

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **263**

01/31/2013 Authored by Paymar, Gruenhagen, Lesch and Ward, J.A.,

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; adding fifth degree assault and certain domestic assault
1.3 provisions to crime of violence; amending Minnesota Statutes 2012, section
1.4 624.712, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2012, section 624.712, subdivision 5, is amended to read:

1.7 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
1.8 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the
1.9 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first
1.10 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding
1.11 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
1.12 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);
1.13 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic
1.14 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235
1.15 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
1.16 robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322 (solicitation,
1.17 inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual
1.18 conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
1.19 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct
1.20 in the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or
1.21 endangerment of a child); 609.486 (commission of crime while wearing or possessing a
1.22 bullet-resistant vest); 609.52 (involving theft of a firearm, theft involving the intentional
1.23 taking or driving of a motor vehicle without the consent of the owner or authorized agent
1.24 of the owner, theft involving the taking of property from a burning, abandoned, or vacant

2.1 building, or from an area of destruction caused by civil disaster, riot, bombing, or the
2.2 proximity of battle, and theft involving the theft of a controlled substance, an explosive, or
2.3 an incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second
2.4 degree); 609.582, subdivision 1, 2, or 3 (burglary in the first through third degrees); 609.66,
2.5 subdivision 1e (drive-by shooting); 609.67 (unlawfully owning, possessing, operating a
2.6 machine gun or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic threats); 609.749
2.7 (stalking); 609.855, subdivision 5 (shooting at a public transit vehicle or facility); and
2.8 chapter 152 (drugs, controlled substances); and an attempt to commit any of these offenses.

2.9 **EFFECTIVE DATE.** This section effective August 1, 2013, and applies to crimes
2.10 committed on or after that date.