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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1182

02/01/2023 Authored by Novotny and Moller
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
03/16/2023 Adoption of Report: Placed on the General Register and recommended to be placed on the Consent Calendar
Read for the Second Time
04/03/2023 Consent Calendar
Read for the Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
1.2 relating to public safety; modifying the grounds required for a peace officer to use
1.3 deadly force; amending Minnesota Statutes 2022, section 609.066, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2022, section 609.066, subdivision 2, is amended to read:

1.6 Subd. 2. Use of deadly force. (a) Notwithstanding the provisions of section 609.06 or
1.7 609.065, the use of deadly force by a peace officer in the line of duty is justified only if an
1.8 objectively reasonable officer would believe, based on the totality of the circumstances
1.9 known to the officer at the time and without the benefit of hindsight, that such force is
1.10 necessary:

1.11 (1) to protect the peace officer or another from death or great bodily harm, provided that
1.12 the threat:

1.13 (i) can be articulated with specificity by the law enforcement officer;

1.14 (ii) is reasonably likely to occur absent action by the law enforcement officer; and

1.15 (iii) must be addressed through the use of deadly force without unreasonable delay; or

1.16 (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace
1.17 officer knows or has reasonable grounds to believe has committed or attempted to commit
1.18 a felony and the officer reasonably believes that the person will cause death or great bodily
1.19 harm to another person under the threat criteria in clause (1), items (i) to (iii), unless
1.20 immediately apprehended.

2.1 (b) A peace officer shall not use deadly force against a person based on the danger the
2.2 person poses to self if an objectively reasonable officer would believe, based on the totality
2.3 of the circumstances known to the officer at the time and without the benefit of hindsight,
2.4 that the person does not pose a threat of death or great bodily harm to the peace officer or
2.5 to another under the threat criteria in paragraph (a), clause (1), items (i) to (iii).

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