

## CHAPTER 77—H.F.No. 67

*An act relating to crime; imposing penalties for killing or injuring a search and rescue dog; amending Minnesota Statutes 1998, section 609.596.*

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

Section 1. Minnesota Statutes 1998, section 609.596, is amended to read:

**609.596 KILLING OR HARMING A POLICE, CORRECTIONS OR ARSON PUBLIC SAFETY DOG.**

Subdivision 1. ~~FELONY. Whoever~~ It is a felony for any person to intentionally and without justification causes the death of a police dog, a search and rescue dog, or an arson dog when the dog is involved in law enforcement, fire, or correctional investigation or apprehension, search and rescue duties, or the dog is in the custody of or under the control of a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), a trained handler, or an employee of a correctional facility, as defined in section 241.021, subdivision 1, clause (5), is guilty of a felony and. A person convicted under this subdivision may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both. In lieu of a fine, the court may order the defendant convicted under this subdivision to pay restitution to the affected agency owner to replace the police dog, search and rescue dog, or arson dog, in an amount not to exceed \$5,000.

Subd. 2. **GROSS MISDEMEANOR.** ~~Whoever~~ It is a gross misdemeanor for any person to intentionally and without justification causes substantial or great bodily harm to a police dog, search and rescue dog, or an arson dog when the dog is involved in law enforcement, fire, or correctional investigation or apprehension, search and rescue duties, or the dog is in the custody of or under the control of a peace officer, a trained handler, or an employee of a correctional facility, as defined in section 241.021, subdivision 1, clause (5), is guilty of a gross misdemeanor.

Subd. 3. **DEFINITION DEFINITIONS.** As used in this section:

(1) "arson dog" means a dog that has been certified as an arson dog by a state fire or police agency or by an independent testing laboratory;

(2) "correctional facility" has the meaning given in section 241.021, subdivision 1, clause (5);

(3) "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c); and

(4) "search and rescue dog" means a dog that is trained to locate lost or missing persons, victims of natural or man-made disasters, and human bodies.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective August 1, 1999, and applies to crimes committed on or after that date.

Presented to the governor April 16, 1999

Signed by the governor April 20, 1999, 9:20 a.m.

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