

CHAPTER 527—H.F.No. 2470

An act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$250; specifying the appropriate prosecutor for certain violations; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 487.25, subdivision 10.

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

Section 1. Minnesota Statutes 1987 Supplement, section 487.25, subdivision 10, is amended to read:

Subd. 10. **PROSECUTING ATTORNEYS.** Except as otherwise provided by law, violations of state law that are petty misdemeanors or misdemeanors must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred. In cities of the first, second, and third class, gross misdemeanor violations of sections 609.52, 609.535, 609.595, 609.631, and 609.821 must be prosecuted by the attorney of the city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, and gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation or by the county attorney with whom it has contracted to prosecute these matters.

In the counties of Anoka, Carver, Dakota, Scott, and Washington, violations of state law that are petty misdemeanors, misdemeanors, or gross misdemeanors except as provided in section 388.051, subdivision 2, must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, or gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation or by the county attorney with whom it has contracted to prosecute these matters.

Sec. 2. Minnesota Statutes 1986, section 609.535, subdivision 2, is amended to read:

Subd. 2. **ACTS CONSTITUTING.** Whoever issues a check which, at the time of issuance, the issuer intends shall not be paid, is guilty of ~~a misdemeanor~~ issuing a dishonored check and may be sentenced as provided in section 3. In addition, restitution may be ordered by the court.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 3. Minnesota Statutes 1986, section 609.535, is amended by adding a subdivision to read:

Subd. 2a. PENALTIES. (a) A person who is convicted of issuing a dishonored check under subdivision 2 may be sentenced as follows:

(1) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the dishonored check is more than \$250; or

(2) to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, if the value of the dishonored check is not more than \$250.

(b) In a prosecution under this subdivision, the value of dishonored checks issued by the defendant in violation of this subdivision within any six-month period may be aggregated and the defendant charged accordingly in applying this section. 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 dishonored checks was issued for all of the offenses aggregated under this paragraph.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective August 1, 1988, and apply to crimes committed on or after that date.

Approved April 14, 1988

CHAPTER 528—H.F.No. 2637

An act relating to the city of Farmington; permitting the sale of certain tax-forfeited land.

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

Section 1. FARMINGTON LAND SALE.

Notwithstanding Minnesota Statutes, section 282.01, subdivision 1, the city of Farmington may convey the following property to the landowners who own abutting property:

14-57600-083-06 Pine Knoll Subdivision, Part of Lot 8, Block 6 lying N.E. of line beginning N.W. Line 113.55 feet, S.W. of most N corner thence S.E. in straight line to most E. corner and there terminating, in the county of Dakota, state of Minnesota.

New language is indicated by underline, deletions by ~~strikeout~~.