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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 34

01/05/2017 Authored by Garofalo, Newberger, Lohmer and Uglem
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; creating the Minnesota Public Safety Personnel Protection
1.3 Act; increasing penalties for obstructing emergency responders; amending
1.4 Minnesota Statutes 2016, section 609.50.

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

1.6 Section 1. Minnesota Statutes 2016, section 609.50, is amended to read:

1.7 609.50 OBSTRUCTING LEGAL PROCESS, ARREST, EMERGENCY
1.8 RESPONSE, OR FIREFIGHTING.

1.9 Subdivision 1. Crime. Whoever intentionally knowingly does any of the following may
1.10 be sentenced as provided in subdivision 2:

1.11 (1) obstructs, hinders, or prevents the lawful execution of any legal process, civil or
1.12 criminal, or apprehension of another on a charge or conviction of a criminal offense;

1.13 (2) obstructs, resists, or interferes with a peace officer or reserve officer while the officer
1.14 is engaged in the performance of official duties;

1.15 (3) interferes with or obstructs a firefighter while the firefighter is engaged in the
1.16 performance of official duties;

1.17 (4) interferes with or obstructs a member of an ambulance service personnel crew, as
1.18 defined in section 144E.001, subdivision 3a, an emergency medical technician, as defined
1.19 in section 144E.001, subdivision 5c, a physician, or a nurse who is providing, or attempting
1.20 to provide, emergency care; or

2.1 (5) by force or threat of force endeavors to obstruct any employee of the Department of
2.2 Revenue while the employee is lawfully engaged in the performance of official duties for
2.3 the purpose of deterring or interfering with the performance of those duties.

2.4 Subd. 2. **Penalty.** A person convicted of violating subdivision 1 ~~may~~ is guilty of a felony
2.5 and shall be sentenced as follows:

2.6 (1) if (i) the person knew or had reason to know that the act created a risk of death,
2.7 substantial bodily harm, or serious property damage; or (ii) the act caused death, substantial
2.8 bodily harm, or serious property damage; to imprisonment for not more than five years ~~or~~₂
2.9 but no less than 24 months, and to payment of a fine of not more than \$10,000, ~~or both; or~~

2.10 ~~(2) if the act was accompanied by force or violence or the threat thereof, and is not~~
2.11 ~~otherwise covered by clause (1), to imprisonment for not more than one year or to payment~~
2.12 ~~of a fine of not more than \$3,000, or both; or~~

2.13 ~~(3) (2) in other cases, to imprisonment for not more than 90 days or less than 12 months~~
2.14 and to payment of a fine of not more than \$1,000, ~~or both~~ \$10,000.

2.15 Subd. 3. **Title.** This section shall be cited as the "Minnesota Public Safety Personnel
2.16 Protection Act."