

HOUSE RESEARCH

Bill Summary

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Overview

This bill repeals the current statute governing the Minnesota Financial Crimes Task Force and establishes the Minnesota Financial Crimes Oversight Council. The Council's duties include establishing a taskforce, choosing a statewide commander, developing strategies and policies to combat identity theft, and creating the "Victim Task Force Assistance Center." In addition, grants are authorized to assist state and local governments to combat identity theft. Under the bill's provisions, there is a \$1 fee assessed on every issuance, renewal, replacement, or reinstatement of a MN state ID card or driver's license. The fees collected are to be used for investigation of financial crimes. The bill also authorizes up to a \$2,000 reward for information leading to the arrest of an offender committing a financial crime against Minnesota citizens or businesses.

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1 Minnesota Financial Crimes Oversight Council.

Subd. 1. Oversight council established. Establishes the Minnesota Financial Crimes Oversight Council to provide guidance in investigating and prosecuting identity theft and financial crimes.

Subd. 2. Membership. Provides a list of 15 members to be appointed to the Council.

Subd. 3. Duties. Directs the Council to: (1) develop a strategy to ameliorate the harm

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caused to the public by identity theft and financial crimes; (2) establish a multi-jurisdictional taskforce to investigate major financial crimes; (3) choose a statewide commander; (4) assist DPS in the grant process; (5) make funding recommendations; (6) assist in developing a process to collect and share identity theft information; (7) develop and approve an operational budget; (8) establish fiscal procedures with DPS; and (9) enter into contracts as necessary.

Subd. 4. Statewide commander. Provides that the current commander shall transition the Task Force and remain commander until July 1, 2008, at which time the commissioner of public safety shall appoint a statewide commander. Delineates the duties of the commander, including coordinating and monitoring enforcement activities, facilitating local and statewide efforts, facilitating training, monitoring compliance, implementing evaluation and quality control processes, selecting and removing investigators, providing supervision, and submitting budgets and quarterly activity reports to the Council.

Subd. 5. Participating officers; employment status. Requires that all participating law enforcement officers be licensed and remain employees of their employing agency. The officers are not state employees.

Subd. 6. Jurisdiction and powers. Confers statewide jurisdiction and arrest powers to law enforcement officers.

Subd. 7. Grants authorized. Authorizes the commissioner to make grants to state and local governmental units to combat identity theft and financial crimes. As funding permits, the commander may prepare a budget to establish four regional districts and fund grant allocation programs outside the counties of Hennepin, Anoka, Ramsey, Dakota, and Washington.

Subd. 8. Financial Crimes Oversight Council Funding Account. Establishes the Minnesota Financial Crimes Oversight Council funding account in the state treasury. Money received from assessments under subdivision 9 is deposited in the state treasury and credited to the funding account. The money must be used for financial crimes investigations. Assessment of the funds begins July 1, 2005.

Subd. 9. Assessment fees. Assesses a \$1 fee on every issuance, renewal, replacement, or reinstatement of a Minnesota state ID card or driver's license. Directs the person collecting assessments to remit all monies to the commissioner of public safety for deposit in the Financial Crimes Oversight Council funding account. Delineates reporting and transfer requirements.

Subd. 10. Victims Assistance Program. (a) Authorizes the Council to establish a victims assistance program to assist victims of economic crimes and provide prevention and awareness programs. The Council may retain outside services to assist in development and delivery systems. Victim services are limited to helping victims obtain police assistance and directing victims on how to protect accounts and identities. Financial assistance is prohibited. Services include a 1-800 number, fax

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number, website, telephone service (Monday-Friday), e-mail response, and interface to other websites. The Minnesota Government Data Practices Act covers information collected by the service center.

(b) Authorizes up to a \$2,000 reward for tips leading to the apprehension and successful prosecution of individuals committing financial crimes against Minnesota citizens and businesses. The Council may post or communicate the reward through various mediums. All rewards must meet the Council's standards. The release of the funds shall be made to the individual whose information lead to the apprehension and prosecution of the offender(s). All rewards paid must be reported to the Department of Revenue along with the person's social security number.

Subd. 11. Council and task force are permanent. This section does not expire.

Subd. 12. Funding. Authorizes the Council to accept grants and in-kind contributions.

Subd. 13. Forfeiture. Provides that property seized by the Task Force is subject to forfeiture if ownership cannot be established.

Subd. 14. Transfer equipment from current Minnesota financial crimes task force. Transfers the Task Force's equipment to the Council for use by the Task Force.

Subd. 15. Repealer. Repeals section 299A.68 (Minnesota Financial Crimes Task Force.)