

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2858

04/26/2019 Authored by Mariani
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to public safety; proposing an amendment to the Minnesota Constitution
1.3 by adding a section to article XIII; providing for a Sentencing Guidelines
1.4 Commission.

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

1.6 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.7 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.8 is adopted, a section shall be added to article XIII, to read:

1.9 Sec. 13. The Sentencing Guidelines Commission consists of not less than 11 members
1.10 as the legislature may establish. It shall promulgate Sentencing Guidelines for the district
1.11 court that include appropriate sanctions for offenders for whom imprisonment is not proper.
1.12 The Sentencing Guidelines promulgated by the commission may also establish appropriate
1.13 sanctions for offenders for whom imprisonment is not proper. Any modification which
1.14 amends the Sentencing Guidelines grids, including severity levels and criminal history
1.15 scores, or which would result in the reduction of any sentence or in the early release of any
1.16 inmate, with the exception of a modification mandated or authorized by the legislature or
1.17 relating to a crime created or amended by the legislature in the preceding session, shall be
1.18 submitted to the legislature by January 15 of any year in which the commission wishes to
1.19 make the change and shall be effective on August 1 of that year, unless the legislature by
1.20 law provides otherwise. Additional powers and duties shall be defined and regulated by
1.21 law.

2.1 Sec. 2. SUBMISSION TO VOTERS.

2.2 (a) The proposed amendment must be submitted to the people at the 2020 general election.

2.3 The question submitted must be:

2.4 "Shall the Minnesota Constitution be amended to provide a Sentencing Guidelines  
2.5 Commission with the power to establish Sentencing Guidelines subject to modification by  
2.6 law?

2.7 Yes .....

2.8 No ..... "

2.9 (b) The title required under Minnesota Statutes, section 204D.15, subdivision 1, for the  
2.10 question submitted to the people under paragraph (a) shall be: "Minnesota Sentencing  
2.11 Guidelines Commission."