

CHAPTER 8 — S.F.No. 25

An act relating to crimes; prohibiting adulterating substances intended for use by persons with substances causing bodily harm or death; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

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

Section 1. **[609.687] ADULTERATION.**

Subdivision 1. DEFINITION. "Adulteration" is the intentional adding of any substance, which has the capacity to cause death, bodily harm or illness by ingestion, injection, inhalation or absorption, to a substance having a customary or reasonably foreseeable human use.

Subd. 2. ACTS CONSTITUTING. (a) Whoever, knowing or having reason to know that the adulteration will cause death, bodily harm or illness, adulterates any substance with the intent to cause death, bodily harm or illness is guilty of a crime and may be sentenced as provided in subdivision 3; or

(b) Whoever, knowing or having reason to know that a substance has been adulterated as defined in subdivision 1, distributes, disseminates, gives, sells, or otherwise transfers an adulterated substance with the intent to cause death, bodily harm or illness is guilty of a crime and may be sentenced as provided in subdivision 3.

Subd. 3. SENTENCE. Whoever violates subdivision 2 may be sentenced as follows:

(1) If the adulteration causes death, to imprisonment for not more than 40 years.

(2) If the adulteration causes any illness, pain, or other bodily harm, to imprisonment for not more than five years.

Subd. 4. CHARGING DISCRETION. Criminal proceedings may be instituted under this section, notwithstanding the provisions of sections 24.141, 24.28, 29.24, 31.02, 31.405, 31.601, 34.01, 151.34, 340.142, or other law proscribing adulteration of substances intended for use by persons.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 1983, and applies to all crimes committed on or after that date.

Approved March 11, 1983

Changes or additions are indicated by underline, deletions by ~~strikeout~~.