Overview

This bill removes a court's authority to impose and waive fees for local correctional services and gives that authority solely to local correctional agencies.

Section

1 Fee collection. Removes the requirement in current law that fees be determined by the court. Allows the chief executive officer of a local correctional agency to impose and collect fees for local corrections. Local correctional agencies may collect fees during an offender's sentence or after the sentence is discharged and may use all available means of collecting debt.

2 Exemption from fee. Removes the authority of a court to waive payment of local correctional fees and gives that authority solely to the chief executive officer of the local correctional agency if circumstances justify a waiver. Retains the provision that allows a local correctional agency to require community service as a way for offenders to pay the fees.

3 Restitution payment priority. Retains the requirement in current law that restitution payments take priority over local corrections fees. Allows simultaneous payment of both restitution and local corrections fees if an offender is making reasonable payments to satisfy the restitution obligation.

4 Imposition of fee. Removes the authority of courts to impose local correction fees and gives local correctional agencies authority to collect fees.

5 Repealer. Repeals section 609.102, subdivision 3, which allows courts to waive payment of a local correctional fee and subdivision 4, which requires courts to order restitution paid before a local corrections fee.

6 Effective date. August 1, 1999 for crimes committed on or after that date.