

263.1 (iii) the projected costs of construction, renovation, or purchase of the facility; and

263.2 (iv) the projected cost of operating the facility.

263.3 Subd. 3. **Evaluation.** The commissioner, in consultation with the commissioner of
263.4 management and budget, must evaluate the need of any capital improvement project that
263.5 requests an appropriation of state capital budget money during an odd-numbered year to
263.6 construct a jail facility or for capital improvements to expand the number of incarcerated
263.7 offenders at an existing jail facility. The commissioner shall use the report under subdivision
263.8 2 to inform the evaluation. The commissioner must submit all evaluations under this
263.9 subdivision by January 15 of each even-numbered year to the chairs and ranking minority
263.10 members of the senate and house of representatives committees and divisions with jurisdiction
263.11 over public safety and capital investment on the study and recommendations under this
263.12 subdivision.

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

263.14 Sec. 34. **RULEMAKING.**

263.15 (a) The commissioner of corrections must amend Minnesota Rules, chapter 2960, to
263.16 enforce the requirements under Minnesota Statutes, section 241.0215, including but not
263.17 limited to training, facility audits, strip searches, disciplinary room time, time-outs, and
263.18 seclusion. The commissioner may amend the rules to make technical changes and ensure
263.19 consistency with Minnesota Statutes, section 241.0215.

263.20 (b) In amending or adopting rules according to paragraph (a), the commissioner must
263.21 use the exempt rulemaking process under Minnesota Statutes, section 14.386.
263.22 Notwithstanding Minnesota Statutes, section 14.386, paragraph (b), a rule adopted under
263.23 this section is permanent. After the rule is adopted, the authorization to use the exempt
263.24 rulemaking process expires.

263.25 (c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and
263.26 60, or any other law to the contrary, the joint rulemaking authority with the commissioner
263.27 of human services does not apply to rule amendments applicable only to the Department of
263.28 Corrections. A rule that is amending jointly administered rule parts must be related to
263.29 requirements on strip searches, disciplinary room time, time-outs, and seclusion and be
263.30 necessary for consistency with this section.

263.31 **EFFECTIVE DATE.** This section is effective January 1, 2024.