

Section 1 is effective upon compliance by the governing body of the city of Hanover with section 645.021. Sections 2 and 3 are effective the day following final enactment.

Approved June 14, 1983

CHAPTER 331 — H.F.No. 782

*An act relating to courts; providing for increases in maximum authorized fines for crimes; increasing the value of stolen property necessary for felony theft; increasing the maximum government tort liability limits; amending Minnesota Statutes 1982, sections 3.736, subdivision 4; 466.04, subdivisions 1 and 3; 609.02, subdivisions 3 and 4; 609.03; and 609.52, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, sections 609.031 and 609.032.*

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

Section 1. Minnesota Statutes 1982, section 3.736, subdivision 4, is amended to read:

Subd. 4. **LIMITS.** The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

(a) ~~\$100,000~~ \$200,000 when the claim is one for death by wrongful act or omission and ~~\$100,000~~ \$200,000 to any claimant in any other case.

(b) ~~\$500,000~~ \$600,000 for any number of claims arising out of a single occurrence. If the amount awarded to or settled upon multiple claimants exceeds ~~\$500,000~~ \$600,000, any party may apply to any district court to apportion to each claimant his proper share of the ~~\$500,000~~ \$600,000. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the occurrence.

The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

Sec. 2. Minnesota Statutes 1982, section 466.04, subdivision 1, is amended to read:

Subdivision 1. **LIMITS; PUNITIVE DAMAGES.** Liability of any municipality on any claim within the scope of sections 466.01 to 466.15 shall not exceed

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(a) ~~\$100,000~~ \$200,000 when the claim is one for death by wrongful act or omission and ~~\$100,000~~ \$200,000 to any claimant in any other case;

(b) ~~\$300,000~~ \$600,000 for any number of claims arising out of a single occurrence.

No award for damages on any such claim shall include punitive damages.

Sec. 3. Minnesota Statutes 1982, section 466.04, subdivision 3, is amended to read:

Subd. 3. **DISPOSITION OF MULTIPLE CLAIMS.** Where the amount awarded to or settled upon multiple claimants exceeds ~~\$300,000~~ \$600,000, any party may apply to any district court to apportion to each claimant his proper share of the total amount limited by subdivision 1. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the occurrence.

Sec. 4. Minnesota Statutes 1982, section 609.02, subdivision 3, is amended to read:

Subd. 3. **MISDEMEANOR.** "Misdemeanor" means a crime for which a sentence of not more than 90 days or a fine of not more than ~~\$500~~ \$700, or both, may be imposed.

Sec. 5. Minnesota Statutes 1982, section 609.02, subdivision 4, is amended to read:

Subd. 4. **GROSS MISDEMEANOR.** "Gross misdemeanor" means any crime which is not a felony or misdemeanor. The maximum fine which may be imposed for a gross misdemeanor is \$3,000.

Sec. 6. Minnesota Statutes 1982, section 609.03, is amended to read:

**609.03 PUNISHMENT WHEN NOT OTHERWISE FIXED.**

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

(1) If the crime is a felony, to imprisonment for not more than five years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both; or

(2) If the crime is a gross misdemeanor, to imprisonment for not more than one year or to payment of a fine of not more than ~~\$1,000~~ \$3,000, or both; or

(3) If the crime is a misdemeanor, to imprisonment for not more than 90 days or to payment of a fine of not more than ~~\$500~~ \$700, or both; or

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(4) If the crime is other than a misdemeanor and a fine is imposed but the amount is not specified, to payment of a fine of not more than \$750 \$1,000, or to imprisonment for a specified term of not more than six months if the fine is not paid.

**Sec. 7. [609.033] INCREASED MAXIMUM PENALTIES FOR MISDEMEANORS.**

Any law of this state which provides for a maximum fine of \$500 as a penalty for a violation shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$700.

**Sec. 8. [609.034] INCREASED MAXIMUM PENALTY FOR ORDINANCE VIOLATIONS.**

Any law of this state or municipal charter which limits the power of any statutory or home rule charter city, town, county, or other political subdivision to prescribe a maximum fine of \$500 or less for an ordinance shall on or after August 1, 1983, be deemed to provide that the statutory or home rule charter city, town, county, or other political subdivision has the power to prescribe a maximum fine of \$700.

**Sec. 9. [609.0341] INCREASED MAXIMUM FINES FOR GROSS MISDEMEANORS; FELONIES; OTHER FINES.**

Subdivision 1. GROSS MISDEMEANORS. Any law of this state which provides for a maximum fine of \$1,000 or for a maximum term of imprisonment of one year or which is defined as a gross misdemeanor shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$3,000 and for a maximum term of imprisonment of one year.

Subd. 2. FELONIES. (a) Any law of this state which provides for a maximum fine of \$2,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$4,000.

(b) Any law of this state which provides for a maximum fine of \$3,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$5,000.

(c) Any law of this state which provides for a maximum fine of \$5,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$10,000.

(d) Any law of this state which provides for a maximum fine of \$7,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$14,000.

(e) Any law of this state which provides for a maximum fine of \$10,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$20,000.

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(f) Any law of this state which provides for a maximum fine of \$15,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$30,000.

(g) Any law of this state which provides for a maximum fine of \$20,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$35,000.

(h) Any law of this state which provides for a maximum fine of \$25,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$40,000.

(i) Any law of this state which provides for a maximum fine of \$30,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$45,000.

(j) Any law of this state which provides for a maximum fine of \$40,000 shall, on or after August 1, 1983, be deemed to provide for a maximum fine of \$50,000.

Subd. 3. EXCEPTIONS. The provisions of subdivision 2 do not apply to any felony for which the fine was established or increased in 1983 by a legislative enactment other than this section.

Sec. 10. Minnesota Statutes 1982, section 609.52, subdivision 3, is amended to read:

Subd. 3. **SENTENCE.** Whoever commits theft may be sentenced as follows:

(1) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the value of the property or services stolen exceeds \$2,500; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the property or services stolen is more than ~~\$150~~ \$250 but not more than \$2,500; or

(3) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, notwithstanding the value of the property or services stolen is not more than ~~\$150~~ \$250, if any of the following circumstances exist:

(a) The property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(b) The property taken is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

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(c) The property is taken from a burning building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(d) The property taken consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(4) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the property stolen is an article representing a trade secret; or if the property stolen is an explosive or an incendiary device; or

(5) In all other cases where the value of the property or services stolen is \$150 \$250 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both, provided, however, in any prosecution under clause (1), clause (2), clause (3)(a), (b) and (c), clause (4), and clause (13) of subdivision 2 the value of the money or property received by the defendant in violation of any one or more of the above provisions within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

Sec. 11. **REPEALER.**

Minnesota Statutes 1982, sections 609.031 and 609.032 are repealed.

Sec. 12. **EFFECTIVE DATE.**

Sections 1, 2 and 3 are effective August 1, 1984, and apply to claims arising on or after that date. Sections 4 to 11 are effective August 1, 1983, and apply to offenses committed on or after that date.

Approved June 14, 1983

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**CHAPTER 332 — H.F.No. 851**

*An act relating to agriculture; making certain changes in the family farm security loan program; amending Minnesota Statutes 1982, sections 15.38, by adding a subdivision; 16.02, subdivision 14; 41.52, by adding a subdivision; 41.53, subdivision 2; 41.54, subdivision 2; 41.55; 41.56, subdivisions 4, 5, and by adding subdivisions; 41.57, subdivision 2; 41.58, subdivision 1; 41.59, subdivisions 1, 2, and 3; 41.61, subdivision 1.*

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