

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3542

(SENATE AUTHORS: MARTY, Gustafson, Westlin, Pappas and Boldon)

DATE	D-PG	OFFICIAL STATUS
02/12/2024	11555	Introduction and first reading Referred to Judiciary and Public Safety
03/07/2024	12066	Author added Boldon
03/21/2024		Comm report: To pass as amended and re-refer to State and Local Government and Veterans

1.1 A bill for an act

1.2 relating to public safety; establishing the Office of Animal Protection and providing

1.3 for its duties; expanding the definition of crime of violence; appropriating money;

1.4 amending Minnesota Statutes 2023 Supplement, section 624.712, subdivision 5;

1.5 proposing coding for new law as Minnesota Statutes, chapter 299P.

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

1.7 Section 1. **[299P.01] LEGISLATIVE FINDINGS AND PURPOSE.**

1.8 The legislature finds that animal cruelty is linked to human violence and criminal activity

1.9 and that there is an ongoing need across the state to better prevent and respond to incidents

1.10 of animal cruelty. The purpose of this act is to address animal cruelty in a more

1.11 comprehensive and centralized manner by creating an Office of Animal Protection and

1.12 giving the office the authority and duties prescribed in this chapter so as to protect the

1.13 public's peace, health, and safety.

1.14 Sec. 2. **[299P.02] DEFINITIONS.**

1.15 Subdivision 1. **Application.** As used in this chapter, the following terms have the

1.16 meanings given.

1.17 Subd. 2. **Animal.** "Animal" has the meaning given in section 343.20, subdivision 2.

1.18 Subd. 3. **Animal cruelty.** "Animal cruelty" has the meaning given to "cruelty" in section

1.19 343.20, subdivision 3.

1.20 Subd. 4. **Commissioner.** "Commissioner" means the commissioner of public safety.

1.21 Subd. 5. **Director.** "Director" means the director of the Office of Animal Protection.

2.1 Subd. 6. **Office.** "Office" means the Office of Animal Protection.

2.2 Sec. 3. **[299P.03] OFFICE OF ANIMAL PROTECTION; CREATION; POWERS**
2.3 **AND DUTIES; ANNUAL REPORTING.**

2.4 Subdivision 1. **Creation.** The Office of Animal Protection is created within the Bureau
2.5 of Criminal Apprehension of the Department of Public Safety.

2.6 Subd. 2. **Powers and duties.** The office has the following powers and duties:

2.7 (1) it shall seek to promote a comprehensive and measurable approach for the prevention
2.8 of animal cruelty, protection of animals, enforcement of animal cruelty statutes, and education
2.9 across multiple disciplines throughout the state, including but not limited to:

2.10 (i) investigations;

2.11 (ii) prosecution;

2.12 (iii) forensic veterinary medicine;

2.13 (iv) animal care, transport, and housing; and

2.14 (v) human welfare, as it relates to offenders or victims of animal cruelty;

2.15 (2) it shall foster partnerships and collaborations with other criminal justice partners and
2.16 related disciplines, as described in clause (1), items (i) to (v), to identify community and
2.17 enforcement needs and challenges related to the crime of animal cruelty; establish effective
2.18 enforcement practices and initiatives based on these needs; and, if needed, seek changes to
2.19 laws or administrative rules;

2.20 (3) it shall work to build capacity to assist local, state, Tribal, and federal authorities
2.21 and other criminal justice partners in the investigation and prosecution of animal cruelty,
2.22 including providing information, education, advice, training, services, and resources, and
2.23 engaging communities in the prevention of animal cruelty;

2.24 (4) it shall work to provide standards, training, and certification for authorities and
2.25 criminal justice partners in the enforcement of animal cruelty laws;

2.26 (5) it shall work to educate, train, and build public awareness of the importance of the
2.27 humane treatment of animals with the goals of demonstrating why animal cruelty is harmful
2.28 to society and increasing knowledge about how to recognize and report animal cruelty;

2.29 (6) it shall support the advisory committee established in section 299P.04 and coordinate
2.30 the office's mission with the committee's guidance;

3.1 (7) it may conduct case reviews involving the investigation, prosecution, and sentencing
3.2 of selected closed animal cruelty cases and provide feedback to the entities involved;

3.3 (8) it may collect, maintain, analyze, and report on data relating to animal cruelty cases;

3.4 (9) it may conduct and compile research into animal cruelty and publicize the results of
3.5 the research; and

3.6 (10) it may award grants as provided in section 299P.07.

3.7 Subd. 3. **Annual performance report.** On or before January 15 of each year, the director
3.8 shall submit an annual report to the chairs and ranking minority members of the legislative
3.9 committees having jurisdiction over public safety finance and policy on the office's operations
3.10 and any recommendations for changes in law relating to animal protection.

3.11 **Sec. 4. [299P.04] ADVISORY COMMITTEE.**

3.12 Subdivision 1. **Advisory committee.** The commissioner shall establish and appoint the
3.13 members of an advisory committee pursuant to section 15.059. The committee shall adopt
3.14 procedures to govern the committee's conduct as necessary and select a chair from among
3.15 its members. The committee shall act in an advisory capacity, providing assistance and
3.16 advice to the office in the development and execution of its duties, including outreach to
3.17 communities and stakeholders.

3.18 Subd. 2. **Committee members.** Committee members shall possess knowledge, skills,
3.19 or experiences in the prevention, investigation, or prosecution of animal cruelty and the
3.20 care of animals, reflecting the five disciplines described in section 299P.03, subdivision 2,
3.21 clause (1), items (i) to (v). The committee shall also include members of the public with
3.22 knowledge of animal law and animal cruelty or experiences with animal cruelty as a victim,
3.23 including trauma of victims.

3.24 Subd. 3. **Subcommittees.** The committee may establish subcommittees to identify,
3.25 discuss, and make recommendations on specific topics related to animal cruelty and effective
3.26 enforcement efforts of animal cruelty statutes, including but not limited to animal cruelty
3.27 reporting, victim services, crime data collection, cross-reporting, courtroom advocates, and
3.28 crime prevention.

3.29 **Sec. 5. [299P.05] DIRECTOR; OTHER STAFF.**

3.30 (a) The commissioner shall appoint a director for the office. The director shall have
3.31 qualifications that include or are similar to the following:

4.1 (1) experience or knowledge in criminal law;

4.2 (2) experience or knowledge in the many facets of animal cruelty and the five disciplines
 4.3 described in section 299P.03, subdivision 2, clause (1), items (i) to (v), that contribute to
 4.4 the protection of animals and humans and successful outcomes; and

4.5 (3) expertise in leadership with planning and communication skills to foster change
 4.6 management techniques and define, develop, and implement office priorities, policies, and
 4.7 operations.

4.8 (b) The director may hire additional staff to assist in performing the duties of the office.
 4.9 Office staff shall be in the classified service of the state and their compensation shall be
 4.10 established pursuant to chapter 43A.

4.11 **Sec. 6. [299P.06] AGREEMENTS AND CONTRACTS; LOCAL AUTHORITY.**

4.12 Subdivision 1. **Agreements and contracts.** The director may enter into contracts with
 4.13 parties to assist with fulfilling the office's powers and duties under this chapter.

4.14 Subd. 2. **Authority of local governing bodies.** This chapter shall not be construed to
 4.15 limit or preempt additional requirements imposed on or possessed by any city, town, or
 4.16 county.

4.17 **Sec. 7. [299P.07] ANIMAL PROTECTION ACCOUNT; GRANTS.**

4.18 Subdivision 1. **Money received from other sources.** The director may accept money
 4.19 received as gifts, grants, or contributions from any source to support the purposes of the
 4.20 office under this chapter. The director may apply for and accept grants of money from the
 4.21 federal government, the state, any foundation, or any person to support the purposes of the
 4.22 office.

4.23 Subd. 2. **Animal protection account.** An animal protection account is created in the
 4.24 special revenue fund. All money received under subdivision 1 shall be deposited into the
 4.25 account. Money in the account, including interest, is annually appropriated to the
 4.26 commissioner to administer this chapter.

4.27 Subd. 3. **Grants authorized.** The commissioner may use money in the animal protection
 4.28 account to make grants to state and local units of government and nonprofit organizations
 4.29 to promote animal protection efforts as described in this chapter.

5.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 624.712, subdivision 5, is amended
5.2 to read:

5.3 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
5.4 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the
5.5 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first
5.6 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding
5.7 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
5.8 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);
5.9 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic
5.10 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235
5.11 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
5.12 robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322
5.13 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal
5.14 sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
5.15 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in
5.16 the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or
5.17 endangerment of a child); 609.486 (commission of crime while wearing or possessing a
5.18 bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a
5.19 controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first
5.20 degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the
5.21 first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully
5.22 owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot);
5.23 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a
5.24 public transit vehicle or facility); ~~and~~ chapter 152 (drugs, controlled substances); and chapter
5.25 343 (prevention of cruelty to animals); and an attempt to commit any of these offenses.

5.26 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
5.27 committed on or after that date.

5.28 Sec. 9. **OFFICE OF ANIMAL PROTECTION; APPROPRIATION.**

5.29 \$350,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
5.30 of public safety to establish and operate the Office of Animal Protection established under
5.31 this act.