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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE NO. **3038**

February 18, 2010

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

March 1, 2010

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to corrections; modifying inmate payment of room and board to include
1.3 any time credited for time served; amending Minnesota Statutes 2008, section
1.4 641.12, subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2008, section 641.12, subdivision 3, is amended to read:

1.7 Subd. 3. **Inmate payment of room and board.** (a) A county board may require that
1.8 ~~an offender~~ a person convicted of a crime and confined in the county jail, workhouse, or
1.9 correctional or work farm pay the cost of the ~~offender's~~ person's room, board, clothing,
1.10 medical, dental, and other correctional services. The board shall establish a schedule to
1.11 charge ~~offenders~~ persons under this subdivision. The charges may be assessed for any
1.12 time for which the person receives credit for time served against the sentence imposed
1.13 as a result of the conviction. The costs may be collected at any time while the ~~offender~~
1.14 person is under sentence or after the sentence has been discharged. During the period of
1.15 confinement, the costs may be deducted from any money possessed by the ~~offender~~ person
1.16 or any money deposited with the local correctional or law enforcement agency on the
1.17 ~~offender's~~ person's behalf. The board, or local correctional agency or sheriff with authority
1.18 over the jail, workhouse, or farm, may use any available civil means of debt collection
1.19 in collecting costs under this subdivision.

1.20 (b) The chief executive officer of the local correctional agency or sheriff may waive
1.21 payment of the costs under this subdivision if the officer or sheriff determines that the
1.22 ~~offender~~ person does not have the ability to pay the costs, payment of the costs would
1.23 create undue hardship for the ~~offender~~ person or the ~~offender's~~ person's immediate family,

2.1 the prospects for payment are poor, or there are extenuating circumstances justifying
2.2 waiver of the costs.

2.3 (c) If ~~an offender~~ a person has been ordered by a court to pay restitution, the ~~offender~~
2.4 person shall be obligated to pay the restitution ordered before paying the costs under this
2.5 subdivision. However, if the ~~offender~~ person is making reasonable payments to satisfy
2.6 the restitution obligation, the local correctional agency or sheriff may also collect costs
2.7 under this section.