

CHAPTER 243

CORRECTIONS; ADULTS

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243.166 REGISTRATION OF PREDATORY OFFENDERS.

Subdivision 1. **Registration required.** (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate any of the following, and convicted of or adjudicated delinquent for that offense or of another offense arising out of the same set of circumstances:

- (i) murder under section 609.185, clause (2);
- (ii) kidnapping under section 609.25, involving a minor victim; or
- (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; or 609.345; or

(2) the person was convicted of a predatory crime as defined in section 609.1352, and the offender was sentenced as a patterned sex offender or the court found on its own motion or that of the prosecutor that the crime was part of a predatory pattern of behavior that had criminal sexual conduct as its goal; or

(3) the person was convicted of or adjudicated delinquent for violating a law of the United States similar to the offenses described in clause (1) or (2).

(b) A person also shall register under this section if:

(1) the person was convicted of or adjudicated delinquent in another state for an offense that would be a violation of a law described in paragraph (a) if committed in this state;

(2) the person enters and remains in this state for 30 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration.

Subd. 2. **Notice.** When a person who is required to register under subdivision 1, paragraph (a), is sentenced or becomes subject to a juvenile court disposition order, the court shall tell the person of the duty to register under this section. The court shall require the person to read and sign a form stating that the duty of the person to register under this section has been explained. If a person required to register under subdivision 1, paragraph (a), was not notified by the court of the registration requirement at the time of sentencing or disposition, the assigned corrections agent shall notify the person of the requirements of this section.

Subd. 3. **Registration procedure.** (a) A person required to register under this section shall register with the corrections agent as soon as the agent is assigned to the person. If the person does not have an assigned corrections agent or is unable to locate the assigned corrections agent, the person shall register with the law enforcement agency that has jurisdiction in the area of the person's residence.

(b) At least five days before the person changes residence, including changing residence to another state, the person shall give written notice of the address of the new residence to the assigned corrections agent or to the law enforcement authority with which the person currently is registered. An offender is deemed to change residence when the offender remains at a new address for longer than three days and evinces an intent to take up residence there. The corrections agent or law enforcement authority shall, within two business days after receipt of this information, forward it to the bureau of criminal apprehension.

Subd. 4. **Contents of registration.** (a) The registration provided to the corrections agent or law enforcement authority, must consist of a statement in writing signed by the person, giving information required by the bureau of criminal apprehension, a fingerprint card, and photograph of the person taken at the time of the person's release from incarceration or, if the person was not incarcerated, at the time the person initially registered under this section.

(b) Within three days, the corrections agent or law enforcement authority shall forward the statement, fingerprint card, and photograph to the bureau of criminal apprehension. The bureau shall ascertain whether the person has registered with the law enforcement authority where the person resides. If the person has not registered with the law enforcement authority, the bureau shall send one copy to that authority.

Subd. 5. Criminal penalty. A person required to register under this section who knowingly violates any of its provisions or intentionally provides false information to a corrections agent, law enforcement authority, or the bureau of criminal apprehension is guilty of a gross misdemeanor. A person convicted of or adjudicated delinquent for violating this section who previously has been convicted under this section is guilty of a felony. A violation of this section may be prosecuted either where the person resides or where the person was last assigned to a Minnesota corrections agent.

Subd. 6. Registration period. (a) Notwithstanding the provisions of section 609.165, subdivision 1, a person required to register under this section shall continue to comply with this section until ten years have elapsed since the person initially registered in connection with the offense, or until the probation, supervised release, or conditional release period expires, whichever occurs later. For a person required to register under this section who is committed under section 253B.185, the ten-year registration period does not include the period of commitment.

(b) If a person required to register under this section fails to register following a change in residence, the commissioner of public safety may require the person to continue to register for an additional period of five years.

Subd. 7. Use of information. The information provided under this section is private data on individuals under section 13.01, subdivision 12. The information may be used only for law enforcement purposes.

Subd. 8. Law enforcement authority. For purposes of this section, a law enforcement authority means, with respect to a home rule charter or statutory city, the chief of police, and with respect to an unincorporated area, the sheriff of the county.

Subd. 9. Offenders from other states. When the state accepts an offender from another state under a reciprocal agreement under the interstate compact authorized by section 243.16 or under any authorized interstate agreement, the acceptance is conditional on the offender agreeing to register under this section when the offender is living in Minnesota.

History: 1995 c 226 art 4 s 3

243.212 COPAYMENTS FOR HEALTH SERVICES.

Any inmate of an adult correctional facility under the control of the commissioner of corrections shall incur copayment and coinsurance obligations for health care services received in the amounts established for adult enrollees of the MinnesotaCare program established under section 256.9353, subdivision 7, to the extent the inmate has available funds.

History: 1995 c 226 art 5 s 3

NOTE: This section, as added by Laws 1995, chapter 226, article 5, section 3, is effective July 1, 1996. See Laws 1995, chapter 226, article 5, section 13.

243.23 COMPENSATION PAID TO INMATES.

[For text of subs 1 and 2, see M.S.1994]

Subd. 3. Exceptions. Notwithstanding sections 241.26, subdivision 5, and 243.24, subdivision 1, the commissioner may make deductions from funds earned under subdivision 1, or other funds in an inmate account, and section 243.88, subdivision 2. The commissioner shall make deductions for the following expenses in the following order of priority:

- (1) federal and state taxes;
- (2) repayment of advances;
- (3) gate money as provided in section 243.24;
- (4) support of families and dependent relatives of the respective inmates;
- (5) payment of court-ordered restitution;

- (6) room and board or other costs of confinement;
- (7) medical expenses incurred under section 243.212;
- (8) payment of fees and costs in a civil action commenced by an inmate;
- (9) payment of fines, surcharges, or other fees assessed or ordered by a court;
- (10) contribution to the crime victims reparations board created under section 611A.55, provided that the contribution shall not be more than 20 percent of an inmate's gross wages;
- (11) the payment of restitution to the commissioner ordered by prison disciplinary hearing officers for damage to property caused by an inmate's conduct; and
- (12) discharge of any legal obligations arising out of litigation under this subdivision.

The commissioner may authorize the payment of court-ordered restitution from an inmate's wages when the restitution was ordered by the court as a sanction for the conviction of an offense which is not the offense of commitment, including offenses which occurred prior to the offense for which the inmate was committed to the commissioner. An inmate of an adult correctional facility under the control of the commissioner is subject to actions for the enforcement of support obligations and reimbursement of any public assistance rendered the dependent family and relatives. The commissioner may conditionally release an inmate who is a party to an action under this subdivision and provide for the inmate's detention in a local detention facility convenient to the place of the hearing when the inmate is not engaged in preparation and defense.

History: 1995 c 226 art 5 s 4

NOTE: Clause (7), as added to subdivision 3 by Laws 1995, chapter 226, article 5, section 4, is effective July 1, 1996. See Laws 1995, chapter 226, article 5, section 13.

243.241 CIVIL ACTION MONEY DAMAGES.

Money damages recovered in a civil action by an inmate confined in a state correctional facility or released from a state correctional facility under section 244.065 or 244.07 shall be deposited in the inmate's inmate account and disbursed according to the priorities in section 243.23, subdivision 3.

History: 1995 c 226 art 6 s 4

243.51 UNITED STATES PRISONERS; PRISONERS FROM OTHER STATES.

Subdivision 1. The commissioner of corrections is hereby authorized to contract with agencies and bureaus of the United States and with the proper officials of other states or a county of this state for the custody, care, subsistence, education, treatment and training of persons convicted of criminal offenses constituting felonies in the courts of this state, the United States, or other states of the United States. Such contracts shall provide for reimbursing the state of Minnesota for all costs or other expenses involved. Funds received under such contracts shall be deposited in the state treasury and are appropriated to the commissioner of corrections for correctional purposes. Any prisoner transferred to the state of Minnesota pursuant to this subdivision shall be subject to the terms and conditions of the prisoner's original sentence as if the prisoner were serving the same within the confines of the state in which the conviction and sentence was had or in the custody of the United States. Nothing herein shall deprive such inmate of the right to parole or the rights to legal process in the courts of this state.

[For text of subd 2, see M.S.1994]

Subd. 3. **Temporary detention.** The commissioner of corrections is authorized to contract with agencies and bureaus of the United States and with the appropriate officials of any other state or county of this state for the temporary detention of any person in custody pursuant to any process issued under the authority of the United States, other states of the United States, or the district courts of this state. The contract shall provide for reimbursement to the state of Minnesota for all costs and expenses involved. Money received under contracts shall be deposited in the state treasury and are appropriated to the commissioner of corrections for correctional purposes.

History: 1995 c 226 art 1 s 19,20

243.52 DISCIPLINE; PREVENTION OF ESCAPE.

If any inmate of any adult correctional facility either under the control of the commissioner of corrections or licensed by the commissioner of corrections under section 241.021 assaults any correctional officer or any other person or inmate, the assaulted person may use force in defense of the assault. If any inmate attempts to damage the buildings or appurtenances, resists the lawful authority of any correctional officer, refuses to obey the correctional officer's reasonable demands, or attempts to escape, the correctional officer may enforce obedience and discipline or prevent escape by the use of force. If any inmate resisting lawful authority is wounded or killed by the use of force by the correctional officer or assistants, that conduct is authorized under this section.

As used in this section, "use of force" means conduct which is defined by sections 609.06 to 609.066.

History: 1995 c 70 s 1

243.88 PRIVATE INDUSTRY ON GROUNDS OF CORRECTIONAL INSTITUTIONS.

[For text of subs 1 to 4, see M.S.1994]

Subd. 5. Deductions. Notwithstanding any other law to the contrary, any compensation paid to inmates under this section is subject to section 243.23, subdivisions 2 and 3, and rules of the commissioner of corrections.

History: 1995 c 226 art 5 s 5