

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 895

February 12, 2007

Authored by Eken, Lieder and Sailer

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 corrections; authorizing withdrawal by a county from a regional jail
1.3 system; amending Minnesota Statutes 2006, section 641.265, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2006, section 641.265, subdivision 2, is amended to read:

1.6 Subd. 2. **Withdrawal.** A county board may withdraw from cooperation in a regional
1.7 jail system ~~if the county boards of all of the other cooperating counties decide, by majority~~
1.8 ~~vote, to allow the withdrawal~~ in accordance with the terms of a joint powers agreement.

1.9 With the approval of the county board of each cooperating county, the regional jail board
1.10 shall fix the sum, if any, to be paid to the county withdrawing, to reimburse it for capital
1.11 cost, debt service, or lease rental payments made by the county prior to withdrawal, in
1.12 excess of its proportionate share of benefits from the regional jail prior to withdrawal, and
1.13 the time and manner of making the payments. The payments shall be deemed additional
1.14 payments of capital cost, debt service, or lease rentals to be made proportionately by the
1.15 remaining counties and, when received, shall be deposited in and paid from the regional
1.16 jail fund; provided that:

1.17 ~~(a)~~ (1) payments shall not be made from any amounts in the regional jail fund
1.18 which are needed for maintenance and operation expenses or lease rentals currently due
1.19 and payable; and

1.20 ~~(b)~~ (2) the withdrawing county shall remain obligated for the payment of its
1.21 proportionate share of any lease rentals due and payable after its withdrawal, in the
1.22 event and up to the amount of any lease payment not made when due by one or more of
1.23 the other cooperating counties.

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