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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4452

02/29/2024 Authored by Nash, Novotny, Demuth, Torkelson, Robbins and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring prosecution of offenses punishable by life
1.3 imprisonment to proceed by indictment; requiring prosecutions of peace officers
1.4 involved in an officer-involved death to proceed by indictment; proposing coding
1.5 for new law in Minnesota Statutes, chapter 628.

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

1.7 Section 1. 628.025 INDICTMENT REQUIRED.

1.8 (a) An offense punishable by life imprisonment must be prosecuted by indictment. The
1.9 prosecutor may initially proceed by a complaint after an arrest without a warrant or as the
1.10 basis to issue an arrest warrant. Subsequent procedure must be in accordance with rules 8
1.11 and 19 of the Rules of Criminal Procedure.

1.12 (b) An offense arising from an officer-involved death must be prosecuted by indictment
1.13 if a peace officer is alleged to have committed the offense.

1.14 (c) Any other offense defined by state law may be prosecuted by indictment or by a
1.15 complaint as provided by rule 2 of the Rules of Criminal Procedure.

1.16 (d) As used in this section, the following terms have the meanings given:

1.17 (1) "officer-involved death" has the meaning given in section 299C.80, subdivision 1,
1.18 paragraph (c); and

1.19 (2) "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
1.20 (c).

1.21 EFFECTIVE DATE. This section is effective August 1, 2024, and applies to offenses
1.22 committed on or after that date.