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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2854**

February 11, 2010

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to corrections; regulating the location of transitional housing for criminal
1.3 offenders subject to noncustodial supervision; proposing coding for new law in
1.4 Minnesota Statutes, chapter 244.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [244.31] LOCATION OF TRANSITIONAL HOUSING.

1.7 Subdivision 1. **Definitions.** (a) As used in this section, unless the context otherwise
1.8 requires, the following words and terms have the meanings given them in this subdivision.

1.9 (b) "Transitional housing" means a home that provides short-term housing to
1.10 offenders serving their criminal sentences on parole, probation, supervised or conditional
1.11 release, or some other form of noncustodial supervision. Transitional housing does not
1.12 include halfway homes licensed and regulated by the commissioner of corrections or
1.13 facilities licensed and regulated by the Department of Human Services.

1.14 (c) "Residential area" means an area where more than 25 percent of surrounding
1.15 structures are designated as dwellings, whether primary, secondary, or seasonal, but not
1.16 for transient use such as hotels or motels.

1.17 (d) "Locating authority" means a public or private entity with the responsibility for
1.18 locating and establishing transitional housing for offenders.

1.19 Subd. 2. **Requirements.** A locating authority shall not locate transitional housing
1.20 in residential areas except as provided in subdivision 3.

1.21 Subd. 3. **Exception.** A locating authority may locate transitional housing in a
1.22 residential area only after satisfying the following requirements. The locating authority
1.23 must:

2.1 (1) prepare and file a report with the local governing authority specifying the need
2.2 for the facility, stating the reasons why nonresidential locations are not feasible, and
2.3 attesting that, of feasible locations, the location chosen minimizes the exposure of children
2.4 and other vulnerable populations to the transitional housing residents and least impacts
2.5 surrounding property values; and

2.6 (2) hold a community notification meeting at least 90 days prior to the transitional
2.7 housing opening where the locating authority provides interested parties with copies of its
2.8 report to the governing authority, explains the need for the facility, and permits citizen
2.9 comment.

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