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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3374

02/14/2022

Authored by Raleigh

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; providing for an enhanced criminal penalty for the theft
1.3 of a motor vehicle when the vehicle is subsequently used to commit a crime of
1.4 violence; amending Minnesota Statutes 2020, section 609.52, subdivision 3a.

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

1.6 Section 1. Minnesota Statutes 2020, section 609.52, subdivision 3a, is amended to read:

1.7 Subd. 3a. **Enhanced penalty.** (a) If a violation of this section creates a reasonably
1.8 foreseeable risk of bodily harm to another, the penalties described in subdivision 3 are
1.9 enhanced as follows:

1.10 (1) if the penalty is a misdemeanor or a gross misdemeanor, the person is guilty of a
1.11 felony and may be sentenced to imprisonment for not more than three years or to payment
1.12 of a fine of not more than \$5,000, or both; and

1.13 (2) if the penalty is a felony, the statutory maximum sentence for the offense is 50 percent
1.14 longer than for the underlying crime.

1.15 (b) Notwithstanding the maximum penalty otherwise provided in subdivision 3, a person
1.16 who violates subdivision 2 where the property stolen is a motor vehicle, and where the
1.17 person uses the vehicle in furtherance of a felony crime of violence within 72 hours of the
1.18 theft, is guilty of a felony and may be sentenced:

1.19 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than
1.20 \$30,000, or both, if the value of the stolen vehicle exceeds \$5,000; and

1.21 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
1.22 \$20,000, or both, if the value of the stolen vehicle is \$5,000 or less.

2.1 As used in this paragraph, "crime of violence" has the meaning given in section 624.712,
2.2 subdivision 5, except that the term does not include violations of sections 152.023,
2.3 subdivision 2; 152.024, subdivision 2; or 152.025, subdivision 2, but does include violations
2.4 of sections 518B.01, 609.2231, 609.224, 609.2242, 609.3451, 609.749, and 629.75, including
2.5 attempts to commit those violations, and regardless of the penalty level of the violation.

2.6 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
2.7 committed on or after that date.