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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3156**

1.1 A bill for an act

1.2 relating to public safety; appropriating money for the Minnesota Sentencing

1.3 Guidelines Commission.

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

1.5 Section 1. **MINNESOTA SENTENCING GUIDELINES COMMISSION;**

1.6 **SUPPLEMENTAL APPROPRIATION.**

1.7 \$8,000 in fiscal year 2020 and \$36,000 in fiscal year 2021 are appropriated from the

1.8 general fund to the Minnesota Sentencing Guidelines Commission to maintain the agency's

1.9 level of service.

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

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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3157**

1.1 A bill for an act

1.2 relating to public safety; proposing an amendment to the Minnesota Constitution

1.3 by adding a section to article XIII; providing for a Sentencing Guidelines

1.4 Commission.

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

1.6 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.7 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.8 is adopted, a section shall be added to article XIII, to read:

1.9 Sec. 13. The Sentencing Guidelines Commission consists of not less than 11 members
 1.10 as the legislature may establish. It shall promulgate Sentencing Guidelines for the district
 1.11 court that include appropriate sanctions for offenders for whom imprisonment is not proper.
 1.12 The Sentencing Guidelines promulgated by the commission may also establish appropriate
 1.13 sanctions for offenders for whom imprisonment is not proper. Any modification which
 1.14 amends the Sentencing Guidelines grids, including severity levels and criminal history
 1.15 scores, or which would result in the reduction of any sentence or in the early release of any
 1.16 inmate, with the exception of a modification mandated or authorized by the legislature or
 1.17 relating to a crime created or amended by the legislature in the preceding session, shall be
 1.18 submitted to the legislature by January 15 of any year in which the commission wishes to
 1.19 make the change and shall be effective on August 1 of that year, unless the legislature by
 1.20 law provides otherwise. Additional powers and duties shall be defined and regulated by
 1.21 law.

2.1 Sec. 2. SUBMISSION TO VOTERS.

2.2 (a) The proposed amendment must be submitted to the people at the 2020 general election.

2.3 The question submitted must be:

2.4 "Shall the Minnesota Constitution be amended to provide a Sentencing Guidelines
2.5 Commission with the power to establish Sentencing Guidelines subject to modification by
2.6 law?

2.7 Yes

2.8 No "

2.9 (b) The title required under Minnesota Statutes, section 204D.15, subdivision 1, for the
2.10 question submitted to the people under paragraph (a) shall be: "Minnesota Sentencing
2.11 Guidelines Commission."

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2851

(SENATE AUTHORS: LIMMER, Relph and Newman)

DATE
04/29/2019

D-PG
3943

OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; providing for senate confirmation of certain members of
1.3 the Minnesota Sentencing Guidelines Commission; amending Minnesota Statutes
1.4 2018, section 244.09, subdivisions 2, 3.

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

1.6 Section 1. Minnesota Statutes 2018, section 244.09, subdivision 2, is amended to read:

1.7 Subd. 2. **Members.** The Sentencing Guidelines Commission shall consist of the
1.8 following:

- 1.9 (1) the chief justice of the supreme court or a designee;
- 1.10 (2) one judge of the court of appeals, appointed by the chief justice of the supreme court;
- 1.11 (3) one district court judge appointed by the chief justice of the supreme court;
- 1.12 (4) one public defender appointed by the governor upon recommendation of the state
1.13 public defender;
- 1.14 (5) one county attorney appointed by the governor upon recommendation of the board
1.15 of directors of the Minnesota County Attorneys Association;
- 1.16 (6) the commissioner of corrections or a designee;
- 1.17 (7) one peace officer as defined in section 626.84 appointed by the governor;
- 1.18 (8) one probation officer or parole officer appointed by the governor; and
- 1.19 (9) three public members appointed by the governor, one of whom shall be a victim of
1.20 a crime defined as a felony.

2.1 When an appointing authority selects individuals for membership on the commission,
2.2 the authority shall make reasonable efforts to appoint qualified members of protected groups,
2.3 as defined in section 43A.02, subdivision 33.

2.4 One of the members shall be designated by the governor as chair of the commission.

2.5 The appointments of members described in clauses (2), (3), (4), (5), (7), (8), and (9),
2.6 are to be made with the advice and consent of the senate. Section 15.066 applies to these
2.7 appointments.

2.8 Sec. 2. Minnesota Statutes 2018, section 244.09, subdivision 3, is amended to read:

2.9 Subd. 3. **Appointment terms.** Each appointed member shall be appointed for four years
2.10 and shall continue to serve during that time as long as the member occupies the position
2.11 ~~which that~~ made the member eligible for the appointment. Each member shall continue in
2.12 office until a successor is duly appointed and, if applicable, confirmed by the senate.
2.13 Members shall be eligible for reappointment, and appointment may be made to fill an
2.14 unexpired term. ~~The term of any member appointed or reappointed by the governor before~~
2.15 ~~the first Monday in January 1991 expires on that date.~~ The term of any member appointed
2.16 or reappointed by the governor ~~after the first Monday in January 1991~~ is coterminous with
2.17 the governor. The members of the commission shall elect any additional officers necessary
2.18 for the efficient discharge of their duties.

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 1441

(SENATE AUTHORS: LIMMER, Relph, Anderson, B. and Johnson)

DATE	D-PG	OFFICIAL STATUS
02/18/2019	436	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
03/13/2019	847	Comm report: To pass
	853	Second reading
	4689	Rule 47, returned to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; providing that proposed modifications to the Sentencing

1.3 Guidelines are effective prospectively only; amending Minnesota Statutes 2018,

1.4 section 244.09, subdivision 11.

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

1.6 Section 1. Minnesota Statutes 2018, section 244.09, subdivision 11, is amended to read:

1.7 Subd. 11. **Modification.** The commission shall meet as necessary for the purpose of

1.8 modifying and improving the guidelines. Any modification ~~which~~ that amends the Sentencing

1.9 Guidelines grid, including severity levels and criminal history scores, or ~~which~~ that would

1.10 result in the reduction of any sentence ~~or in the early release of any inmate~~, with the exception

1.11 of a modification mandated or authorized by the legislature or relating to a crime created

1.12 or amended by the legislature in the preceding session, shall be submitted to the legislature

1.13 by January 15 of any year in which the commission wishes to make the change and shall

1.14 be effective on, and shall apply to crimes committed on or after, August 1 of that year,

1.15 unless the legislature by law provides otherwise. All other modifications shall take effect

1.16 according to the procedural rules of the commission. On or before January 15 of each year,

1.17 the commission shall submit a written report to the committees of the senate and the house

1.18 of representatives with jurisdiction over criminal justice policy that identifies and explains

1.19 all modifications made during the preceding 12 months and all proposed modifications that

1.20 are being submitted to the legislature that year.

1.21 EFFECTIVE DATE. This section is effective the day following final enactment and

1.22 applies to modifications made effective on or after that date.

2.1 Sec. 2. **2019 SENTENCING GUIDELINES MODIFICATIONS EFFECTIVE**
2.2 **PROSPECTIVELY ONLY.**

2.3 The proposed modifications to the Sentencing Guidelines submitted to the legislature
2.4 in the Minnesota Sentencing Guidelines Commission's 2019 report to the legislature are
2.5 approved. The modifications are effective August 1, 2019, and apply to crimes committed
2.6 on or after that date.

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