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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 534

01/19/2023 Authored by Scott, Fogelman, Hudson, Perryman, Mueller 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 county attorneys to record and report the reason
1.3 for dismissing charges; requiring the Sentencing Guidelines Commission to report
1.4 information on dismissals to the legislature; requiring county attorneys to post
1.5 information on dismissals to a publicly accessible website; amending Minnesota
1.6 Statutes 2022, section 244.09, by adding a subdivision; proposing coding for new
1.7 law in Minnesota Statutes, chapter 388.

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

1.9 Section 1. Minnesota Statutes 2022, section 244.09, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 15. Report on dismissals with agreement of the prosecutor. The Sentencing
1.12 Guidelines Commission shall include in its annual report to the legislature a summary and
1.13 analysis of reports received from county attorneys under section 388.052.

1.14 EFFECTIVE DATE. This section is effective August 1, 2023.

1.15 Sec. 2. [388.052] REPORT ON CRIMINAL CHARGES AND CASES DISMISSED.

1.16 (a) In each case where the defendant is charged with a felony, a county attorney who
1.17 dismisses any part of a criminal action pursuant to rule 30.01 of the Rules of Criminal
1.18 Procedure shall record the following information in writing:

1.19 (1) the name of the defendant;

1.20 (2) the date of the offense;

1.21 (3) all crimes charged;

1.22 (4) any charges that were dismissed;

2.1 (5) whether the victim, if any, supports the dismissal;

2.2 (6) the date of dismissal; and

2.3 (7) any reason for the dismissal.

2.4 (b) The county attorney shall forward the information recorded under paragraph (a) to  
2.5 the Sentencing Guidelines Commission upon forms prescribed by the commission and must  
2.6 publish the information on the county attorney's publicly accessible website. Information  
2.7 forwarded to the Sentencing Guidelines Commission and posted on the county attorney's  
2.8 website must not include identifying information of a victim.

2.9 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to dismissals  
2.10 occurring on or after that date.