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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-FIFTH  
SESSION

**HOUSE FILE No. 950**

February 15, 2007

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

March 1, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act  
1.2 relating to crime; correcting an unintentional repeal; resuming the payment of  
1.3 certain bail proceeds to the municipalities and subdivisions of government in  
1.4 Hennepin County; reimbursing same for past due proceeds; removing obsolete  
1.5 references and provisions concerning the Fourth Judicial District; appropriating  
1.6 money; proposing coding for new law in Minnesota Statutes, chapter 484.

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

1.8 Section 1. **[484.843] ABANDONMENT OF NONFELONY BAIL; DISPOSITION**  
1.9 **OF FORFEITED SUMS; FOURTH JUDICIAL DISTRICT.**

1.10 Subdivision 1. **Abandonment of deposits and bail.** (a) Any bail deposited with the  
1.11 court administrator of the Fourth Judicial District on a nonfelony case and not forfeited by  
1.12 court order shall be deemed abandoned and forfeited if the person entitled to refund does  
1.13 not file a written demand for refund with the court administrator within six months from  
1.14 the date when the person became entitled to the refund.

1.15 (b) Any judge may order any sums so forfeited under paragraph (a) to be reinstated  
1.16 for cause and the court administrator shall then refund accordingly. The receipting  
1.17 municipality or subdivision of government shall reimburse the court administrator if the  
1.18 court administrator refunds the deposit upon such an order and obtains a receipt to be  
1.19 used as a voucher.

1.20 Subd. 2. **Disposition of forfeited sums.** All sums collected on any bail, bond, or  
1.21 recognizance forfeited by court order or under subdivision 1, paragraph (a), for the Fourth  
1.22 Judicial District on a nonfelony case shall be paid to Hennepin County to be applied to the  
1.23 support of the law library of the county. The receipt of the county treasurer to the court  
1.24 administrator shall be a sufficient voucher. When the sums so forfeited, minus refunds,  
1.25 during any calendar year equal \$2,500, all sums in excess of that amount shall be paid

2.1 to the municipality or subdivision of government in which the violation occurred . The  
2.2 payments shall be made periodically but not prior to six months from the date of the order  
2.3 for forfeiture. During that six-month period, but not thereafter, any judge may set aside  
2.4 the forfeiture order upon proper showing of cause. No obligation to pay sums so ordered  
2.5 forfeited exists unless the forfeiture is not set aside within the six-month period. For the  
2.6 purpose of determining when the \$2,500 shall have accrued to the county law library, the  
2.7 final forfeiture shall be deemed to occur at the end of the six-month period.

2.8       Sec. 2. **APPROPRIATION.**

2.9           An amount equal to the sum collected from July 1, 2006, through the effective date  
2.10 of this act as a result of the repeal of Minnesota Statutes, section 488A.03, subdivision  
2.11 9, by Laws 2006, chapter 260, article 5, section 54, and estimated to be \$200,000, is  
2.12 appropriated from the general fund to the commissioner of finance. The commissioner  
2.13 shall pay this amount to the court administrator of the Fourth Judicial District who shall  
2.14 distribute it as provided in Minnesota Statutes, section 484.843.

2.15       Sec. 3. **EFFECTIVE DATE.**

2.16           Section 1 is effective retroactively from July 1, 2006. Section 2 is effective the  
2.17 day following final enactment.