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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2281**

02/25/2014 Authored by Winkler, Moran, Slocum, Dorholt, Cornish and others  
The bill was read for the first time and referred to the Committee on Government Operations  
03/17/2014 Adoption of Report: Re-referred to the Committee on Public Safety Finance and Policy  
03/24/2014 Adoption of Report: Re-referred to the Committee on Civil Law  
04/01/2014 Adoption of Report: Amended and re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act  
1.2 relating to public safety; clarifying legislators' privilege from arrest; specifying  
1.3 that driving while impaired constitutes a breach of the peace for purposes of  
1.4 the Constitution; amending Minnesota Statutes 2012, section 3.151; proposing  
1.5 coding for new law in Minnesota Statutes, chapters 3; 169A.

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

1.7 Section 1. **[3.022] REVIEW OF ARREST.**

1.8 Any documentation issued by a government agency which reproduces the text of the  
1.9 Minnesota Constitution, article IV, section 10, must include the following language: "Any  
1.10 arrest under this provision is immediately reviewable before a neutral judicial officer."

1.11 Sec. 2. Minnesota Statutes 2012, section 3.151, is amended to read:

1.12 **3.151 DISTURBING LEGISLATURE OR INTIMIDATING MEMBER.**

1.13 (a) A person is guilty of a gross misdemeanor who:

1.14 (1) willfully disturbs the legislature, or either house of it, while in session;

1.15 (2) commits disorderly conduct in the presence and view of either house, tending to  
1.16 interrupt its proceedings or impair the respect due to its authority; or

1.17 (3) willfully, by intimidation or otherwise, prevents a member of the legislature from  
1.18 attending a session of the member's house, or of a committee of it, or from giving the  
1.19 member's vote upon a question which may come before the house, or from performing any  
1.20 other official act, including an arrest, or attempted arrest, of a member of the legislature by  
1.21 a licensed peace officer for the primary purpose of delaying or preventing the performance  
1.22 of any official act.

2.1            (b) Nothing in this section limits the authority of a licensed peace officer to arrest  
2.2 or detain a member of the legislature, upon probable cause that the member has violated  
2.3 any provision of chapter 169A while traveling to a session of the member's house, or of a  
2.4 committee of it, provided that the arrest or detention is processed in an expedited manner  
2.5 and the member is delivered to the sergeant-at-arms of the house of representatives or the  
2.6 senate without unreasonable delay.

2.7            **Sec. 3. [169A.79] BREACH OF THE PEACE.**

2.8            A violation of sections 169A.20 to 169A.27 constitutes a breach of the peace for  
2.9 purposes of the Minnesota Constitution, article IV, section 10.

2.10           **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to  
2.11 offenses committed on or after that date.