 3a, is amended to read:

17.21 Subd. 3a. **Intake procedure; approved mental health screening.** (a) As part of its  
17.22 intake procedure for new ~~prisoners~~ inmates, the sheriff or local corrections shall use a mental  
17.23 health screening tool approved by the commissioner of corrections in consultation with the  
17.24 commissioner of human services and local corrections staff to identify persons who may  
17.25 have mental illness.

17.26 (b) Names of persons who have screened positive or may have a mental illness may be  
17.27 shared with the local county social services agency. The jail may refer an offender to county  
17.28 personnel of the welfare system, as defined in section 13.46, subdivision 1, paragraph (c),  
17.29 in order to arrange for services upon discharge and may share private data on the offender  
17.30 as necessary to:

17.31 (1) provide assistance in filling out an application for medical assistance or  
17.32 MinnesotaCare;

18.1 (2) make a referral for case management as provided under section 245.467, subdivision  
18.2 4;

18.3 (3) provide assistance in obtaining a state photo identification;

18.4 (4) secure a timely appointment with a psychiatrist or other appropriate community  
18.5 mental health provider;

18.6 (5) provide prescriptions for a 30-day supply of all necessary medications; or

18.7 (6) coordinate behavioral health services.

18.8 (c) Notwithstanding section 138.17, if an offender is referred to a government entity  
18.9 within the welfare system pursuant to paragraph (b), and the offender refuses all services  
18.10 from the entity, the entity must, within 15 days of the refusal, destroy all private data on  
18.11 the offender that it created or received because of the referral.

18.12 **Sec. 25. COORDINATED CRISIS RESPONSE PLAN.**

18.13 (a) By January 15, 2021, the commissioner of corrections shall develop and implement  
18.14 a coordinated crisis response plan to support facility, central office, and field services staff.

18.15 (b) In developing the response plan, the commissioner may consult with the Department  
18.16 of Corrections Office of Special Investigations, the Department of Corrections Victim  
18.17 Assistance Program, human resources offices, facility and field services administration,  
18.18 peer support programs, county attorneys, victim witness coordinators, community based  
18.19 victim advocates, the Crime Victim Reparations Board, employee assistance programs,  
18.20 offices or organizations assisting with workers' compensation claims and benefits, mental  
18.21 health services, central office administration, and supervisors.

18.22 (c) To increase support to staff in crisis, the coordinated crisis response plan shall, at a  
18.23 minimum, include the following:

18.24 (1) a protocol establishing collaboration between the offices, services, and organizations  
18.25 identified in paragraph (b);

18.26 (2) a process to develop and implement individualized support plans based on the  
18.27 identified needs of staff members in crisis;

18.28 (3) identification or development of training on trauma-informed victim and crisis  
18.29 response; and

18.30 (4) a plan to implement training on trauma-informed victim and crisis response including  
18.31 initial training, refresher courses, and training for new employees.

19.1 **Sec. 26. CORRECTIONAL OFFICER WAGE SCALE CONDENSED.**

19.2 The commissioner of management and budget must bargain to condense the step wage  
19.3 increase scale for correctional officers so that correctional officers reach the top of the wage  
19.4 scale after six years of qualified service.

19.5 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to contracts  
19.6 entered on or after that date.

19.7 **Sec. 27. PILOT PROJECT.**

19.8 Subdivision 1. **Grant.** The commissioner of corrections shall solicit bids for a grant to  
19.9 establish a pilot project to decrease the risk of recidivism of women incarcerated at the  
19.10 Minnesota Correctional Facility - Shakopee and to provide a stable nurturing relationship  
19.11 for the women's children by providing transportation for mother and child visits organized  
19.12 around reading activities to improve inmate and child literacy and parent and child bonding.  
19.13 The pilot project is from July 1, 2019, through June 30, 2021.

19.14 Subd. 2. **Goals.** The goals of the pilot project are to:

19.15 (1) decrease the number of children requiring community, county, and state services;

19.16 (2) help close the achievement gap of children in schools;

19.17 (3) promote positive behavioral changes of children in the classroom, community, and  
19.18 home;

19.19 (4) decrease recidivism of incarcerated women;

19.20 (5) increase the number of women contributing to the community; and

19.21 (6) break the generational cycle of incarceration in families.

19.22 Subd. 3. **Evaluation; report.** By January 15 of each year of the pilot project, the grant  
19.23 recipient must report to the commissioner of corrections and the chairs and ranking minority  
19.24 members of the house of representatives and senate committees with jurisdiction over  
19.25 corrections on the development, implementation, impact, and outcomes of the pilot project.

19.26 **Sec. 28. PEACE OFFICER EXCELLENCE TASK FORCE.**

19.27 Subdivision 1. **Establishment; purpose.** There is established a Peace Officer Excellence  
19.28 Task Force. The purpose of the task force is to study the laws, rules, contracts, and policies  
19.29 that govern the employer-employee relationship between political subdivisions and peace  
19.30 officers.

20.1 Subd. 2. **Members.** (a) The task force must consist of:

20.2 (1) two members of the house of representatives, one appointed by the speaker of the  
20.3 house and one appointed by the minority leader;

20.4 (2) two members of the senate, one appointed by the majority leader and one appointed  
20.5 by the minority leader;

20.6 (3) the attorney general, or a designee;

20.7 (4) the executive director of the Minnesota Peace Officer Standards and Training Board,  
20.8 or a designee;

20.9 (5) the commissioner of public safety, or a designee;

20.10 (6) the commissioner of the Minnesota Bureau of Mediation Services;

20.11 (7) one representative from the Minnesota Chiefs of Police Association;

20.12 (8) one representative from the Minnesota Sheriffs Association;

20.13 (9) two representatives from the Minnesota Peace and Police Officers Association;

20.14 (10) one representative from the League of Minnesota Cities;

20.15 (11) one representative from the Association of Minnesota Counties;

20.16 (12) two representatives from organized labor, including at least one representative of  
20.17 an organization comprised of peace officers; and

20.18 (13) two members of the public appointed by the governor.

20.19 (b) Appointments must be made no later than July 1, 2019. Members of the task force  
20.20 shall not be compensated or receive reimbursement for expenses, except for compensation  
20.21 or expense reimbursements received in the member's ordinary scope of employment.

20.22 Subd. 3. **Organization.** (a) The commissioner of public safety or the commissioner's  
20.23 designee shall convene the first meeting of the task force no later than August 1, 2019.

20.24 (b) The members of the task force may elect a chair and other officers as the members  
20.25 deem necessary.

20.26 (c) The task force shall meet at least monthly, with one meeting devoted to collecting  
20.27 input from the public and local units of government that employ peace officers.

20.28 Subd. 4. **Staff.** The commissioner of public safety shall provide support staff, office  
20.29 space, and administrative services for the task force.

21.1 Subd. 5. **Duties of task force.** The task force must review, assess, and make  
 21.2 recommendations for reforms to the laws, rules, contracts, and policies that govern the  
 21.3 employer-employee relationship between political subdivisions and peace officers. In  
 21.4 formulating recommendations, the task force must seek to balance the employment rights  
 21.5 of peace officers and the need for chief law enforcement officers and political subdivisions  
 21.6 to maintain the integrity and excellence of peace officers they employ.

21.7 Subd. 6. **Report and recommendations.** By January 15, 2020, the task force shall  
 21.8 prepare and submit to the chairs and ranking minority members of the committees of the  
 21.9 house of representatives and senate with jurisdiction over public safety and labor and  
 21.10 employment a report that summarizes the activities of the task force, issues identified by  
 21.11 the task force, reform recommendations to address the issues, and recommendations for  
 21.12 legislative action, if needed.

21.13 Subd. 7. **Expiration.** The task force expires upon submission of the report required by  
 21.14 subdivision 6.

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

21.16 Sec. 29. **TASK FORCE ON THE IMPLEMENTATION OF DOSAGE PROBATION.**

21.17 Subdivision 1. **Establishment.** A task force on the implementation of dosage probation  
 21.18 is established to analyze dosage probation and earned time credit programs, develop a  
 21.19 comprehensive plan for implementation of dosage probation in Minnesota, and recommend  
 21.20 possible legislative action.

21.21 Subd. 2. **Membership.** (a) The task force consists of 14 members as follows:

21.22 (1) the chief justice of the supreme court or a designee;

21.23 (2) one district court judge appointed by the chief justice of the supreme court;

21.24 (3) the state public defender or a designee;

21.25 (4) one county attorney appointed by the board of directors of the Minnesota County  
 21.26 Attorneys Association;

21.27 (5) one city attorney;

21.28 (6) the commissioner of corrections or a designee;

21.29 (7) one probation officer from a Community Corrections Act county in the metropolitan  
 21.30 area;

21.31 (8) one probation officer from a Community Corrections Act county in greater Minnesota;

22.1 (9) one peace officer, as defined in Minnesota Statutes, section 626.84, from the  
22.2 metropolitan area;

22.3 (10) one peace officer, as defined in Minnesota Statutes, section 626.84, from greater  
22.4 Minnesota;

22.5 (11) two individuals who have been convicted of a felony offense and served a sentence  
22.6 of probation;

22.7 (12) a representative from a nonprofit agency providing treatment services to individuals  
22.8 on probation in the metropolitan area; and

22.9 (13) a representative from a nonprofit agency providing treatment services to individuals  
22.10 on probation in greater Minnesota.

22.11 (b) For purposes of this subdivision, "metropolitan area" has the meaning given in  
22.12 Minnesota Statutes, section 473.121, subdivision 2, and "greater Minnesota" has the meaning  
22.13 given in Minnesota Statutes, section 116J.8738, subdivision 1, paragraph (e).

22.14 (c) Members of the task force serve without compensation.

22.15 (d) Members of the task force serve at the pleasure of the appointing authority or until  
22.16 the task force expires. Vacancies shall be filled by the appointing authority consistent with  
22.17 the qualifications of the vacating member required by this subdivision.

22.18 Subd. 3. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair and  
22.19 may elect other officers as necessary.

22.20 (b) The commissioner of corrections shall convene the first meeting of the task force no  
22.21 later than August 1, 2019, and shall provide meeting space and administrative assistance  
22.22 as necessary for the task force to conduct its work.

22.23 (c) The task force shall meet at least quarterly or upon the call of its chair. The task force  
22.24 shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings  
22.25 of the task force are subject to Minnesota Statutes, chapter 13D.

22.26 (d) The task force shall request the cooperation and assistance of tribal governments,  
22.27 nongovernmental organizations, community and advocacy organizations working with  
22.28 adults on probation, and academic researchers and experts.

22.29 Subd. 4. **Duties.** (a) The duties of the task force shall, at a minimum, include:

22.30 (1) reviewing and examining the dosage probation model of the National Institute of  
22.31 Corrections;

23.1 (2) reviewing and assessing current supervision models in use in Minnesota, including  
 23.2 specialty courts and any pilot projects;

23.3 (3) reviewing and assessing probation models in use in other states;

23.4 (4) recommending training for judges, county attorneys, city attorneys, public defenders,  
 23.5 and probation agents;

23.6 (5) identifying gaps in existing services, supports, and housing for individuals on  
 23.7 probation;

23.8 (6) developing a comprehensive plan to implement a dosage probation model in  
 23.9 Minnesota; and

23.10 (7) reviewing existing Minnesota law and proposing amendments or new statutory  
 23.11 provisions.

23.12 (b) At its discretion, the task force may examine other related issues consistent with this  
 23.13 section.

23.14 Subd. 5. **Report.** On or before January 15, 2020, the task force shall report to the chairs  
 23.15 and ranking members of the legislative committees or divisions with jurisdiction over public  
 23.16 safety on the work of the task force including but not limited to the issues to be examined  
 23.17 in subdivision 1. The report shall include an assessment of the effect adopting dosage  
 23.18 probation would be expected to have on public safety, probation supervision, and the  
 23.19 Department of Corrections; the comprehensive plan developed under subdivision 4; and  
 23.20 any recommended legislative action.

23.21 **EFFECTIVE DATE.** This section is effective July 1, 2019.

23.22 Sec. 30. **DOSAGE PROBATION TASK FORCE; APPROPRIATION.**

23.23 \$200,000 in fiscal year 2020 is appropriated from the general fund to the commissioner  
 23.24 of corrections to implement the task force on the implementation of dosage probation.

23.25 **EFFECTIVE DATE.** This section is effective July 1, 2019.

23.26 Sec. 31. **APPROPRIATION; PILOT PROJECT.**

23.27 \$150,000 in fiscal year 2020 and \$150,000 in fiscal year 2021 are appropriated from the  
 23.28 general fund to the commissioner of corrections to fund the pilot project under section 27.  
 23.29 This appropriation is available until expended.

24.1 Sec. 32. **APPROPRIATION; CORRECTIONAL OFFICERS.**

24.2 (a) \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the  
24.3 general fund to the commissioner of corrections to increase the number of full-time equivalent  
24.4 correctional officer positions in correctional facilities across the state by an additional 150  
24.5 officer positions in fiscal year 2020 and an additional 60 officer positions in fiscal year  
24.6 2021. The commissioner of corrections shall increase the number of full-time equivalent  
24.7 correctional officer positions in correctional facilities across the state by an additional 60  
24.8 officer positions in fiscal year 2022 and an additional 58 officer positions in fiscal year  
24.9 2023. These appropriations are added to the base budget of the Department of Corrections.

24.10 (b) \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the  
24.11 general fund to the commissioner of corrections to increase the minimum starting salary  
24.12 for correctional officer positions to \$19.95 per hour.

24.13 Sec. 33. **APPROPRIATION; CORRECTIONS.**

24.14 (a) \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the  
24.15 general fund to the commissioner of corrections to develop and implement the coordinated  
24.16 crisis response plan in section 25.

24.17 (b) \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the  
24.18 general fund to the commissioner of corrections to establish and fund the ombudsman for  
24.19 corrections.

24.20 Sec. 34. **APPROPRIATION; COMMISSIONER OF HEALTH.**

24.21 \$29,000 in fiscal year 2020 and \$21,000 in fiscal year 2021 are appropriated from the  
24.22 state government special revenue fund to the commissioner of health for rulemaking under  
24.23 Minnesota Statutes, section 144.121.

24.24 Sec. 35. **REPEALER.**

24.25 Minnesota Statutes 2018, section 401.13, is repealed.



**401.13 COSTS OF CONFINEMENT; PAYMENT.**

Each participating county will be charged a sum equal to the actual per diem cost of confinement, excluding educational costs, of those juveniles committed to the commissioner and confined in a state correctional facility. The commissioner shall annually determine costs making necessary adjustments to reflect the actual costs of confinement. The commissioner of corrections shall bill the counties and deposit the receipts from the counties in the general fund. All charges shall be a charge upon the county of commitment.