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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3690**

March 3, 2008

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

March 13, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act

1.2 relating to corrections; making technical corrections and amendments to certain

1.3 youth correction, county jail, adult offender supervision, and fingerprinting

1.4 provisions; changing date for annual report of Advisory Council on Interstate

1.5 Adult Offender Supervision; amending Minnesota Statutes 2006, sections

1.6 241.301; 243.1606, subdivision 3; 609.117, subdivision 3; 641.09; 641.18;

1.7 repealing Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39;

1.8 260B.241; 260C.207.

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

1.10 Section 1. Minnesota Statutes 2006, section 241.301, is amended to read:

1.11 **241.301 FINGERPRINTS OF INMATES, PAROLEES, AND PROBATIONERS**

1.12 **FROM OTHER STATES.**

1.13 The commissioner of corrections shall establish procedures so that whenever this

1.14 state receives an inmate, parolee, or probationer from another state under sections 241.28

1.15 to 241.30 or ~~243.16~~ 243.1605, fingerprints and thumbprints of the inmate, parolee, or

1.16 probationer are obtained and forwarded to the bureau of criminal apprehension.

1.17 Sec. 2. Minnesota Statutes 2006, section 243.1606, subdivision 3, is amended to read:

1.18 Subd. 3. **Annual report.** By ~~January 15~~ March 1 of each year, the council shall

1.19 report to the governor and the legislature on its activities and the activities of the interstate

1.20 commission and executive committee as described in section 243.1605 for the preceding

1.21 year. The report also must include an assessment of how the interstate compact is

1.22 functioning both within and without the state.

1.23 Sec. 3. Minnesota Statutes 2006, section 609.117, subdivision 3, is amended to read:

2.1 Subd. 3. **Offenders from other states.** When the state accepts an offender from
2.2 another state under the interstate compact authorized by section ~~243.16~~ 243.1605, the
2.3 acceptance is conditional on the offender providing a biological specimen for the purposes
2.4 of DNA analysis as defined in section 299C.155, if the offender was initially charged
2.5 with committing or attempting to commit a felony offense and was convicted of that
2.6 offense or of any offense arising out of the same set of circumstances. The specimen
2.7 must be provided under supervision of staff from the Department of Corrections or a
2.8 Community Corrections Act county within 15 business days after the offender reports to
2.9 the supervising agent. The cost of obtaining the biological specimen is the responsibility
2.10 of the agency providing supervision.

2.11 Sec. 4. Minnesota Statutes 2006, section 641.09, is amended to read:

2.12 **641.09 POWER OF OFFICERS.**

2.13 The officer in charge of prisoners so sentenced to labor may use all reasonable
2.14 means necessary to prevent escape or enforce obedience. For refusal to labor or obey
2.15 necessary orders in reference thereto, a prisoner may be kept in ~~solitary confinement but~~
2.16 ~~shall not be so confined more than ten days for any one offense, nor more than 90 days in~~
2.17 ~~all~~ secure confinement for a period of time as defined in a facility's discipline policy.

2.18 Sec. 5. Minnesota Statutes 2006, section 641.18, is amended to read:

2.19 **641.18 ~~SOLITARY~~ SECURE CONFINEMENT.**

2.20 When any prisoner is unruly or disobeys any regulation for the management of jails,
2.21 the prisoner may be kept in ~~solitary~~ secure confinement as provided in section 641.09.

2.22 Sec. 6. **REPEALER.**

2.23 Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39; 260B.241; and
2.24 260C.207, are repealed.