

MEMORANDUM

To: Commission Chair and Members
From: Nate Reitz, Executive Director
Date: February 8, 2023
Subject: Introductions of Bills Directly Related to the MSGC

Of those bills introduced in the 2023 legislative session to date, the following would alter the duties or authority of the Minnesota Sentencing Guidelines Commission or the application of the Guidelines:

- [HF 226](#) (Moller)/[SF 586](#) (Latz) – A prosecutor may initiate post-sentencing action to make a mitigated adjustment to a sentence; MSGC must annually summarize and analyze sentence adjustments for the Legislature.
- [HF 359](#) (Scott)/[SF 737](#) (Eichorn) – MSGC must post an audio/video recording of each meeting on the Internet.
- [HF 534/927](#) (Scott/Johnson)/[SF 949](#) (Limmer) – County attorneys must report reasons for all felony dismissals to MSGC; MSGC must annually summarize and analyze these reports for the Legislature.
- [HF 547](#) (Scott)/[SF 683](#) (Limmer) – MSGC-initiated Guidelines modifications must be adopted by an act of the Legislature; currently, tacit legislative approval is sufficient.
- [HF 930](#) (Johnson)/[SF 1364](#) (Limmer) – MSGC’s county attorney firearms case reporting requirement expands to include case-specific information and posting that information on MSGC’s website.
- [HF 931](#) (Johnson)/[SF 1365](#) (Limmer) – Senate must confirm Governor-appointed MSGC members.
- [SF 1075](#) (Koran)/[HF 1417](#) (Novotny) – MSGC must maintain a searchable sentencing data dashboard on its website.
- [HF 1232](#) (Novotny) – Mitigated departure factors must be proven to a jury beyond a reasonable doubt.
- [HF 1319](#) (Becker-Finn)/[SF 1352](#) (Latz) – “Minn. Rehabilitation & Reinvestment Act” – incentivizes compliance with individual rehabilitation plan by reducing time imprisoned/on supervised release

Although some of these bills were introduced in previous sessions, the Commission has not yet taken a position on any of them. Each bill has been given its first reading and referred to committee, although no hearings have been scheduled. The deadline for initial committee action on non-budget bills is March 10, 2023.