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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **1465**

February 26, 2007

Authored by Kohls, Hilstrom, Emmer, Holberg and Paymar

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

March 21, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act  
1.2 relating to public safety; requiring the commissioner of corrections to develop a  
1.3 standard formula for calculating the per diem cost in county and regional jails;  
1.4 amending Minnesota Statutes 2006, section 241.018.

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

1.6 Section 1. Minnesota Statutes 2006, section 241.018, is amended to read:

1.7 **241.018 PER DIEM CALCULATION.**

1.8 Subdivision 1. State correctional facilities. (a) The commissioner of corrections  
1.9 shall develop a uniform method to calculate the average department-wide per diem cost  
1.10 of incarcerating offenders at state adult correctional facilities. In addition to other costs  
1.11 currently factored into the per diem, it must include an appropriate percentage of capitol  
1.12 costs for all adult correctional facilities and 65 percent of the department's management  
1.13 services budget.

1.14 (b) The commissioner also shall use this method of calculating per diem costs  
1.15 for offenders in each state adult correctional facility. When calculating the per diem  
1.16 cost of incarcerating offenders at a particular facility, the commissioner shall include  
1.17 an appropriate percentage of capital costs for the facility and an appropriate prorated  
1.18 amount, given the facility's population, of 65 percent of the department's management  
1.19 services budget.

1.20 (c) The commissioner shall ensure that these new per diem methods are used in  
1.21 all future annual performance reports to the legislature and are also reflected in the  
1.22 department's biennial budget document.

1.23 Subd. 2. Local correctional facilities. (a) The commissioner of corrections shall  
1.24 develop a uniform method to calculate the average per diem cost of incarcerating offenders

2.1 in county and regional jail facilities licensed by the commissioner under section 241.021,  
2.2 subdivision 1, paragraph (a).

2.3 (b) Each county and regional jail in the state must annually provide the commissioner  
2.4 with a per diem calculation based on the formula the commissioner promulgates pursuant  
2.5 to paragraph (a).

2.6 (c) The commissioner shall include the county and regional jail per diem data  
2.7 collected under paragraph (b) in the Department of Correction's annual performance report  
2.8 to the legislature mandated by section 241.016.

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