

(4) any agency responsible for credentialing human services occupations.

Approved May 14, 1987

CHAPTER 111—S.F.No. 605

An act relating to crimes; defining the crime of using police radios while committing a criminal act; prescribing penalties; amending Minnesota Statutes 1986, section 609.035; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Section 1. Minnesota Statutes 1986, section 609.035, is amended to read:

609.035 CRIME PUNISHABLE UNDER DIFFERENT PROVISIONS.

Except as provided in sections 609.251, 609.585, 609.21, subdivisions 3 and 4, and 609.2691, and section 2, if a person's conduct constitutes more than one offense under the laws of this state, the person may be punished for only one of the offenses and a conviction or acquittal of any one of them is a bar to prosecution for any other of them. All the offenses, if prosecuted, shall be included in one prosecution which shall be stated in separate counts.

Sec. 2. [609.856] USE OF POLICE RADIOS DURING COMMISSION OF CRIME; PENALTIES.

Subdivision 1. ACTS CONSTITUTING. Whoever has in possession or uses a radio or device capable of receiving or transmitting a police radio signal, message, or transmission of information used for law enforcement purposes, while in the commission of a felony or violation of section 609.487 or the attempt to commit a felony or violation of section 609.487, is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both. A prosecution for or conviction of the crime of use or possession of a police radio is not a bar to conviction for any other crime committed while possessing or using the police radio.

Subd. 2. FORFEITURE. A radio or device defined in subdivision 1 that is used in the commission of a felony or violation of section 609.487 or attempt to commit a felony or violation of section 609.487 is contraband property and subject to the forfeiture provisions of section 609.531.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 1987, and apply to all crimes committed on or after that date.

Approved May 14, 1987

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