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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 43

01/04/2023 Authored by Feist, Pinto, Moller, Gomez, Hornstein 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; setting the maximum term of incarceration for a gross
1.3 misdemeanor at 364 days; amending Minnesota Statutes 2022, section 609.03;
1.4 proposing coding for new law in Minnesota Statutes, chapter 609.

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

1.6 Section 1. Minnesota Statutes 2022, section 609.03, is amended to read:

1.7 609.03 PUNISHMENT WHEN NOT OTHERWISE FIXED.

1.8 If a person is convicted of a crime for which no punishment is otherwise provided the
1.9 person may be sentenced as follows:

1.10 (1) If the crime is a felony, to imprisonment for not more than five years or to payment
1.11 of a fine of not more than \$10,000, or both; or

1.12 (2) If the crime is a gross misdemeanor, to imprisonment for not more than ~~one year~~
1.13 364 days or to payment of a fine of not more than \$3,000, or both; or

1.14 (3) If the crime is a misdemeanor, to imprisonment for not more than 90 days or to
1.15 payment of a fine of not more than \$1,000, or both; or

1.16 (4) If the crime is other than a misdemeanor and a fine is imposed but the amount is not
1.17 specified, to payment of a fine of not more than \$1,000, or to imprisonment for a specified
1.18 term of not more than six months if the fine is not paid.

1.19 EFFECTIVE DATE. This section is effective the day following final enactment and
1.20 applies to offenders receiving a gross misdemeanor sentence before, on, or after that date.

2.1 Sec. 2. **[609.0342] MAXIMUM PUNISHMENT FOR GROSS MISDEMEANORS.**

2.2 Any law of this state that provides for a maximum sentence of imprisonment of one year
2.3 or is defined as a gross misdemeanor shall be deemed to provide for a maximum fine of
2.4 \$3,000 and a maximum sentence of imprisonment of 364 days.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.6 applies to offenders receiving a gross misdemeanor sentence before, on, or after that date.

2.7 Sec. 3. **REVISOR INSTRUCTION.**

2.8 In Minnesota Statutes, the revisor of statutes shall substitute "364 days" for "one year"
2.9 consistent with the change in this act. The revisor shall also make other technical changes
2.10 resulting from the change of term to the statutory language if necessary to preserve the
2.11 meaning of the text.