

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2712

(SENATE AUTHORS: DZIEDZIC and Latz)

DATE	D-PG	OFFICIAL STATUS
03/17/2014	6280	Introduction and first reading Referred to Judiciary
03/26/2014	6813a	Comm report: To pass as amended
	6864	Second reading
05/05/2014	8722	Special Order
	8722	Third reading Passed
05/09/2014	9017	Returned from House Presentment date 05/12/14
05/14/2014	9316	Governor's action Approval 05/13/14
	9317	Secretary of State Chapter 242 05/13/14 Effective date 08/01/14

A bill for an act

relating to crime; clarifying the crime of failure to pay court-ordered support;
amending Minnesota Statutes 2012, section 609.375, subdivisions 1, 7, 8.

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

Section 1. Minnesota Statutes 2012, section 609.375, subdivision 1, is amended to read:

Subdivision 1. **Crime defined.** Whoever is legally obligated to provide ~~care and~~
court-ordered support to a spouse or child, whether or not the child's custody has been
granted to another, and knowingly omits and fails to do so is guilty of a misdemeanor,
and upon conviction may be sentenced to imprisonment for not more than 90 days or to
payment of a fine of not more than \$1,000, or both.

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

Sec. 2. Minnesota Statutes 2012, section 609.375, subdivision 7, is amended to read:

Subd. 7. **Conditions of work release; probation violation.** Upon conviction under
this section, a defendant may obtain work release only upon the imposition of an automatic
income withholding order, and may be required to post a bond in avoidance of jail time
and conditioned upon payment of all ~~child~~ court-ordered support owed. Nonpayment of
~~child~~ court-ordered support is a violation of any probation granted following conviction
under subdivision 2a.

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

2.1 Sec. 3. Minnesota Statutes 2012, section 609.375, subdivision 8, is amended to read:

2.2 Subd. 8. **Defense.** It is an affirmative defense to criminal liability under this section
2.3 if the defendant proves by a preponderance of the evidence that the omission and failure to
2.4 provide ~~care and~~ court-ordered support were with lawful excuse.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to crimes
2.6 committed on or after that date.