

1.1 moves to amend H.F. No. 969 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. TITLE.

1.4 This act shall be known as "Colton's Law."

1.5 Sec. 2. ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.

1.6 The purpose of electronic surveillance of adult and juvenile offenders is to provide a
1.7 cost-effective alternative to incarceration or detention for deserving low-risk offenders.
1.8 It is a privilege for an adult or juvenile offender to be placed on electronic surveillance
1.9 in lieu of remaining in custody to complete a period of incarceration or detention. The
1.10 parties who authorize and implement electronic surveillance shall take all reasonable
1.11 precautions to protect public safety.

1.12 Sec. 3. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision
1.13 to read:

1.14 Subd. 1d. **Electronic surveillance.** (a) If the commissioner orders electronic
1.15 surveillance of an inmate placed on supervised release, the commissioner must require that
1.16 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,
1.17 directly supervise the offender until electronic surveillance is activated.

1.18 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
1.19 that the inmate's residence is properly equipped and the inmate's telecommunications
1.20 system is properly configured to support electronic surveillance prior to being released
1.21 from custody or the direct supervision of a probation agent. Failure to comply with this
1.22 paragraph is a violation of the inmate's conditions of release.

1.23 Sec. 4. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

2.1 Subd. 6. **Electronic surveillance.** (a) During any phase, the offender may be placed
2.2 on electronic surveillance if the intensive supervision agent so directs. If electronic
2.3 surveillance is directed during phase I, the commissioner must require that the inmate be
2.4 kept in custody, or that the inmate's intensive supervised release agent, or the agent's
2.5 designee, directly supervise the offender until electronic surveillance is activated.

2.6 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
2.7 that the inmate's residence is properly equipped and the inmate's telecommunications
2.8 system is properly configured to support electronic surveillance prior to being released
2.9 from custody or the direct supervision of an intensive supervised release agent. Failure to
2.10 comply with this paragraph is a violation of the inmate's conditions of release.

2.11 Sec. 5. Minnesota Statutes 2014, section 260B.198, is amended by adding a
2.12 subdivision to read:

2.13 Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated
2.14 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,
2.15 the court must require that the juvenile be kept in custody, or that the juvenile's probation
2.16 agent directly supervise the juvenile until electronic surveillance is activated.

2.17 (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic
2.18 surveillance to ensure that the juvenile's residence is properly equipped and the residence's
2.19 telecommunications system is properly configured to support electronic surveillance prior
2.20 to being released from custody or the direct supervision of a probation agent.

2.21 Sec. 6. Minnesota Statutes 2014, section 631.461, is amended to read:

2.22 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

2.23 (a) When a sentence for an offense includes imprisonment in a county jail, the
2.24 court may sentence the offender to imprisonment in a workhouse or correctional or work
2.25 farm if there is one in the county where the offender is tried or where the offense was
2.26 committed. If not, the court may sentence the offender to imprisonment in a workhouse or
2.27 correctional or work farm in any county in this state. However, the county board of the
2.28 county where the offender is tried shall have some agreement for the receipt, maintenance,
2.29 and confinement of inmates with the county where the offender has been sentenced to
2.30 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may
2.31 be removed from one place of confinement to another as provided by statute.

2.32 (b) If a court orders or a sheriff permits an offender to serve any portion of the
2.33 offender's sentence on electronic surveillance, the court or sheriff must require that the

3.1 offender be kept in custody, or that the offender's probation agent directly supervise the
3.2 offender until electronic surveillance is activated.

3.3 (c) It is the responsibility of the offender placed on electronic surveillance to ensure
3.4 that the offender's residence is properly equipped and the offender's telecommunications
3.5 system is properly configured to support electronic surveillance prior to being released
3.6 from custody or the direct supervision of a probation agent. Failure to comply with this
3.7 paragraph is a violation of the offender's conditions of release."

3.8 Amend the title accordingly