

SF667 - 0 - Crime of Violence Definition Modified

Chief Author: **Clare Oumou Verbeten**  
 Committee: **Judiciary And Public Safety**  
 Date Completed: **4/7/2025 11:57:02 AM**  
 Lead Agency: **Supreme Court**  
 Other Agencies:  
     Corrections Dept                      Public Defense Board  
     Sentencing Guidelines  
     Comm

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Corrections Dept</b>					
<b>General Fund</b>	-	(890)	(2,362)	(3,922)	(4,610)
<b>State Total</b>					
<b>General Fund</b>	-	(890)	(2,362)	(3,922)	(4,610)
<b>Total</b>	-	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>
<b>Biennial Total</b>			<b>(3,252)</b>		<b>(8,532)</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Corrections Dept</b>					
General Fund	-	(5.6)	(15)	(24.9)	(29.3)
<b>Total</b>	-	<b>(5.6)</b>	<b>(15)</b>	<b>(24.9)</b>	<b>(29.3)</b>

**Lead LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 4/7/2025 11:57:02 AM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>
<b>Corrections Dept</b>						
General Fund	-	(890)	(2,362)	(3,922)	(4,610)	
<b>Total</b>	<b>-</b>	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>	
	<b>Biennial Total</b>		<b>(3,252)</b>		<b>(8,532)</b>	
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
Corrections Dept						
General Fund	-	(890)	(2,362)	(3,922)	(4,610)	
<b>Total</b>	<b>-</b>	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>	
	<b>Biennial Total</b>		<b>(3,252)</b>		<b>(8,532)</b>	
<b>2 - Revenues, Transfers In*</b>						
Corrections Dept						
General Fund	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>Biennial Total</b>		<b>-</b>		<b>-</b>	<b>-</b>

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Chief Author: **Clare Oumou Verbeten**  
 Committee: **Judiciary And Public Safety**  
 Date Completed: **4/7/2025 11:57:02 AM**  
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

**Bill Description**

SF667-0 (“the bill”) modifies Minn. Stat. § 624.712, subd. 5 to remove chapter 152 offenses (related to drugs/controlled substances) from the definition of crime of violence.

**Assumptions**

It is assumed that this bill will not impact criminal case filing numbers because it does not create, eliminate, or redefine any criminal offense.

The term “crime of violence” as defined in Minn. Stat. § 624.712, subd. 5 is used in many statutory provisions across a variety of topics in Minnesota law. It is assumed that the judicial branch may experience tangential effects due to the provisions of this bill, such as fewer filings for firearm restoration rights under Minn. Stat. § 609.165, subd. 1d based on a conviction for a crime of violence, and fewer pretrial bail evaluations conducted under Minn. Stat. § 629.74. Although the scope of any such tangential effects cannot be easily quantified, it is assumed that such effects would not significantly impact judicial branch resources.

**Expenditure and/or Revenue Formula**

This bill is not expected to have a significant fiscal impact on the judicial branch.

**Long-Term Fiscal Considerations**

None

**Local Fiscal Impact**

**References/Sources**

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Callie Lehman

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SF667 - 0 - Crime of Violence Definition Modified

Chief Author: **Clare Oumou Verbeten**  
 Committee: **Judiciary And Public Safety**  
 Date Completed: **4/7/2025 11:57:02 AM**  
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	(890)	(2,362)	(3,922)	(4,610)
<b>Total</b>	<b>-</b>	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>
<b>Biennial Total</b>			<b>(3,252)</b>		<b>(8,532)</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	(5.6)	(15)	(24.9)	(29.3)
<b>Total</b>	<b>-</b>	<b>(5.6)</b>	<b>(15)</b>	<b>(24.9)</b>	<b>(29.3)</b>

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 4/7/2025 11:56:34 AM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	(890)	(2,362)	(3,922)	(4,610)	
<b>Total</b>	-	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>	
	<b>Biennial Total</b>		<b>(3,252)</b>		<b>(8,532)</b>	
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
General Fund	-	(890)	(2,362)	(3,922)	(4,610)	
<b>Total</b>	-	<b>(890)</b>	<b>(2,362)</b>	<b>(3,922)</b>	<b>(4,610)</b>	
	<b>Biennial Total</b>		<b>(3,252)</b>		<b>(8,532)</b>	
<b>2 - Revenues, Transfers In*</b>						
General Fund	-	-	-	-	-	
<b>Total</b>	-	-	-	-	-	
	<b>Biennial Total</b>		-		-	

**Bill Description**

This bill modifies the definition of crime of violence for firearms in Minnesota Statutes 624.712, Subdivision 5.

**Assumptions**

Prison bed costs are based on a marginal cost per diem of \$52.61 for FY 2026, \$53.79 for FY 2027, \$55.29 for FY 2028, and \$56.89 for FY 2029 and each subsequent year. This includes marginal costs for all facility, private and public bed rental, health care, and support costs.

The annual cost is estimated by multiplying the number of prison beds needed by the subsequent annual per diem. Unless otherwise noted, prison beds are phased in on a quarterly basis.

Prison bed impact for the increase in the offender population assumes 80 percent of the ongoing bed impact is personnel-related and the average salary per FTE is \$126,000 per year, including benefits.

**Expenditure and/or Revenue Formula**

The Minnesota Sentencing Guidelines Commission (MSGC) projects the need for a reduction of 74 prison beds in fiscal year 2026, a reduction of 148 prison beds in fiscal year 2027, and a reduction of 222 prison beds in fiscal year 2028 and each fiscal year thereafter.

**Cost of Prison Beds**

Fiscal year	2026	2027	2028	2029
Number of Prison Beds	-74	-148	-222	-222
Cost of Prison Beds (in 000s)	-\$890	-\$2,362	-\$3,922	-\$4,610
FTE	-5.6	-15.0	-24.9	-29.3

**Long-Term Fiscal Considerations**

MSGC projects that this reduction would continue beyond the current budget horizon.

**Local Fiscal Impact**

Unknown

**References/Sources**

Department of Corrections staff

MSGC

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**SF667 - 0 - Crime of Violence Definition Modified**

Chief Author: **Clare Oumou Verbeten**  
 Committee: **Judiciary And Public Safety**  
 Date Completed: **4/7/2025 11:57:02 AM**  
 Agency: **Public Defense Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 4/3/2025 8:19:21 PM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>2 - Revenues, Transfers In*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-

**Bill Description**

The bill would remove controlled substance crimes under M.S. 152 from the list of crimes of violence.

**Assumptions**

It is not anticipated that this would have a significant impact caseloads or workloads.

**Expenditure and/or Revenue Formula**

**Long-Term Fiscal Considerations**

**Local Fiscal Impact**

**References/Sources**

**Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Kevin Kajer

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**SF667 - 0 - Crime of Violence Definition Modified**

Chief Author: **Clare Oumou Verbeten**  
 Committee: **Judiciary And Public Safety**  
 Date Completed: **4/7/2025 11:57:02 AM**  
 Agency: **Sentencing Guidelines Comm**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>	-	-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Susan Nelson    **Date:** 4/4/2025 2:59:51 PM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

The bill removes felony convictions of chapter 152 (Drugs; Controlled Substances) from the list of “crime[s] of violence” found in Minn. Stat. § 624.712, subd. 5. With respect to such crimes, prior convictions or adjudications of guilt result in a lifetime ban on firearms possession per § 624.713, subds. 1(2) & 2(b) or § 609.165, subd. 1b. Violations of the ban implicate the waivable mandatory-minimum five-year penalty found in § 609.11, subd. 5(b).

No effective date is specified.

**Assumptions**

It is assumed that the bill will take effect August 1, 2025, per Minn. Stat. § 645.02. Per *State v. Grillo*, it is assumed that bill’s “crime of violence” list change will immediately affect those whose prior “crime of violence” was a felony chapter 152 conviction or adjudication of delinquency. Such people, if not otherwise ineligible, will become eligible to possess firearms on August 1, 2025. Per the common-law amelioration doctrine expressed in *State v. Kirby*, it is assumed that any defendant whose conviction for §§ 624.713, subd. 1(2), or 609.165, subd. 1(b), was not final as of August 1, 2025, will not be convicted of or sentenced for that offense if the defendant’s prior “crime of violence” was a felony chapter 152 conviction or adjudication of delinquency. Thus, it is assumed that the bill’s impact on correctional resources will be immediately effective in FY2026, with no implementation delay.

It is assumed that the bill will cause a reduction in convictions and sentences under Minn. Stat. §§ 624.713, subd. 1(2); 609.165, subd 1(b); and 609.11, subd. 5(b). To determine the magnitude of this reduction, MSGC staff reviewed 182 criminal complaints randomly selected from among the 2,731 sentences for §§ 624.713, subd. 1(2), or 609.165, subd. 1(b), between 2019 through 2023 (a 6.7% sample), to determine whether the defendants’ prior “crimes of violence” were prior felony chapter 152 convictions or adjudications of delinquency. MSGC found that, in 53 of these 182 cases, or 29.1 percent, the defendant’s conviction was predicated on a prior felony chapter 152 “crime of violence” (see Table 1 for distribution by offense degree). Based on this result, it is assumed that the bill will cause the number of convictions and sentences for §§ 624.713, subd. 1(2), and 609.165, subd. 1(b), to fall by 29.1 percent.

Table 1. Distribution of Chapter 152 Predicate Felony Offenses by Offense Degree.

<b>Chapter 152 Predicate Felony Offense</b>	<b>Number</b>	<b>Percent of Ch. 152 Predicates (N = 53)</b>	<b>Percent of All Predicates (N = 182)</b>
Controlled Substance Crime First Degree	6	11%	3%
Controlled Substance Crime Second Degree	7	13%	4%
Controlled Substance Crime Third Degree	6	11%	3%
Controlled Substance Crime Fifth Degree	34	64%	19%

Among the 182 randomly selected cases, the combined duration of all executed prison sentences was 5,667 months. Of this combined prison duration, 1,441 months, or 25.4 percent, was attributable to the 53 cases within the sample predicated on a prior felony chapter 152 conviction. It is therefore assumed that the bill will cause the number of prison beds resulting from sentences for Minn. Stat. §§ 624.713, subd. 1(2), and 609.165, subd. 1(b), to fall by 25.4 percent.

Some of that reduction, however, will be offset by other sentences that ran concurrently with the firearms-possession sentences. Among the 53 Chapter 152 predicate cases in the sample, five were sentenced concurrently with other offenses. Had those five defendants been sentenced without the firearms-possession charges, the sum of their presumptive, executed sentences would have been 165 months. Thus, the reduction attributable to removing Chapter 152 predicate offenses from the sample would have been only 1,276 months (1,441 - 165), which is 22.5 percent of 5,667 months. It is therefore assumed that the bill's eventual reduction in prison beds will be 22.5 percent of the total prison-bed requirements now attributable to Minn. Stat. §§ 624.713, subd. 1(2), and 609.165, subd. 1(b).

Between 2019 and 2023, 2,731 defendants were sentenced for violating Minn. Stat. §§ 624.713, subd. 1(2), or 609.165, subd. 1(b). Of these defendants, 1,580 received executed prison sentences. The combined duration of executed prison sentences among these defendants was 88,770 months. Assuming this to be a typical five-year period, it is estimated that 986 prison beds are now occupied by people sentenced for possessing a firearm after a "crime of violence" conviction ( $986 = 88,770 \times 2/3 \div 12 \div 5$ ). Based on the above assumptions, it is estimated that the bill will cause this number of estimated prison beds to fall by 22.5 percent, or by 222 estimated prison beds ( $222 = 986 \times 22.5\%$ ).

It is plausible that some of the defendants who will no longer be eligible for felony convictions and sentences under Minn. Stat. §§ 624.713, subd. 1(2); 609.165, subd 1(b); and 609.11, subd. 5(b), will nevertheless be eligible for gross misdemeanor convictions and sentences under § 624.713, subd. 1(10)(iii) (banning persons who are unlawful users of most controlled substances from possessing firearms or ammunition). The magnitude of this effect is not known or estimated.

### **Expenditure and/or Revenue Formula**

### **Long-Term Fiscal Considerations**

Based on the above assumptions, it is estimated that the bill will eventually reduce the need for 222 prison beds. To account for the time required to release the existing prisoners (with an estimated average actual sentence length of 18 months), it is estimated that the bill will reduce the need for 74 prison beds in FY 2026, reduce the need for 148 prison beds in FY 2027, and reduce the need for 222 prison beds in FY 2028 and every year thereafter.

### **Local Fiscal Impact**

No estimate.

### **References/Sources**

2019-2023 MSGC monitoring data.

*State v. Grillo*, 661 N.W.2d 641 (Minn. Ct. App. 2003), *rev. denied* (Minn. Aug. 5, 2003)

*State v. Kirby*, 899 N.W.2d 485 (Minn. 2017).

### **Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Jill Payne

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