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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 309

01/11/2023 Authored by Nash, Hudella, Wiens, Backer, Engen and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring that level III predatory offenders be subject to
1.3 electronic surveillance while under community correctional supervision;
1.4 appropriating money; amending Minnesota Statutes 2022, section 244.05,
1.5 subdivision 6.

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

1.7 Section 1. Minnesota Statutes 2022, section 244.05, subdivision 6, is amended to read:

1.8 Subd. 6. Intensive supervised release. (a) The commissioner may order that an inmate
1.9 be placed on intensive supervised release for all or part of the inmate's supervised release
1.10 or parole term if the commissioner determines that the action will further the goals described
1.11 in section 244.14, subdivision 1, clauses (2), (3), and (4). In addition, the commissioner
1.12 may order that an inmate be placed on intensive supervised release for all of the inmate's
1.13 conditional or supervised release term if the inmate was convicted of a sex offense under
1.14 section 609.342, 609.343, 609.344, 609.345, or 609.3453 or was sentenced under the
1.15 provisions of section 609.3455, subdivision 3a. The commissioner shall order that all level
1.16 III predatory offenders be placed on intensive supervised release, which must include
1.17 electronic surveillance, for the entire supervised release, conditional release, or parole term.

1.18 (b) The commissioner may impose appropriate conditions of release on the inmate
1.19 including but not limited to unannounced searches of the inmate's person, vehicle, premises,
1.20 computer, or other electronic devices capable of accessing the Internet by an intensive
1.21 supervision agent; compliance with court-ordered restitution, if any; random drug testing;
1.22 house arrest; daily curfews; frequent face-to-face contacts with an assigned intensive
1.23 supervision agent; work, education, or treatment requirements; and electronic surveillance.

2.1 In addition, any sex offender placed on intensive supervised release may be ordered to
2.2 participate in an appropriate sex offender program as a condition of release.

2.3 (c) As a condition of release for an inmate required to register under section 243.166
2.4 who is placed on intensive supervised release under this subdivision, the commissioner shall
2.5 prohibit the inmate from accessing, creating, or maintaining a personal web page, profile,
2.6 account, password, or user name for: (1) a social networking website, or (2) an instant
2.7 messaging or chat room program, which permits persons under the age of 18 to become a
2.8 member or to create or maintain a personal web page. An intensive supervised release agent
2.9 may modify the prohibition described in this paragraph if doing so does not jeopardize
2.10 public safety and the modification is specifically described and agreed to in advance by the
2.11 agent.

2.12 (d) If the inmate violates the conditions of the intensive supervised release, the
2.13 commissioner shall impose sanctions as provided in subdivision 3 and section 609.3455.

2.14 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to offenders
2.15 placed on intensive supervised release on or after that date.

2.16 Sec. 2. **APPROPRIATION.**

2.17 \$...... in fiscal year 2024 is appropriated from the general fund to the commissioner of
2.18 corrections to implement section 1.