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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1628

March 5, 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 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; reducing the surcharge on license tab violations from
1.3 \$72 to \$4; amending Minnesota Statutes 2006, section 357.021, subdivisions 6, 7.

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

1.5 Section 1. Minnesota Statutes 2006, section 357.021, subdivision 6, is amended to read:

1.6 Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided
1.7 in this paragraph, the court shall impose and the court administrator shall collect a \$72
1.8 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or
1.9 petty misdemeanor offense, other than a violation of section 168.09 or a law or ordinance
1.10 relating to vehicle parking, for which there shall be a \$4 surcharge. In the Second Judicial
1.11 District, the court shall impose, and the court administrator shall collect, an additional \$1
1.12 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or
1.13 petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle
1.14 parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The
1.15 surcharge shall be imposed whether or not the person is sentenced to imprisonment or the
1.16 sentence is stayed. The surcharge shall not be imposed when a person is convicted of a
1.17 petty misdemeanor for which no fine is imposed.

1.18 (b) If the court fails to impose a surcharge as required by this subdivision, the court
1.19 administrator shall show the imposition of the surcharge, collect the surcharge, and
1.20 correct the record.

1.21 (c) The court may not waive payment of the surcharge required under this
1.22 subdivision. Upon a showing of indigency or undue hardship upon the convicted person
1.23 or the convicted person's immediate family, the sentencing court may authorize payment
1.24 of the surcharge in installments.

2.1 (d) The court administrator or other entity collecting a surcharge shall forward it
2.2 to the commissioner of finance.

2.3 (e) If the convicted person is sentenced to imprisonment and has not paid the
2.4 surcharge before the term of imprisonment begins, the chief executive officer of the
2.5 correctional facility in which the convicted person is incarcerated shall collect the
2.6 surcharge from any earnings the inmate accrues from work performed in the facility
2.7 or while on conditional release. The chief executive officer shall forward the amount
2.8 collected to the commissioner of finance.

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

2.10 Sec. 2. Minnesota Statutes 2006, section 357.021, subdivision 7, is amended to read:

2.11 Subd. 7. **Disbursement of surcharges by commissioner of finance.** (a) Except
2.12 as provided in paragraphs (b), (c), and (d), the commissioner of finance shall disburse
2.13 surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

2.14 (1) one percent shall be credited to the game and fish fund to provide peace officer
2.15 training for employees of the Department of Natural Resources who are licensed under
2.16 sections 626.84 to 626.863, and who possess peace officer authority for the purpose of
2.17 enforcing game and fish laws;

2.18 (2) 39 percent shall be credited to the peace officers training account in the special
2.19 revenue fund; and

2.20 (3) 60 percent shall be credited to the general fund.

2.21 (b) The commissioner of finance shall credit \$3 of each surcharge received under
2.22 subdivision 6 and section 97A.065, subdivision 2, to the general fund.

2.23 (c) In addition to any amounts credited under paragraph (a), the commissioner
2.24 of finance shall credit \$44 of each surcharge received under subdivision 6 and section
2.25 97A.065, subdivision 2, and the \$4 ~~parking~~ surcharge for violations of section 168.09
2.26 and parking violations, to the general fund.

2.27 (d) If the Ramsey County Board of Commissioners authorizes imposition of
2.28 the additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court
2.29 administrator in the Second Judicial District shall transmit the surcharge to the
2.30 commissioner of finance. The \$1 special surcharge is deposited in a Ramsey County
2.31 surcharge account in the special revenue fund and amounts in the account are appropriated
2.32 to the trial courts for the administration of the petty misdemeanor diversion program
2.33 operated by the Second Judicial District Ramsey County Violations Bureau.

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