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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **199**

01/15/2015 Authored by Hilstrom, Cornish, Rosenthal, O'Neill, Dehn, R., and others

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

1.1 A bill for an act
1.2 relating to public safety; amending first-degree burglary to include a violation of
1.3 an order for protection as an underlying offense; amending Minnesota Statutes
1.4 2014, section 609.582, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2014, section 609.582, subdivision 1, is amended to read:

1.7 Subdivision 1. **Burglary in the first degree.** (a) Whoever enters a building without
1.8 consent and with intent to commit a crime, ~~or~~ enters a building without consent and
1.9 commits a crime while in the building, or enters a building without consent in violation of
1.10 an order for protection, either directly or as an accomplice, commits burglary in the first
1.11 degree and may be sentenced to imprisonment for not more than 20 years or to payment of
1.12 a fine of not more than \$35,000, or both, if:

1.13 ~~(a)~~ (1) the building is a dwelling and another person, not an accomplice, is present in
1.14 it when the burglar enters or at any time while the burglar is in the building;

1.15 ~~(b)~~ (2) the burglar possesses, when entering or at any time while in the building, any
1.16 of the following: a dangerous weapon, any article used or fashioned in a manner to lead
1.17 the victim to reasonably believe it to be a dangerous weapon, or an explosive; or

1.18 ~~(c)~~ (3) the burglar assaults a person within the building or on the building's
1.19 appurtenant property.

1.20 (b) For purposes of this subdivision, "order for protection" means:

1.21 (1) an order for protection issued under chapter 518B;

1.22 (2) a domestic abuse no contact order issued under section 629.75;

1.23 (3) a restraining order issued in a marriage dissolution action; or

2.1 (4) an order issued under the laws of another state, the United States, the District of
2.2 Columbia, tribal lands, or United States territories, that is similar to any of these orders.

2.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
2.4 committed on or after that date.