

156.26

ARTICLE 9

156.27

CLEMENCY REFORM

156.28 Section 1. Minnesota Statutes 2022, section 13.871, subdivision 8, is amended to read:

156.29 Subd. 8. ~~Board of Pardons Clemency Review Commission records.~~ Access to Board
156.30 of Pardons records of the Clemency Review Commission is governed by section ~~638.07~~
156.31 638.20.

157.1 Sec. 2. Minnesota Statutes 2022, section 299C.11, subdivision 3, is amended to read:

157.2 Subd. 3. **Definitions.** For purposes of this section:

157.3 (1) "determination of all pending criminal actions or proceedings in favor of the arrested
157.4 person" does not include:

157.5 (i) the sealing of a criminal record pursuant to section 152.18, subdivision 1, 242.31, or
157.6 chapter 609A;

157.7 (ii) the arrested person's successful completion of a diversion program;

157.8 (iii) an order of discharge under section 609.165; or

157.9 (iv) a pardon granted under ~~section 638.02~~ chapter 638; and

157.10 (2) "targeted misdemeanor" has the meaning given in section 299C.10, subdivision 1.

157.11 Sec. 3. Minnesota Statutes 2022, section 638.01, is amended to read:

157.12 **638.01 BOARD OF PARDONS; HOW CONSTITUTED; POWERS.**

157.13 The Board of Pardons ~~shall consist~~ consists of the governor, the chief justice of the
157.14 supreme court, and the attorney general. ~~The board~~ governor in conjunction with the board
157.15 may grant pardons and reprieves and commute the sentence of any person convicted of any
157.16 offense against the laws of the state, in the manner and under the conditions and rules
157.17 hereinafter prescribed, but not otherwise clemency according to this chapter.

157.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

157.19 Sec. 4. **[638.011] DEFINITIONS.**

157.20 Subdivision 1. Scope. For purposes of this chapter, the terms defined in this section have
157.21 the meanings given.

157.22 Subd. 2. Board. "Board" means the Board of Pardons under section 638.01.

157.23 Subd. 3. Clemency. Unless otherwise provided, "clemency" includes a pardon,
157.24 commutation, and reprieve after conviction for a crime against the state except in cases of
157.25 impeachment.

110.1

ARTICLE 5

110.2

CLEMENCY PROVISIONS

110.3 Section 1. Minnesota Statutes 2022, section 13.871, subdivision 8, is amended to read:

110.4 Subd. 8. ~~Board of Pardons Clemency Review Commission records.~~ Access to Board
110.5 of Pardons records of the Clemency Review Commission is governed by section ~~638.07~~
110.6 638.20.

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110.8 Subd. 3. **Definitions.** For purposes of this section:

110.9 (1) "determination of all pending criminal actions or proceedings in favor of the arrested
110.10 person" does not include:

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110.12 chapter 609A;

110.13 (ii) the arrested person's successful completion of a diversion program;

110.14 (iii) an order of discharge under section 609.165; or

110.15 (iv) a pardon granted under ~~section 638.02~~ chapter 638; and

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110.20 supreme court, and the attorney general. ~~The board~~ governor in conjunction with the board
110.21 may grant pardons and reprieves and commute the sentence of any person convicted of any
110.22 offense against the laws of the state, in the manner and under the conditions and rules
110.23 hereinafter prescribed, but not otherwise clemency according to this chapter.

110.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

110.25 Sec. 4. **[638.011] DEFINITIONS.**

110.26 Subdivision 1. Scope. For purposes of this chapter, the terms defined in this section have
110.27 the meanings given.

110.28 Subd. 2. Board. "Board" means the Board of Pardons under section 638.01.

111.1 Subd. 3. Clemency. Unless otherwise provided, "clemency" includes a pardon,
111.2 commutation, and reprieve after conviction for a crime against the state except in cases of
111.3 impeachment.

157.26 Subd. 4. **Commission.** "Commission" means the Clemency Review Commission under
157.27 section 638.09.

157.28 Subd. 5. **Department.** "Department" means the Department of Corrections.

158.1 Subd. 6. **Waiver request.** "Waiver request" means a request to waive a time restriction
158.2 under sections 638.12, subdivisions 2 and 3, and 638.19, subdivision 1.

158.3 **EFFECTIVE DATE.** This section is effective August 1, 2023.

158.4 Sec. 5. **[638.09] CLEMENCY REVIEW COMMISSION.**

158.5 Subdivision 1. **Establishment; duties.** (a) The Clemency Review Commission is
158.6 established to:

158.7 (1) review each eligible clemency application and waiver request that it receives;

158.8 (2) recommend to the board, in writing, whether to grant or deny the application or
158.9 waiver request, with each member's vote reported;

158.10 (3) recommend to the board, in writing, whether the board should conduct a hearing on
158.11 a clemency application, with each member's vote reported; and

158.12 (4) provide victim support services, assistance to applicants, and other assistance as the
158.13 board requires.

158.14 (b) Unless otherwise provided:

158.15 (1) the commission's recommendations under this chapter are nonbinding on the governor
158.16 or the board; and

158.17 (2) chapter 15 applies unless otherwise inconsistent with this chapter.

158.18 Subd. 2. **Composition.** (a) The commission consists of nine members, each serving a
158.19 term coterminous with the governor.

158.20 (b) The governor, the attorney general, and the chief justice of the supreme court must
158.21 each appoint three members to serve on the commission and replace members when the
158.22 members' terms expire. Members serve at the pleasure of their appointing authority.

158.23 Subd. 3. **Appointments to commission.** (a) An appointing authority is encouraged to
158.24 consider the following criteria when appointing a member:

158.25 (1) expertise in law, corrections, victims' services, correctional supervision, mental
158.26 health, and substance abuse treatment; and

158.27 (2) experience addressing systemic disparities, including but not limited to disparities
158.28 based on race, gender, and ability.

111.4 Subd. 4. **Commission.** "Commission" means the Clemency Review Commission under
111.5 section 638.09.

111.6 Subd. 5. **Department.** "Department" means the Department of Corrections.

111.7 Subd. 6. **Waiver request.** "Waiver request" means a request to waive a time restriction
111.8 under sections 638.12, subdivisions 2 and 3, and 638.19, subdivision 1.

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111.17 a clemency application, with each member's vote reported; and

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111.19 board requires.

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111.22 or the board; and

111.23 (2) chapter 15 applies unless otherwise inconsistent with this chapter.

111.24 Subd. 2. **Composition.** (a) The commission consists of nine members, each serving a
111.25 term coterminous with the governor.

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111.28 members' terms expire. Members serve at the pleasure of their appointing authority.

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111.30 consider the following criteria when appointing a member:

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112.2 health, and substance abuse treatment; and

112.3 (2) experience addressing systemic disparities, including but not limited to disparities
112.4 based on race, gender, and ability.

158.29 (b) An appointing authority must seek out and encourage qualified individuals to apply
158.30 to serve on the commission, including:

159.1 (1) members of Indigenous communities, Black communities, and other communities
159.2 of color;

159.3 (2) members diverse as to gender identity; and

159.4 (3) members diverse as to age and ability.

159.5 (c) If there is a vacancy, the appointing authority who selected the vacating member
159.6 must make an interim appointment to expire at the end of the vacating member's term.

159.7 (d) A member may continue to serve until the member's successor is appointed, but a
159.8 member may not serve more than eight years in total.

159.9 Subd. 4. **Commission; generally.** (a) The commission must biennially elect one of its
159.10 members as chair and one as vice-chair. The chair serves as the board's secretary.

159.11 (b) Each commission member must be:

159.12 (1) compensated at a rate of \$150 for each day or part of the day spent on commission
159.13 activities; and

159.14 (2) reimbursed for all reasonable expenses actually paid or incurred by the member while
159.15 performing official duties.

159.16 (c) Beginning January 1, 2025, and annually thereafter, the board may set a new per
159.17 diem rate for commission members, not to exceed an amount ten percent higher than the
159.18 previous year's rate.

159.19 Subd. 5. **Executive director.** (a) The board must appoint a commission executive director
159.20 knowledgeable about clemency and criminal justice. The executive director serves at the
159.21 pleasure of the board in the unclassified service as an executive branch employee.

159.22 (b) The executive director's salary is set in accordance with section 15A.0815, subdivision
159.23 3.

159.24 (c) The executive director may obtain office space and supplies and hire administrative
159.25 staff necessary to carry out the commission's official functions, including providing
159.26 administrative support to the board and attending board meetings. Any additional staff serve
159.27 in the unclassified service at the pleasure of the executive director.

159.28 **EFFECTIVE DATE.** This section is effective August 1, 2023.

159.29 Sec. 6. **[638.10] CLEMENCY APPLICATION.**

159.30 Subdivision 1. **Required contents.** A clemency application must:

160.1 (1) be in writing;

112.5 (b) An appointing authority must seek out and encourage qualified individuals to apply
112.6 to serve on the commission, including:

112.7 (1) members of Indigenous communities, Black communities, and other communities
112.8 of color;

112.9 (2) members diverse as to gender identity; and

112.10 (3) members diverse as to age and ability.

112.11 (c) If there is a vacancy, the appointing authority who selected the vacating member
112.12 must make an interim appointment to expire at the end of the vacating member's term.

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112.21 performing official duties.

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112.23 diem rate for commission members, not to exceed an amount ten percent higher than the
112.24 previous year's rate.

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112.26 knowledgeable about clemency and criminal justice. The executive director serves at the
112.27 pleasure of the board in the unclassified service as an executive branch employee.

112.28 (b) The executive director's salary is set in accordance with section 15A.0815, subdivision
112.29 3.

112.30 (c) The executive director may obtain office space and supplies and hire administrative
112.31 staff necessary to carry out the commission's official functions, including providing
113.1 administrative support to the board and attending board meetings. Any additional staff serve
113.2 in the unclassified service at the pleasure of the executive director.

113.3 **EFFECTIVE DATE.** This section is effective August 1, 2023.

113.4 Sec. 6. **[638.10] CLEMENCY APPLICATION.**

113.5 Subdivision 1. **Required contents.** A clemency application must:

113.6 (1) be in writing;

160.2 (2) be signed under oath by the applicant; and

160.3 (3) state the clemency sought, state why the clemency should be granted, and contain
160.4 the following information and any additional information that the commission or board
160.5 requires:

160.6 (i) the applicant's name, address, and date and place of birth, and every alias by which
160.7 the applicant is or has been known;

160.8 (ii) the applicant's demographic information, including race, ethnicity, gender, disability
160.9 status, and age, only if voluntarily reported;

160.10 (iii) the name of the crime for which clemency is requested, the date and county of
160.11 conviction, the sentence imposed, and the sentence's expiration or discharge date;

160.12 (iv) the names of the sentencing judge, the prosecuting attorney, and any victims of the
160.13 crime;

160.14 (v) a brief description of the crime and the applicant's age at the time of the crime;

160.15 (vi) the date and outcome of any prior clemency application, including any application
160.16 submitted before July 1, 2024;

160.17 (vii) to the best of the applicant's knowledge, a statement of any past criminal conviction
160.18 and any pending criminal charge or investigation;

160.19 (viii) for an applicant under the department's custody, a statement describing the
160.20 applicant's reentry plan should clemency be granted; and

160.21 (ix) an applicant statement acknowledging and consenting to the disclosure to the
160.22 commission, board, and public of any private data on the applicant in the application or in
160.23 any other record relating to the clemency being sought, including conviction and arrest
160.24 records.

160.25 Subd. 2. **Required form.** (a) An application must be made on a commission-approved
160.26 form or forms and filed with the commission by commission-prescribed deadlines. The
160.27 commission must consult with the board on the forms and deadlines.

160.28 (b) The application must include language informing the applicant that the board and
160.29 the commission will consider any and all past convictions and that the applicant may provide
160.30 information about the convictions.

161.1 Subd. 3. **Reviewing application for completeness.** The commission must review an
161.2 application for completeness. An incomplete application must be returned to the applicant,
161.3 who may then provide the missing information and resubmit the application within a
161.4 commission-prescribed period.

161.5 Subd. 4. **Notice to applicant.** After the commission's initial investigation of a clemency
161.6 application, the commission must notify the applicant of the scheduled date, time, and

113.7 (2) be signed under oath by the applicant; and

113.8 (3) state the clemency sought, state why the clemency should be granted, and contain
113.9 the following information and any additional information that the commission or board
113.10 requires:

113.11 (i) the applicant's name, address, and date and place of birth, and every alias by which
113.12 the applicant is or has been known;

113.13 (ii) the applicant's demographic information, including race, ethnicity, gender, disability
113.14 status, and age, only if voluntarily reported;

113.15 (iii) the name of the crime for which clemency is requested, the date and county of
113.16 conviction, the sentence imposed, and the sentence's expiration or discharge date;

113.17 (iv) the names of the sentencing judge, the prosecuting attorney, and any victims of the
113.18 crime;

113.19 (v) a brief description of the crime and the applicant's age at the time of the crime;

113.20 (vi) the date and outcome of any prior clemency application, including any application
113.21 submitted before July 1, 2024;

113.22 (vii) to the best of the applicant's knowledge, a statement of any past criminal conviction
113.23 and any pending criminal charge or investigation;

113.24 (viii) for an applicant under the department's custody, a statement describing the
113.25 applicant's reentry plan should clemency be granted; and

113.26 (ix) an applicant statement acknowledging and consenting to the disclosure to the
113.27 commission, board, and public of any private data on the applicant in the application or in
113.28 any other record relating to the clemency being sought, including conviction and arrest
113.29 records.

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114.2 form or forms and filed with the commission by commission-prescribed deadlines. The
114.3 commission must consult with the board on the forms and deadlines.

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114.5 the commission will consider any and all past convictions and that the applicant may provide
114.6 information about the convictions.

114.7 Subd. 3. **Reviewing application for completeness.** The commission must review an
114.8 application for completeness. An incomplete application must be returned to the applicant,
114.9 who may then provide the missing information and resubmit the application within a
114.10 commission-prescribed period.

114.11 Subd. 4. **Notice to applicant.** After the commission's initial investigation of a clemency
114.12 application, the commission must notify the applicant of the scheduled date, time, and

161.7 location that the applicant must appear before the commission for a meeting under section
161.8 638.14.

161.9 Subd. 5. **Equal access to information.** Each board and commission member must have
161.10 equal access to information under this chapter that is used when making a clemency decision.

161.11 Sec. 7. **[638.11] THIRD-PARTY NOTIFICATIONS.**

161.12 Subdivision 1. **Notice to victim; victim rights.** (a) After receiving a clemency
161.13 application, the commission must make all reasonable efforts to locate any victim of the
161.14 applicant's crime.

161.15 (b) At least 30 calendar days before the commission meeting at which the application
161.16 will be heard, the commission must notify any located victim of:

161.17 (1) the application;

161.18 (2) the meeting's scheduled date, time, and location; and

161.19 (3) the victim's right to attend the meeting and submit an oral or written statement to the
161.20 commission.

161.21 (c) The commission must make all reasonable efforts to ensure that a victim can:

161.22 (1) submit an oral or written statement; and

161.23 (2) receive victim support services as necessary to help the victim submit a statement
161.24 and participate in the clemency process.

161.25 Subd. 2. **Notice to sentencing judge and prosecuting attorney.** (a) At least 30 calendar
161.26 days before the commission meeting at which the application will be heard, the commission
161.27 must notify the sentencing judge and prosecuting attorney or their successors of the
161.28 application and solicit the judge's and attorney's written statements on whether to grant
161.29 clemency.

161.30 (b) Unless otherwise provided in this chapter, "law enforcement agency" includes the
161.31 sentencing judge and prosecuting attorney or their successors.

162.1 Subd. 3. **Notice to public.** At least 30 calendar days before the commission meeting at
162.2 which the application will be heard, the commission must publish notice of an application
162.3 in a qualified newspaper of general circulation in the county in which the applicant's crime
162.4 occurred.

162.5 Sec. 8. **[638.12] TYPES OF CLEMENCY; ELIGIBILITY AND WAIVER.**

162.6 Subdivision 1. **Types of clemency; requirements.** (a) The board may:

162.7 (1) pardon a criminal conviction imposed under the laws of this state;

114.13 location that the applicant must appear before the commission for a meeting under section
114.14 638.14.

114.15 Subd. 5. **Equal access to information.** Each board and commission member must have
114.16 equal access to information under this chapter that is used when making a clemency decision.

114.17 Sec. 7. **[638.11] THIRD-PARTY NOTIFICATIONS.**

114.18 Subdivision 1. **Notice to victim; victim rights.** (a) After receiving a clemency
114.19 application, the commission must make all reasonable efforts to locate any victim of the
114.20 applicant's crime.

114.21 (b) At least 30 calendar days before the commission meeting at which the application
114.22 will be heard, the commission must notify any located victim of:

114.23 (1) the application;

114.24 (2) the meeting's scheduled date, time, and location; and

114.25 (3) the victim's right to attend the meeting and submit an oral or written statement to the
114.26 commission.

114.27 (c) The commission must make all reasonable efforts to ensure that a victim can:

114.28 (1) submit an oral or written statement; and

114.29 (2) receive victim support services as necessary to help the victim submit a statement
114.30 and participate in the clemency process.

115.1 Subd. 2. **Notice to sentencing judge and prosecuting attorney.** (a) At least 30 calendar
115.2 days before the commission meeting at which the application will be heard, the commission
115.3 must notify the sentencing judge and prosecuting attorney or their successors of the
115.4 application and solicit the judge's and attorney's written statements on whether to grant
115.5 clemency.

115.6 (b) Unless otherwise provided in this chapter, "law enforcement agency" includes the
115.7 sentencing judge and prosecuting attorney or their successors.

115.8 Subd. 3. **Notice to public.** At least 30 calendar days before the commission meeting at
115.9 which the application will be heard, the commission must publish notice of an application
115.10 in a qualified newspaper of general circulation in the county in which the applicant's crime
115.11 occurred.

115.12 Sec. 8. **[638.12] TYPES OF CLEMENCY; ELIGIBILITY AND WAIVER.**

115.13 Subdivision 1. **Types of clemency; requirements.** (a) The board may:

115.14 (1) pardon a criminal conviction imposed under the laws of this state;

162.8 (2) commute a criminal sentence imposed by a court of this state to time served or a
162.9 lesser sentence; or

162.10 (3) grant a reprieve of a sentence imposed by a court of this state.

162.11 (b) A grant of clemency must be in writing and has no force or effect if the governor or
162.12 a board majority duly convened opposes the clemency. Every conditional grant of clemency
162.13 must state the terms and conditions upon which it was granted, and every commutation
162.14 must specify the terms of the commuted sentence.

162.15 (c) A granted pardon sets aside the conviction and purges the conviction from an
162.16 individual's criminal record. The individual is not required to disclose the conviction at any
162.17 time or place other than:

162.18 (1) in a judicial proceeding; or

162.19 (2) during the licensing process for peace officers.

162.20 Subd. 2. **Pardon eligibility; waiver.** (a) An individual convicted of a crime in a court
162.21 of this state may apply for a pardon of the individual's conviction on or after five years from
162.22 the sentence's expiration or discharge date.

162.23 (b) An individual may request the board to waive the waiting period if there is a showing
162.24 of unusual circumstances and special need.

162.25 (c) The commission must review a waiver request and recommend to the board whether
162.26 to grant the request. When considering a waiver request, the commission is exempt from
162.27 the meeting requirements under section 638.14 and chapter 13D.

162.28 (d) The board must grant a waiver request unless the governor or a board majority
162.29 opposes the waiver.

162.30 Subd. 3. **Commutation eligibility.** (a) An individual may apply for a commutation of
162.31 an unexpired criminal sentence imposed by a court of this state, including an individual
163.1 confined in a correctional facility or on probation, parole, supervised release, or conditional
163.2 release. An application for commutation may not be filed until the date that the individual
163.3 has served at least one-half of the sentence imposed or on or after five years from the
163.4 conviction date, whichever is earlier.

163.5 (b) An individual may request the board to waive the waiting period if there is a showing
163.6 of unusual circumstances and special need.

163.7 (c) The commission must review a waiver request and recommend to the board whether
163.8 to grant the request. When considering a waiver request, the commission is exempt from
163.9 the meeting requirements under section 638.14 and chapter 13D.

163.10 (d) The board must grant a waiver request unless the governor or a board majority
163.11 opposes the waiver.

115.15 (2) commute a criminal sentence imposed by a court of this state to time served or a
115.16 lesser sentence; or

115.17 (3) grant a reprieve of a sentence imposed by a court of this state.

115.18 (b) A grant of clemency must be in writing and has no force or effect if the governor or
115.19 a board majority duly convened opposes the clemency. Every conditional grant of clemency
115.20 must state the terms and conditions upon which it was granted, and every commutation
115.21 must specify the terms of the commuted sentence.

115.22 (c) A granted pardon sets aside the conviction and purges the conviction from an
115.23 individual's criminal record. The individual is not required to disclose the conviction at any
115.24 time or place other than:

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115.29 the sentence's expiration or discharge date.

115.30 (b) An individual may request the board to waive the waiting period if there is a showing
115.31 of unusual circumstances and special need.

116.1 (c) The commission must review a waiver request and recommend to the board whether
116.2 to grant the request. When considering a waiver request, the commission is exempt from
116.3 the meeting requirements under section 638.14 and chapter 13D.

116.4 (d) The board must grant a waiver request unless the governor or a board majority
116.5 opposes the waiver.

116.6 Subd. 3. **Commutation eligibility.** (a) An individual may apply for a commutation of
116.7 an unexpired criminal sentence imposed by a court of this state, including an individual
116.8 confined in a correctional facility or on probation, parole, supervised release, or conditional
116.9 release. An application for commutation may not be filed until the date that the individual
116.10 has served at least one-half of the sentence imposed or on or after five years from the
116.11 conviction date, whichever is earlier.

116.12 (b) An individual may request the board to waive the waiting period if there is a showing
116.13 of unusual circumstances and special need.

116.14 (c) The commission must review a waiver request and recommend to the board whether
116.15 to grant the request. When considering a waiver request, the commission is exempt from
116.16 the meeting requirements under section 638.14 and chapter 13D.

116.17 (d) The board must grant a waiver request unless the governor or a board majority
116.18 opposes the waiver.

163.12 Sec. 9. **[638.13] ACCESS TO RECORDS; ISSUING SUBPOENA.**

163.13 Subdivision 1. **Access to records.** (a) Notwithstanding chapter 13 or any other law to
163.14 the contrary, upon receiving a clemency application, the board or commission may request
163.15 and obtain any relevant reports, data, and other information from state courts, law
163.16 enforcement agencies, or state agencies. The board and the commission must have access
163.17 to all relevant sealed or otherwise inaccessible court records, presentence investigation
163.18 reports, police reports, criminal history reports, prison records, and any other relevant
163.19 information.

163.20 (b) State courts, law enforcement agencies, and state agencies must promptly respond
163.21 to record requests from the board or the commission.

163.22 Subd. 2. **Issuing subpoena.** The board or the commission may issue a subpoena requiring
163.23 the presence of any person before the commission or board and the production of papers,
163.24 records, and exhibits in any pending matter. When a person is summoned before the
163.25 commission or the board, the person may be allowed compensation for travel and attendance
163.26 as the commission or the board considers reasonable.

163.27 Sec. 10. **[638.14] COMMISSION MEETINGS.**

163.28 Subdivision 1. **Frequency.** The commission must meet at least four times each year for
163.29 one or more days at each meeting to hear eligible clemency applications and recommend
163.30 appropriate action to the board on each application. One or more of the meetings may be
163.31 held at a department-operated correctional facility.

164.1 Subd. 2. **When open to the public.** All commission meetings are open to the public as
164.2 provided under chapter 13D, but the commission may hold closed meetings:

164.3 (1) as provided under chapter 13D; or

164.4 (2) as necessary to protect sensitive or confidential information, including (i) a victim's
164.5 identity, and (ii) sensitive or confidential victim testimony.

164.6 Subd. 3. **Recording.** When possible, the commission must record its meetings by audio
164.7 or audiovisual means.

164.8 Subd. 4. **Board attendance.** The governor, attorney general, and chief justice, or their
164.9 designees, may attend commission meetings as ex officio nonvoting members, but their
164.10 attendance does not affect whether the commission has a quorum.

164.11 Subd. 5. **Applicant appearance; third-party statements.** (a) An applicant for clemency
164.12 must appear before the commission either in person or through available forms of
164.13 telecommunication.

164.14 (b) The victim of an applicant's crime may appear and speak at the meeting or submit a
164.15 written statement to the commission. The commission may treat a victim's written statement
164.16 as confidential and not disclose the statement to the applicant or the public if there is or has

116.19 Sec. 9. **[638.13] ACCESS TO RECORDS; ISSUING SUBPOENA.**

116.20 Subdivision 1. **Access to records.** (a) Notwithstanding chapter 13 or any other law to
116.21 the contrary, upon receiving a clemency application, the board or commission may request
116.22 and obtain any relevant reports, data, and other information from state courts, law
116.23 enforcement agencies, or state agencies. The board and the commission must have access
116.24 to all relevant sealed or otherwise inaccessible court records, presentence investigation
116.25 reports, police reports, criminal history reports, prison records, and any other relevant
116.26 information.

116.27 (b) State courts, law enforcement agencies, and state agencies must promptly respond
116.28 to record requests from the board or the commission.

116.29 Subd. 2. **Issuing subpoena.** The board or the commission may issue a subpoena requiring
116.30 the presence of any person before the commission or board and the production of papers,
116.31 records, and exhibits in any pending matter. When a person is summoned before the
116.32 commission or the board, the person may be allowed compensation for travel and attendance
116.33 as the commission or the board considers reasonable.

117.1 Sec. 10. **[638.14] COMMISSION MEETINGS.**

117.2 Subdivision 1. **Frequency.** The commission must meet at least four times each year for
117.3 one or more days at each meeting to hear eligible clemency applications and recommend
117.4 appropriate action to the board on each application. One or more of the meetings may be
117.5 held at a department-operated correctional facility.

117.6 Subd. 2. **When open to the public.** All commission meetings are open to the public as
117.7 provided under chapter 13D, but the commission may hold closed meetings:

117.8 (1) as provided under chapter 13D; or

117.9 (2) as necessary to protect sensitive or confidential information, including (i) a victim's
117.10 identity, and (ii) sensitive or confidential victim testimony.

117.11 Subd. 3. **Recording.** When possible, the commission must record its meetings by audio
117.12 or audiovisual means.

117.13 Subd. 4. **Board attendance.** The governor, attorney general, and chief justice, or their
117.14 designees, may attend commission meetings as ex officio nonvoting members, but their
117.15 attendance does not affect whether the commission has a quorum.

117.16 Subd. 5. **Applicant appearance; third-party statements.** (a) An applicant for clemency
117.17 must appear before the commission either in person or through available forms of
117.18 telecommunication.

117.19 (b) The victim of an applicant's crime may appear and speak at the meeting or submit a
117.20 written statement to the commission. The commission may treat a victim's written statement
117.21 as confidential and not disclose the statement to the applicant or the public if there is or has

164.17 been an order for protection, harassment restraining order, or other no-contact order
164.18 prohibiting the applicant from contacting the victim.

164.19 (c) A law enforcement agency's representative may provide the agency's position on
164.20 whether the commission should recommend clemency by:

164.21 (1) appearing and speaking at the meeting; or
164.22 (2) submitting a written statement to the commission.

164.23 (d) The sentencing judge and the prosecuting attorney, or their successors, may provide
164.24 their positions on whether the commission should recommend clemency by:

164.25 (1) appearing and speaking at the meeting; or
164.26 (2) submitting their statements under section 638.11, subdivision 2.

164.27 **Sec. 11. ~~[638.15]~~ COMMISSION RECOMMENDATION.**

164.28 **Subdivision 1. Grounds for recommending clemency.** (a) When recommending whether
164.29 to grant clemency, the commission must consider any factors that the commission deems
164.30 appropriate, including but not limited to:

165.1 (1) the nature, seriousness, and circumstances of the applicant's crime; the applicant's
165.2 age at the time of the crime; and the time that has elapsed between the crime and the
165.3 application;

165.4 (2) the successful completion or revocation of previous probation, parole, supervised
165.5 release, or conditional release;

165.6 (3) the number, nature, and circumstances of the applicant's other criminal convictions;

165.7 (4) the extent to which the applicant has demonstrated rehabilitation through
165.8 postconviction conduct, character, and reputation;

165.9 (5) the extent to which the applicant has accepted responsibility, demonstrated remorse,
165.10 and made restitution to victims;

165.11 (6) whether the sentence is clearly excessive in light of the applicant's crime and criminal
165.12 history and any sentence received by an accomplice and with due regard given to:

165.13 (i) any plea agreement;
165.14 (ii) the sentencing judge's views; and
165.15 (iii) the sentencing ranges established by law;

165.16 (7) whether the applicant's age or medical status indicates that it is in the best interest
165.17 of society that the applicant receive clemency;

117.22 been an order for protection, harassment restraining order, or other no-contact order
117.23 prohibiting the applicant from contacting the victim.

117.24 (c) A law enforcement agency's representative may provide the agency's position on
117.25 whether the commission should recommend clemency by:

117.26 (1) appearing and speaking at the meeting; or
117.27 (2) submitting a written statement to the commission.

117.28 (d) The sentencing judge and the prosecuting attorney, or their successors, may provide
117.29 their positions on whether the commission should recommend clemency by:

117.30 (1) appearing and speaking at the meeting; or
117.31 (2) submitting their statements under section 638.11, subdivision 2.

118.1 **Sec. 11. ~~[638.15]~~ COMMISSION RECOMMENDATION.**

118.2 **Subdivision 1. Grounds for recommending clemency.** (a) When recommending whether
118.3 to grant clemency, the commission must consider any factors that the commission deems
118.4 appropriate, including but not limited to:

118.5 (1) the nature, seriousness, and circumstances of the applicant's crime; the applicant's
118.6 age at the time of the crime; and the time that has elapsed between the crime and the
118.7 application;

118.8 (2) the successful completion or revocation of previous probation, parole, supervised
118.9 release, or conditional release;

118.10 (3) the number, nature, and circumstances of the applicant's other criminal convictions;

118.11 (4) the extent to which the applicant has demonstrated rehabilitation through
118.12 postconviction conduct, character, and reputation;

118.13 (5) the extent to which the applicant has accepted responsibility, demonstrated remorse,
118.14 and made restitution to victims;

118.15 (6) whether the sentence is clearly excessive in light of the applicant's crime and criminal
118.16 history and any sentence received by an accomplice and with due regard given to:

118.17 (i) any plea agreement;
118.18 (ii) the sentencing judge's views; and
118.19 (iii) the sentencing ranges established by law;

118.20 (7) whether the applicant's age or medical status indicates that it is in the best interest
118.21 of society that the applicant receive clemency;

165.18 (8) the applicant's asserted need for clemency, including family needs and barriers to
165.19 housing or employment created by the conviction;

165.20 (9) for an applicant under the department's custody, the adequacy of the applicant's
165.21 reentry plan;

165.22 (10) the amount of time already served by the applicant and the availability of other
165.23 forms of judicial or administrative relief;

165.24 (11) the extent to which there is credible evidence indicating that the applicant is or may
165.25 be innocent of the crime for which they were convicted; and

165.26 (12) if provided by the applicant, the applicant's demographic information, including
165.27 race, ethnicity, gender, disability status, and age.

165.28 (b) Unless an applicant knowingly omitted past criminal convictions on the application,
165.29 the commission or the board must not prejudice an applicant for failing to identify past
165.30 criminal convictions.

166.1 Subd. 2. **Recommending denial of commutation without hearing.** (a) At a meeting
166.2 under section 638.14, the commission may recommend denying a commutation application
166.3 without a board hearing if:

166.4 (1) the applicant is challenging the conviction or sentence through court proceedings;

166.5 (2) the applicant has failed to exhaust all available state court remedies for challenging
166.6 the sentence; or

166.7 (3) the commission determines that the matter should first be considered by the parole
166.8 authority.

166.9 (b) A commission recommendation to deny an application under paragraph (a) must be
166.10 sent to the board along with the application.

166.11 Subd. 3. **Considering public statements.** When making its recommendation on an
166.12 application, the commission must consider any statement provided by a victim or law
166.13 enforcement agency.

166.14 Subd. 4. **Commission recommendation; notifying applicant.** (a) Before the board's
166.15 next meeting at which the clemency application may be considered, the commission must
166.16 send to the board:

166.17 (1) the application;

166.18 (2) the commission's recommendation;

166.19 (3) any recording of the commission's meeting related to the application; and

166.20 (4) all statements from victims and law enforcement agencies.

118.22 (8) the applicant's asserted need for clemency, including family needs and barriers to
118.23 housing or employment created by the conviction;

118.24 (9) for an applicant under the department's custody, the adequacy of the applicant's
118.25 reentry plan;

118.26 (10) the amount of time already served by the applicant and the availability of other
118.27 forms of judicial or administrative relief;

118.28 (11) the extent to which there is credible evidence indicating that the applicant is or may
118.29 be innocent of the crime for which they were convicted; and

118.30 (12) if provided by the applicant, the applicant's demographic information, including
118.31 race, ethnicity, gender, disability status, and age.

119.1 (b) Unless an applicant knowingly omitted past criminal convictions on the application,
119.2 the commission or the board must not prejudice an applicant for failing to identify past
119.3 criminal convictions.

119.4 Subd. 2. **Recommending denial of commutation without hearing.** (a) At a meeting
119.5 under section 638.14, the commission may recommend denying a commutation application
119.6 without a board hearing if:

119.7 (1) the applicant is challenging the conviction or sentence through court proceedings;

119.8 (2) the applicant has failed to exhaust all available state court remedies for challenging
119.9 the sentence; or

119.10 (3) the commission determines that the matter should first be considered by the parole
119.11 authority.

119.12 (b) A commission recommendation to deny an application under paragraph (a) must be
119.13 sent to the board along with the application.

119.14 Subd. 3. **Considering public statements.** When making its recommendation on an
119.15 application, the commission must consider any statement provided by a victim or law
119.16 enforcement agency.

119.17 Subd. 4. **Commission recommendation; notifying applicant.** (a) Before the board's
119.18 next meeting at which the clemency application may be considered, the commission must
119.19 send to the board:

119.20 (1) the application;

119.21 (2) the commission's recommendation;

119.22 (3) any recording of the commission's meeting related to the application; and

119.23 (4) all statements from victims and law enforcement agencies.

166.21 (b) No later than 14 calendar days after its dated recommendation, the commission must
166.22 notify the applicant in writing of its recommendation.

166.23 Sec. 12. **[638.16] BOARD MEETINGS.**

166.24 Subdivision 1. **Frequency.** (a) The board must meet at least two times each year to
166.25 consider clemency applications that have received favorable recommendations under section
166.26 638.09, subdivision 1, paragraph (a), clauses (2) and (3), from the commission and any
166.27 other applications for which at least one board member seeks consideration.

166.28 (b) Any board member may request a hearing on any application.

166.29 Subd. 2. **When open to the public.** All board meetings are open to the public as provided
166.30 under chapter 13D, but the board may hold closed meetings:

167.1 (1) as provided under chapter 13D; or

167.2 (2) as necessary to protect sensitive or confidential information, including (i) a victim's
167.3 identity, and (ii) sensitive or confidential victim testimony.

167.4 Subd. 3. **Executive director; attendance required.** Unless excused by the board, the
167.5 executive director and the commission's chair or vice-chair must attend all board meetings.

167.6 Subd. 4. **Considering statements.** (a) Applicants, victims, and law enforcement agencies
167.7 may not submit oral or written statements at a board meeting unless:

167.8 (1) a board member requests a hearing on an application; or

167.9 (2) the commission has recommended a hearing on an application.

167.10 (b) The board must consider any statements provided to the commission when
167.11 determining whether to consider a clemency application.

167.12 Sec. 13. **[638.17] BOARD DECISION; NOTIFYING APPLICANT.**

167.13 Subdivision 1. **Board decision.** (a) At each meeting, the board must render a decision
167.14 on each clemency application considered at the meeting or continue the matter to a future
167.15 board meeting. If the board continues consideration of an application, the commission must
167.16 notify the applicant in writing and explain why the matter was continued.

167.17 (b) If the commission recommends denying an application and no board member seeks
167.18 consideration of the recommendation, it is presumed that the board concurs with the adverse
167.19 recommendation and that the application has been considered and denied on the merits.

167.20 Subd. 2. **Notifying applicant.** The commission must notify the applicant in writing of
167.21 the board's decision to grant or deny clemency no later than 14 calendar days from the date
167.22 of the board's decision.

119.24 (b) No later than 14 calendar days after its dated recommendation, the commission must
119.25 notify the applicant in writing of its recommendation.

119.26 Sec. 12. **[638.16] BOARD MEETINGS.**

119.27 Subdivision 1. **Frequency.** (a) The board must meet at least two times each year to
119.28 consider clemency applications that have received favorable recommendations under section
119.29 638.09, subdivision 1, paragraph (a), clauses (2) and (3), from the commission and any
119.30 other applications for which at least one board member seeks consideration.

119.31 (b) Any board member may request a hearing on any application.

120.1 Subd. 2. **When open to the public.** All board meetings are open to the public as provided
120.2 under chapter 13D, but the board may hold closed meetings:

120.3 (1) as provided under chapter 13D; or

120.4 (2) as necessary to protect sensitive or confidential information, including (i) a victim's
120.5 identity, and (ii) sensitive or confidential victim testimony.

120.6 Subd. 3. **Executive director; attendance required.** Unless excused by the board, the
120.7 executive director and the commission's chair or vice-chair must attend all board meetings.

120.8 Subd. 4. **Considering statements.** (a) Applicants, victims, and law enforcement agencies
120.9 may not submit oral or written statements at a board meeting unless:

120.10 (1) a board member requests a hearing on an application; or

120.11 (2) the commission has recommended a hearing on an application.

120.12 (b) The board must consider any statements provided to the commission when
120.13 determining whether to consider a clemency application.

120.14 Sec. 13. **[638.17] BOARD DECISION; NOTIFYING APPLICANT.**

120.15 Subdivision 1. **Board decision.** (a) At each meeting, the board must render a decision
120.16 on each clemency application considered at the meeting or continue the matter to a future
120.17 board meeting. If the board continues consideration of an application, the commission must
120.18 notify the applicant in writing and explain why the matter was continued.

120.19 (b) If the commission recommends denying an application and no board member seeks
120.20 consideration of the recommendation, it is presumed that the board concurs with the adverse
120.21 recommendation and that the application has been considered and denied on the merits.

120.22 Subd. 2. **Notifying applicant.** The commission must notify the applicant in writing of
120.23 the board's decision to grant or deny clemency no later than 14 calendar days from the date
120.24 of the board's decision.

167.23 Sec. 14. **[638.18] FILING COPY OF CLEMENCY; COURT ACTION.**

167.24 Subdivision 1. **Filing with district court.** After clemency has been granted, the
167.25 commission must file a copy of the pardon, commutation, or reprieve with the district court
167.26 of the county in which the conviction and sentence were imposed.

167.27 Subd. 2. **Court action; pardon.** For a pardon, the court must:

167.28 (1) order the conviction set aside;

167.29 (2) include a copy of the pardon in the court file; and

167.30 (3) send a copy of the order and the pardon to the Bureau of Criminal Apprehension.

168.1 Subd. 3. **Court action; commutation.** For a commutation, the court must:

168.2 (1) amend the sentence to reflect the specific relief granted by the board;

168.3 (2) include a copy of the commutation in the court file; and

168.4 (3) send a copy of the amended sentencing order and commutation to the commissioner
168.5 of corrections and the Bureau of Criminal Apprehension.

168.6 Sec. 15. **[638.19] REAPPLYING FOR CLEMENCY.**

168.7 Subdivision 1. **Time-barred from reapplying; exception.** (a) After the board has
168.8 considered and denied a clemency application on the merits, an applicant may not file a
168.9 subsequent application for five years after the date of the most recent denial.

168.10 (b) An individual may request permission to reapply before the five-year period expires
168.11 based only on new and substantial information that was not and could not have been
168.12 previously considered by the board or commission.

168.13 (c) If a waiver request contains new and substantial information, the commission must
168.14 review the request and recommend to the board whether to waive the time restriction. When
168.15 considering a waiver request, the commission is exempt from the meeting requirements
168.16 under section 638.14 and chapter 13D.

168.17 (d) The board must grant a waiver request unless the governor or a board majority
168.18 opposes the waiver.

168.19 Subd. 2. **Applying for pardon not precluded.** An applicant who is denied or granted
168.20 a commutation is not precluded from later seeking a pardon of the criminal conviction once
168.21 the eligibility requirements of this chapter have been met.

168.22 Sec. 16. **[638.20] COMMISSION RECORD KEEPING.**

168.23 Subdivision 1. **Record keeping.** The commission must keep a record of every application
168.24 received, its recommendation on each application, and the final disposition of each
168.25 application.

120.25 Sec. 14. **[638.18] FILING COPY OF CLEMENCY; COURT ACTION.**

120.26 Subdivision 1. **Filing with district court.** After clemency has been granted, the
120.27 commission must file a copy of the pardon, commutation, or reprieve with the district court
120.28 of the county in which the conviction and sentence were imposed.

120.29 Subd. 2. **Court action; pardon.** For a pardon, the court must:

120.30 (1) order the conviction set aside;

121.1 (2) include a copy of the pardon in the court file; and

121.2 (3) send a copy of the order and the pardon to the Bureau of Criminal Apprehension.

121.3 Subd. 3. **Court action; commutation.** For a commutation, the court must:

121.4 (1) amend the sentence to reflect the specific relief granted by the board;

121.5 (2) include a copy of the commutation in the court file; and

121.6 (3) send a copy of the amended sentencing order and commutation to the commissioner
121.7 of corrections and the Bureau of Criminal Apprehension.

121.8 Sec. 15. **[638.19] REAPPLYING FOR CLEMENCY.**

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121.11 subsequent application for five years after the date of the most recent denial.

121.12 (b) An individual may request permission to reapply before the five-year period expires
121.13 based only on new and substantial information that was not and could not have been
121.14 previously considered by the board or commission.

121.15 (c) If a waiver request contains new and substantial information, the commission must
121.16 review the request and recommend to the board whether to waive the time restriction. When
121.17 considering a waiver request, the commission is exempt from the meeting requirements
121.18 under section 638.14 and chapter 13D.

121.19 (d) The board must grant a waiver request unless the governor or a board majority
121.20 opposes the waiver.

121.21 Subd. 2. **Applying for pardon not precluded.** An applicant who is denied or granted
121.22 a commutation is not precluded from later seeking a pardon of the criminal conviction once
121.23 the eligibility requirements of this chapter have been met.

121.24 Sec. 16. **[638.20] COMMISSION RECORD KEEPING.**

121.25 Subdivision 1. **Record keeping.** The commission must keep a record of every application
121.26 received, its recommendation on each application, and the final disposition of each
121.27 application.

168.26 Subd. 2. **When open to public.** The commission's records and files are open to public
168.27 inspection at all reasonable times, except for:

168.28 (1) sealed court records;
168.29 (2) presentence investigation reports;
168.30 (3) Social Security numbers;
169.1 (4) financial account numbers;
169.2 (5) driver's license information;
169.3 (6) medical records;
169.4 (7) confidential Bureau of Criminal Apprehension records;
169.5 (8) the identities of victims who wish to remain anonymous and confidential victim
169.6 statements; and
169.7 (9) any other confidential data on individuals, private data on individuals, not public
169.8 data, or nonpublic data under chapter 13.

169.9 Sec. 17. **[638.21] LANGUAGE ACCESS AND VICTIM SUPPORT.**

169.10 Subdivision 1. **Language access.** The commission and the board must take reasonable
169.11 steps to provide meaningful language access to applicants and victims. Applicants and
169.12 victims must have language access to information, documents, and services under this
169.13 chapter, with each communicated in a language or manner that the applicant or victim can
169.14 understand.

169.15 Subd. 2. **Interpreters.** (a) Applicants and victims are entitled to interpreters as necessary
169.16 to fulfill the purposes of this chapter, including oral or written communication. Sections
169.17 546.42 to 546.44 apply, to the extent consistent with this section.

169.18 (b) The commission or the board may not discriminate against an applicant or victim
169.19 who requests or receives interpretation services.

169.20 Subd. 3. **Victim services.** The commission and the board must provide or contract for
169.21 victim support services as necessary to support victims under this chapter.

169.22 Sec. 18. **[638.22] LEGISLATIVE REPORT.**

169.23 Beginning February 15, 2025, and every February 15 thereafter, the commission must
169.24 submit a written report to the chairs and ranking minority members of the house of
169.25 representatives and senate committees with jurisdiction over public safety, corrections, and
169.26 judiciary that contains at least the following information:

169.27 (1) the number of clemency applications received by the commission during the preceding
169.28 calendar year;

121.28 Subd. 2. **When open to public.** The commission's records and files are open to public
121.29 inspection at all reasonable times, except for:

121.30 (1) sealed court records;
122.1 (2) presentence investigation reports;
122.2 (3) Social Security numbers;
122.3 (4) financial account numbers;
122.4 (5) driver's license information;
122.5 (6) medical records;
122.6 (7) confidential Bureau of Criminal Apprehension records;
122.7 (8) the identities of victims who wish to remain anonymous and confidential victim
122.8 statements; and
122.9 (9) any other confidential data on individuals, private data on individuals, not public
122.10 data, or nonpublic data under chapter 13.

122.11 Sec. 17. **[638.21] LANGUAGE ACCESS AND VICTIM SUPPORT.**

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122.13 steps to provide meaningful language access to applicants and victims. Applicants and
122.14 victims must have language access to information, documents, and services under this
122.15 chapter, with each communicated in a language or manner that the applicant or victim can
122.16 understand.

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122.18 to fulfill the purposes of this chapter, including oral or written communication. Sections
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122.21 who requests or receives interpretation services.

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122.23 victim support services as necessary to support victims under this chapter.

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122.26 submit a written report to the chairs and ranking minority members of the house of
122.27 representatives and senate committees with jurisdiction over public safety, corrections, and
122.28 judiciary that contains at least the following information:

122.29 (1) the number of clemency applications received by the commission during the preceding
122.30 calendar year;

169.29 (2) the number of favorable and adverse recommendations made by the commission for
169.30 each type of clemency;

170.1 (3) the number of applications granted and denied by the board for each type of clemency;

170.2 (4) the crimes for which the applications were granted by the board, the year of each
170.3 conviction, and the individual's age at the time of the crime; and

170.4 (5) summary data voluntarily reported by applicants, including but not limited to
170.5 demographic information on race, ethnicity, gender, disability status, and age, of applicants
170.6 recommended or not recommended for clemency by the commission.

170.7 **Sec. 19. [638.23] RULEMAKING.**

170.8 (a) The board and commission may jointly adopt rules, including amending Minnesota
170.9 Rules, chapter 6600, to:

170.10 (1) enforce their powers and duties under this chapter and ensure the efficient processing
170.11 of applications; and

170.12 (2) allow for expedited review of applications if there is unanimous support from the
170.13 sentencing judge or successor, the prosecuting attorney or successor, and any victims of the
170.14 crime.

170.15 (b) The time limit to adopt rules under section 14.125 does not apply.

170.16 **Sec. 20. TRANSITION PERIOD.**

170.17 (a) Beginning August 1, 2023, through March 1, 2024, the Department of Corrections
170.18 must provide the Clemency Review Commission with administrative assistance, technical
170.19 assistance, office space, and other assistance necessary for the commission to carry out its
170.20 duties under sections 4 to 21.

170.21 (b) Beginning July 1, 2024, the Clemency Review Commission must begin reviewing
170.22 applications for pardons, commutations, and reprieves. Applications received after the
170.23 effective date of this section but before July 1, 2024, must be considered according to
170.24 Minnesota Statutes 2022, sections 638.02, subdivisions 2 to 5, and 638.03 to 638.08.

170.25 (c) A pardon, commutation, or reprieve that is granted during the transition period has
170.26 no force or effect if the governor or a board majority duly convened opposes the clemency.

170.27 (d) By July 1, 2024, the Clemency Review Commission must develop application forms
170.28 in consultation with the Board of Pardons.

170.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

123.1 (2) the number of favorable and adverse recommendations made by the commission for
123.2 each type of clemency;

123.3 (3) the number of applications granted and denied by the board for each type of clemency;

123.4 (4) the crimes for which the applications were granted by the board, the year of each
123.5 conviction, and the individual's age at the time of the crime; and

123.6 (5) summary data voluntarily reported by applicants, including but not limited to
123.7 demographic information on race, ethnicity, gender, disability status, and age, of applicants
123.8 recommended or not recommended for clemency by the commission.

123.9 **Sec. 19. [638.23] RULEMAKING.**

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123.11 Rules, chapter 6600, to:

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123.13 of applications; and

123.14 (2) allow for expedited review of applications if there is unanimous support from the
123.15 sentencing judge or successor, the prosecuting attorney or successor, and any victims of the
123.16 crime.

123.17 (b) The time limit to adopt rules under section 14.125 does not apply.

123.18 **Sec. 20. TRANSITION PERIOD.**

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123.20 must provide the Clemency Review Commission with administrative assistance, technical
123.21 assistance, office space, and other assistance necessary for the commission to carry out its
123.22 duties under sections 4 to 21.

123.23 (b) Beginning July 1, 2024, the Clemency Review Commission must begin reviewing
123.24 applications for pardons, commutations, and reprieves. Applications received after the
123.25 effective date of this section but before July 1, 2024, must be considered according to
123.26 Minnesota Statutes 2022, sections 638.02, subdivisions 2 to 5, and 638.03 to 638.08.

123.27 (c) A pardon, commutation, or reprieve that is granted during the transition period has
123.28 no force or effect if the governor or a board majority duly convened opposes the clemency.

123.29 (d) By July 1, 2024, the Clemency Review Commission must develop application forms
123.30 in consultation with the Board of Pardons.

124.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

171.1 Sec. 21. **REPEALER.**
171.2 Minnesota Statutes 2022, sections 638.02; 638.03; 638.04; 638.05; 638.06; 638.07;
171.3 638.075; and 638.08, are repealed.
171.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.
171.5 Sec. 22. **EFFECTIVE DATE.**
171.6 Sections 1, 2, and 6 to 19 are effective July 1, 2024.

124.2 Sec. 21. **REPEALER.**
124.3 Minnesota Statutes 2022, sections 638.02; 638.03; 638.04; 638.05; 638.06; 638.07;
124.4 638.075; and 638.08, are repealed.
124.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.
124.6 Sec. 22. **EFFECTIVE DATE.**
124.7 Sections 1, 2, and 6 to 19 are effective July 1, 2024.