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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 2026

March 23, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to public safety; providing for a conditional partial pardon of a person's
1.3 criminal conviction upon successful completion of the challenge incarceration
1.4 program; proposing coding for new law in Minnesota Statutes, chapter 638.

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

1.6 Section 1. [638.021] CONDITIONAL PARTIAL PARDON.

1.7 (a) A person, convicted of a crime in any court of this state, who has served the
1.8 sentence imposed by the court in the challenge incarceration program under sections
1.9 244.171 and 244.172 and has been discharged of the sentence either by order of the court
1.10 or by operation of law, may petition the Board of Pardons to grant a conditional partial
1.11 pardon.

1.12 (b) The Board of Pardons shall grant a conditional partial pardon that reduces the
1.13 person's conviction for a felony to a gross misdemeanor if the board determines that
1.14 the person:

1.15 (1) has successfully completed the challenge incarceration program; and

1.16 (2) is recommended for the reduction in conviction by the challenge incarceration
1.17 program staff, the person's supervisory agent, or both.

1.18 (c) The Board of Pardons shall revoke a person's conditional partial pardon under
1.19 paragraph (b) and reinstate the person's felony conviction if:

1.20 (1) evidence shows that the person may reasonably pose a danger to the public
1.21 or an individual; or

1.22 (2) the person is convicted of a second or subsequent felony offense.

1.23 (d) The conditional partial pardon, when granted, has the effect of setting aside and
1.24 nullifying the felony conviction and establishing a gross misdemeanor conviction. The

2.1 person shall not be required after the pardon to disclose the felony conviction at any time
2.2 or place other than a judicial proceeding or as part of the licensing process for peace
2.3 officers unless the person violates the conditions of the partial pardon under paragraph (c)
2.4 and the conditional partial pardon is revoked by the board.

2.5 (e) The application for a conditional partial pardon, the review process, and the
2.6 notice requirements are governed by this chapter and the rules of the board.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2009.