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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE NO. 425

January 29, 2007

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to crime; creating a motor vehicle theft account; authorizing emergency
1.3 grants to victims of motor vehicle theft; appropriating money; amending
1.4 Minnesota Statutes 2006, sections 65B.84, subdivision 1; 168A.40, subdivision
1.5 4; 611A.612; 611A.675, subdivisions 1, 2, 3, 4, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2006, section 65B.84, subdivision 1, is amended to read:

1.8 Subdivision 1. **Program described; commissioner's duties; appropriation.** (a)

1.9 The commissioner of commerce shall:

1.10 (1) develop and sponsor the implementation of statewide plans, programs, and
1.11 strategies to combat automobile theft, improve the administration of the automobile theft
1.12 laws, and provide a forum for identification of critical problems for those persons dealing
1.13 with automobile theft;

1.14 (2) coordinate the development, adoption, and implementation of plans, programs,
1.15 and strategies relating to interagency and intergovernmental cooperation with respect
1.16 to automobile theft enforcement;

1.17 (3) annually audit the plans and programs that have been funded in whole or in part
1.18 to evaluate the effectiveness of the plans and programs and withdraw funding should the
1.19 commissioner determine that a plan or program is ineffective or is no longer in need
1.20 of further financial support from the fund;

1.21 (4) develop a plan of operation including:

1.22 (i) an assessment of the scope of the problem of automobile theft, including areas
1.23 of the state where the problem is greatest;

1.24 (ii) an analysis of various methods of combating the problem of automobile theft;

1.25 (iii) a plan for providing financial support to combat automobile theft;

- 2.1 (iv) a plan for eliminating car hijacking; and
- 2.2 (v) an estimate of the funds required to implement the plan; and
- 2.3 (5) distribute money, in consultation with the commissioner of public safety,
- 2.4 pursuant to subdivision 3 from the automobile theft prevention special revenue account
- 2.5 for automobile theft prevention activities, including:
- 2.6 (i) paying the administrative costs of the program;
- 2.7 (ii) providing financial support to the State Patrol and local law enforcement
- 2.8 agencies for automobile theft enforcement teams;
- 2.9 (iii) providing financial support to state or local law enforcement agencies for
- 2.10 programs designed to reduce the incidence of automobile theft and for improved
- 2.11 equipment and techniques for responding to automobile thefts;
- 2.12 (iv) providing financial support to local prosecutors for programs designed to reduce
- 2.13 the incidence of automobile theft;
- 2.14 (v) providing financial support to judicial agencies for programs designed to reduce
- 2.15 the incidence of automobile theft;
- 2.16 (vi) providing financial support for neighborhood or community organizations or
- 2.17 business organizations for programs designed to reduce the incidence of automobile
- 2.18 theft and to educate people about the common methods of automobile theft, the models
- 2.19 of automobiles most likely to be stolen, and the times and places automobile theft is
- 2.20 most likely to occur; and
- 2.21 (vii) providing financial support for automobile theft educational and training
- 2.22 programs for state and local law enforcement officials, driver and vehicle services exam
- 2.23 and inspections staff, and members of the judiciary.
- 2.24 (b) The commissioner may not spend in any fiscal year more than ten percent of the
- 2.25 money in the fund for the program's administrative and operating costs. The commissioner
- 2.26 is annually appropriated and must distribute the amount of the proceeds credited to
- 2.27 the automobile theft prevention special revenue account each year, less the transfer of
- 2.28 \$1,300,000 each year to the general fund and \$..... each year to the motor vehicle theft
- 2.29 account described in section 168A.40, subdivision 4.

2.30 **EFFECTIVE DATE.** This section is effective July 1, 2007.

2.31 Sec. 2. Minnesota Statutes 2006, section 168A.40, subdivision 4, is amended to read:

2.32 Subd. 4. **Automobile theft prevention account.** A special revenue account is

2.33 created in the state treasury to be credited with the proceeds of the surcharge imposed

2.34 under subdivision 3. Of the revenue in the account, \$1,300,000 each year must be

2.35 transferred to the general fund and \$..... must be transferred to the motor vehicle theft

3.1 account created in section 611A.612, subdivision 2. Revenues in excess of \$1,300,000
 3.2 \$..... each year may be used only for the automobile theft prevention program described
 3.3 in section 65B.84.

3.4 **EFFECTIVE DATE.** This section is effective July 1, 2007.

3.5 Sec. 3. Minnesota Statutes 2006, section 611A.612, is amended to read:

3.6 **611A.612 CRIME VICTIMS ~~ACCOUNT~~ ACCOUNTS.**

3.7 **Subdivision 1. Crime victims account.** A crime victim account is established as a
 3.8 special account in the state treasury. Amounts collected by the state under section 611A.61,
 3.9 paid to the Crime Victims Reparations Board under section 611A.04, subdivision 1a, or
 3.10 amounts deposited by the court under section 611A.04, subdivision 5, shall be credited to
 3.11 this account. Money credited to this account is annually appropriated to the Department of
 3.12 Public Safety for use for crime victim reparations under sections 611A.51 to 611A.67.

3.13 **Subd. 2. Motor vehicle theft account.** A motor vehicle theft account is established
 3.14 as a special account in the state treasury. Amounts collected under section 168A.40,
 3.15 subdivision 4, shall be credited to this account and annually appropriated to the Department
 3.16 of Public Safety for making grants under section 611A.675, subdivision 1, clause (6).

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2007.

3.18 Sec. 4. Minnesota Statutes 2006, section 611A.675, subdivision 1, is amended to read:

3.19 Subdivision 1. **Grants authorized.** ~~The Crime Victim and Witness Advisory~~
 3.20 ~~Council~~ commissioner of public safety shall make grants to prosecutors and victim
 3.21 assistance programs for the purpose of providing emergency assistance to victims. As
 3.22 used in this section, "emergency assistance" includes but is not limited to:

3.23 (1) replacement of necessary property that was lost, damaged, or stolen as a result
 3.24 of the crime;

3.25 (2) purchase and installation of necessary home security devices;

3.26 (3) transportation to locations related to the victim's needs as a victim, such as
 3.27 medical facilities and facilities of the criminal justice system;

3.28 (4) cleanup of the crime scene; ~~and~~

3.29 (5) reimbursement for reasonable travel and living expenses the victim incurred to
 3.30 attend court proceedings that were held at a location other than the place where the crime
 3.31 occurred due to a change of venue; and

3.32 (6) reimbursement of towing and storage fees incurred due to impoundment of a
 3.33 recovered stolen vehicle.

4.1 **EFFECTIVE DATE.** This section is effective July 1, 2007.

4.2 Sec. 5. Minnesota Statutes 2006, section 611A.675, subdivision 2, is amended to read:

4.3 Subd. 2. **Application for grants.** (a) A city or county attorney's office or victim
4.4 assistance program may apply to the ~~council~~ commissioner of public safety for a grant
4.5 for any of the purposes described in subdivision 1 or for any other emergency assistance
4.6 purpose approved by the ~~council~~ commissioner. The application must be on forms and
4.7 pursuant to procedures developed by the ~~council~~ commissioner. The application must
4.8 describe the type or types of intended emergency assistance, estimate the amount of
4.9 money required, and include any other information deemed necessary by the ~~council~~
4.10 commissioner.

4.11 (b) A city or county attorney's office or victim assistance program that applies for a
4.12 grant for the purpose described in subdivision 1, clause (6), must make the application
4.13 on a separate form and pursuant to procedures developed by the commissioner. The
4.14 application must estimate the amount of money required for reimbursement costs, estimate
4.15 the amount of money required for administrative costs, and include any other information
4.16 deemed necessary by the commissioner. An applicant may not spend in any fiscal year
4.17 more than five percent of the grant awarded for administrative costs.

4.18 **EFFECTIVE DATE.** This section is effective July 1, 2007.

4.19 Sec. 6. Minnesota Statutes 2006, section 611A.675, is amended by adding a
4.20 subdivision to read:

4.21 Subd. 2a. **Awards; limitations.** (a) No award may be granted under subdivision
4.22 1, clause (6), to a victim that fails to provide proof of insurance stating that security
4.23 had been provided for the vehicle at the time the vehicle was stolen. As used in this
4.24 paragraph, "proof of insurance" has the meaning given it in section 169.791, subdivision
4.25 1, paragraph (g).

4.26 (b) An award paid to a victim under subdivision 1, clause (6), shall compensate the
4.27 victim for actual costs incurred but shall not exceed \$500.

4.28 **EFFECTIVE DATE.** This section is effective July 1, 2007.

4.29 Sec. 7. Minnesota Statutes 2006, section 611A.675, subdivision 3, is amended to read:

4.30 Subd. 3. **Reporting by local agencies required.** A city or county attorney's office
4.31 or victim assistance program that receives a grant under this section shall file an annual
4.32 report with the ~~council~~ commissioner of public safety itemizing the expenditures made

5.1 during the preceding year, the purpose of those expenditures, and the ultimate disposition,
5.2 if any, of each assisted victim's criminal case.

5.3 **EFFECTIVE DATE.** This section is effective July 1, 2007.

5.4 Sec. 8. Minnesota Statutes 2006, section 611A.675, subdivision 4, is amended to read:

5.5 Subd. 4. **Report to legislature.** ~~On or before February 1, 1999, the council shall~~
5.6 ~~report to the chairs of the senate Crime Prevention and house of representatives Judiciary~~
5.7 ~~Committees on the implementation, use, and administration of the grant program created~~
5.8 ~~under this section.~~ By February 1, 2008, the commissioner of public safety shall report to
5.9 the chairs and ranking members of the senate and house committees and divisions having
5.10 jurisdiction over criminal justice policy and funding on the implementation, use, and
5.11 administration of the grant programs created under this section.

5.12 **EFFECTIVE DATE.** This section is effective July 1, 2007.