

1.1 A bill for an act

1.2 relating to public safety; expanding the definition of criminal act in the  
1.3 racketeering crime; amending Minnesota Statutes 2008, section 609.902,  
1.4 subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2008, section 609.902, subdivision 4, is amended to read:

1.7 Subd. 4. **Criminal act.** (a) "Criminal act" means conduct constituting, or a  
1.8 conspiracy or attempt to commit, a felony violation of chapter 152, or a felony violation  
1.9 of section 297D.09 (marijuana and controlled substance taxation; penalties); 299F.79  
1.10 (unlawful possession of explosive/blastng agent components); 299F.80 (unlawful  
1.11 possession of explosive/blastng agent); 299F.82 (illegal transfer of explosive/blastng  
1.12 agent); 609.185 (first-degree murder); 609.19 (second-degree murder); 609.195  
1.13 (third-degree murder); 609.20 (first-degree manslaughter); 609.205 (second-degree  
1.14 manslaughter); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223  
1.15 (third-degree assault); 609.2231 (fourth-degree assault); 609.228 (great bodily harm  
1.16 caused by distribution of drugs); 609.235 (use of drugs to injure or facilitate crime);  
1.17 609.245 (aggravated robbery); 609.25 (kidnapping); 609.27 (coercion); 609.322  
1.18 (solicitation, inducement, and promotion of prostitution); 609.342 (first-degree criminal  
1.19 sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree  
1.20 criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.42  
1.21 (bribery); 609.48 (perjury); 609.485 (escape from custody); 609.495 (aiding an  
1.22 offender); 609.496 (concealing criminal proceeds); 609.497 (engaging in business of  
1.23 concealing criminal proceeds); 609.498 (tampering with a witness); 609.52, subdivision  
1.24 2, if the offense is punishable under subdivision 3, clause (3)(b) or clause 3(d)(v) or

2.1 (vi) (certain theft crimes involving controlled substances or motor vehicles); section  
2.2 609.52, subdivision 2, clause (1) or (4) (certain theft crimes involving taking movable  
2.3 property of another or theft by swindle); 609.527, if the crime is punishable under  
2.4 subdivision 3, clause (4) (certain identity thefts); 609.528, if the crime is punishable under  
2.5 subdivision 3, clause (4) (certain possession or sale of stolen/counterfeit checks); 609.53  
2.6 (receiving stolen property); 609.561 (first-degree arson); 609.562 (second-degree arson);  
2.7 609.582, subdivision 1 or 2 (first- and second-degree burglary); 609.668, subdivision 6,  
2.8 paragraph (a) (certain explosive and incendiary device crimes); 609.67 (machine guns  
2.9 and short-barreled shotguns); 609.687 (adulteration); 609.713 (terroristic threats); 609.86  
2.10 (commercial bribery); 609.894, subdivision 3 or 4 (first- and second-degree cellular  
2.11 telephone counterfeiting); 609.895 (counterfeited intellectual property); 624.713 (certain  
2.12 persons not to possess firearms); 624.7191 (metal penetrating bullets); or 626A.02,  
2.13 subdivision 1, if the offense is punishable under section 626A.02, subdivision 4, paragraph  
2.14 (a) (certain interception and disclosure of wire or oral communications crimes). "Criminal  
2.15 act" also includes conduct constituting, or a conspiracy or attempt to commit, a felony  
2.16 violation of section 609.52, subdivision 2, clause (3), (4), (15), or (16) (certain theft  
2.17 crimes), if the violation involves an insurance company as defined in section 60A.02,  
2.18 subdivision 4, a nonprofit health service plan corporation regulated under chapter 62C,  
2.19 a health maintenance organization regulated under chapter 62D, or a fraternal benefit  
2.20 society regulated under chapter 64B.

2.21 (b) Words set forth in parentheses after references to sections or subdivisions in this  
2.22 subdivision are mere catchwords, included solely for convenience in reference. They are  
2.23 not substantive and may not be used to construe or limit the meaning of any statutory  
2.24 language.

2.25 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes  
2.26 committed on or after that date.