



Date: July 1, 2025

To: Ian Lewenstein
Rulemaking Manager
Minnesota Department of Corrections

From: Abby Mock
Executive Budget Officer
Minnesota Management & Budget

Subject: M.S. 14.131 Review of Proposed Permanent Rules Relating to Residential Treatment Programs for Individuals Who Have Engaged or Attempted to Engage in Sexually Abusive or Harmful Behavior; Rules Chapters 2955 and 2965, Rule Draft 4447

Background

The Minnesota Department of Corrections (DOC) proposes to amend Minnesota Rules, Chapters 2955 and 2965 to combine the two chapters regulating adult and juvenile programs into one cohesive chapter. The proposed changes also update 26-year-old rules with best practices in sex-offense-specific treatment, clarify vague language, ensure performance-based standards, and embed plain language. This rulemaking is required under Minn. Stat. § 241.67, subd. 2(a), created by the 1989 Minnesota Legislature (Chapter 290, Article 4, Section 1). Pursuant to Minn. Stat. § 14.131, DOC has requested Minnesota Management and Budget (MMB) evaluate the proposed amendments for fiscal impact and benefits on units of local government.

Evaluation

On behalf of the Commissioner of Minnesota Management and Budget, I have reviewed the proposed changes and the draft of the Statement of Need and Reasonableness to help evaluate the fiscal impact these rules may have on local governments.

Fiscal Impact on Local Governments

The proposed rulemaking does not have any identified fiscal impact on local governments. Considerations in this evaluation included impact on costs for local governments with certified local correctional facilities and impact on local ordinances. The proposed changes are administrative and seek to streamline and clarify existing regulations which may result in reduced costs as treatment programs will be more flexible (e.g., less stringent staffing requirements, reduced treatment hour requirements, etc.)

There are two certified local correctional facilities, but no additional costs of compliance are anticipated under the proposed rules because these programs are already subject to regulation, and with the new rules in place, rules are more streamlined and easier to follow. To the extent these changes improve treatment programs and reduce a client's likelihood to reoffend, overall costs for reincarceration may decrease.

The proposed amendments are not anticipated to have any effect on local ordinances or regulations. DOC has not proposed any conflicting requirements.

Other Notes on Fiscal Impacts

The proposed rule is not expected to have any impact on state revenues.

While recidivism rates among this population are low, better and more effective treatment practices help reduce a client's likelihood to reoffend which reduces costs for reincarceration and may indirectly reduce costs for public safety and the community as a result of any level of recidivism.

The DOC will be the sole Minnesota government agency responsible for implementing, administering, and enforcing the proposed rule. The estimated impact for compliance with the proposed rules is minimal and likely to be reduced as the rules are easier to understand and follow. For example, the department expects fewer variance requests rules are less ambiguous which may reduce administrative costs of reviewing requests.

Sincerely,
Abby Mock
Executive Budget Officer (MMB)

Cc: Paul Schnell, Commissioner (DOC)
Nick Lardinois, Budget Policy and Analysis Director (MMB)