

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

S.F. No. 868

(SENATE AUTHORS: CARLSON and Limmer)

DATE	D-PG	OFFICIAL STATUS
02/11/2021	323	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
02/15/2021	402	Author added Limmer
03/08/2021	711	Comm report: To pass and re-referred to Finance See First Special Session 2021, HF63, Art. 2, Sec. 39

1.1 A bill for an act

1.2 relating to public safety; establishing the crime of child torture; imposing criminal

1.3 penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

1.5 Section 1. [609.3775] CHILD TORTURE.

1.6 Subdivision 1. Definition. As used in this section, "torture" means the intentional

1.7 infliction of extreme mental anguish, or extreme psychological or physical abuse, when

1.8 committed in an especially depraved manner.

1.9 Subd. 2. Crime. A person who tortures a child is guilty of a felony and may be sentenced

1.10 to imprisonment for not more than 20 years or to payment of a fine of not more than \$30,000,

1.11 or both.

1.12 Subd. 3. Proof; evidence. (a) Expert testimony as to the existence or extent of mental

1.13 anguish or psychological abuse is not a requirement for a conviction under this section.

1.14 (b) A child's special susceptibility to mental anguish or psychological abuse does not

1.15 constitute an independent cause of the condition so that a defendant is exonerated from

1.16 criminal liability.

1.17 (c) Proof that a victim suffered pain is not an element of a violation of this section.

1.18 EFFECTIVE DATE. This section is effective August 1, 2021, and applies to crimes

1.19 committed on or after that date.