

HF1442 - 0 - Minnesota Code of Military Justice; Modifications

Chief Author: **Tou Xiong**
 Committee: **Labor, Industry, Veterans and Military Affairs**
Finance and Policy
 Date Completed: **2/24/2021 9:57:31 AM**
 Lead Agency: **Military Affairs Dept**
 Other Agencies:
 Public Safety Dept Supreme Court

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
State Total						
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total		-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 2/24/2021 9:57:31 AM
Phone: 651-284-6542 **Email:** adam.blom@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

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Chief Author: **Tou Xiong**
 Committee: **Labor, Industry, Veterans and Military Affairs Finance and Policy**
 Date Completed: **2/24/2021 9:57:31 AM**
 Agency: **Military Affairs Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 2/24/2021 9:57:25 AM
Phone: 651-284-6542 **Email:** adam.blom@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

SF724-0 modifies the Minnesota Code of Military Justice by making changes to data provision, modifying certain requirements and qualifications; making jurisdictional and appellate changes, providing punitive article updates, providing punishable offenses under the military code and providing penalties.

Assumptions

All of the National Guard activities referenced in the bill will be completed in current environment at no additional cost.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Donald Kerr

Agency Fiscal Note Coordinator Signature: Ben LaBelle

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Chief Author: **Tou Xiong**
 Committee: **Labor, Industry, Veterans and Military Affairs Finance and Policy**
 Date Completed: **2/24/2021 9:57:31 AM**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Maren Bardal **Date:** 2/23/2021 1:09:31 PM
Phone: 651-284-6429 **Email:** maren.bardal@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill modifies a variety of the sections of the Minnesota Code of Military Justice. As a part of these modifications, the BCA is directed to investigate military offenses or any other act or omission under this code within the jurisdiction of the military courts and tribunals, if the investigation is referred to the BCA by the governor or the adjutant general.

Assumptions

BCA:

1. It is assumed that, at maximum, a couple of cases per annum will be referred to the BCA by the governor or the adjutant general.
2. It is assumed that none of the cases taken on will be more complex or require more work than any other BCA-handled case.
3. It is assumed that the BCA will have access to all the necessary evidence and information needed to complete referred investigations in a timely manner.
4. If the the first three assumptions are accurate, the BCA can handle the investigations as a part of its' normal duties.
5. In spite of the first assumption, neither the BCA nor the adjutant general can guarantee that two or fewer cases will be referred per annum.
6. If the first three assumptions are innacurate, the expenses associated with these investigations will be unable to be absorbed.

MSP:

No fiscal impact to State Patrol.

AGED:

No fiscal impact to AGED. No proposed language which would intersect with AGED.

Expenditure and/or Revenue Formula

BCA:

If the first three assumptions are inaccurate, the expenses associated with these investigations will be unable to be absorbed.

If the first three assumptions are accurate, the BCA can handle the investigations as a part of its' normal duties, at no cost.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Rita Wurm 651-201-7016

Agency Fiscal Note Coordinator Signature: Rita Wurm

Phone: 651-201-7016

Date: 2/23/2021 10:57:33 AM

Email: rita.wurm@state.mn.us

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Chief Author: **Tou Xiong**
 Committee: **Labor, Industry, Veterans and Military Affairs Finance and Policy**
 Date Completed: **2/24/2021 9:57:31 AM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Maren Bardal **Date:** 2/19/2021 12:37:30 PM
Phone: 651-284-6429 **Email:** maren.bardal@lbo.leg.mn

State Cost (Savings) Calculation Details

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Total	-	-	-	-	-	-
Biennial Total			-			-
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Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

SF724 amends a number of provisions in and related to Minn. Stat. ch. 192A, the Code of Military Justice. The bill amends section 192.67, Transfer to civil authorities, to state that when any criminal offense, rather than just any felony, is committed by any officer or enlisted member of the military forces while on duty status other than federal, rather than active state, duty, the officer or enlisted member shall be turned over by superior officers to the proper civil authorities. The bill also amends section 192A.371, Review by State Appellate Authority, to provide that decisions of a special or general courts-martial may be appealed by writ of certiorari to the supreme court, rather than to the court of appeals.

Assumptions

It is assumed that the provisions of this bill could increase the number of criminal cases filed in the district courts as a result of the expansion of the offenses required to be turned over to civil authorities. It is unknown how many cases could be filed as a result of those provisions. The judicial branch has no data to indicate there has ever been an appeal filed under the provisions of section 192A.371. Therefore it is assumed that the transfer of jurisdiction from the court of appeals to the supreme court will have no measurable fiscal impact on either court.

Expenditure and/or Revenue Formula

This bill is not anticipated to have a significant fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

None

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Janet Marshall

Date: 2/19/2021 9:36:05 AM

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