

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2491

02/23/2012 Authored by Kelly, Kieffer, Hilstrom, Gauthier and Slocum
The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance
02/29/2012 Adoption of Report: Pass and re-referred to the Committee on Judiciary Policy and Finance
03/12/2012 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act
1.2 relating to public safety; providing for a domestic abuse no contact order as
1.3 a criminal order; modifying when proceeding occurs; amending Minnesota
1.4 Statutes 2010, section 629.75, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2010, section 629.75, subdivision 1, is amended to read:

1.7 Subdivision 1. Establishment; description. (a) A domestic abuse no contact order
1.8 is ~~an~~ a criminal order issued by a court against a defendant in a criminal proceeding or a
1.9 juvenile offender in a delinquency proceeding for:

- 1.10 (1) domestic abuse as defined in section 518B.01, subdivision 2;
1.11 (2) harassment or stalking under section 609.749 when committed against a family
1.12 or household member as defined in section 518B.01, subdivision 2;
1.13 (3) violation of an order for protection under section 518B.01, subdivision 14; or
1.14 (4) violation of a prior domestic abuse no contact order under this section or
1.15 Minnesota Statutes 2008, section 518B.01, subdivision 22.

1.16 (b) A domestic abuse no contact order may be issued as a pretrial order before final
1.17 disposition of the underlying criminal case or as a postconviction probationary order. A
1.18 domestic abuse no contact order is independent of any condition of pretrial release or
1.19 probation imposed on the defendant. A domestic abuse no contact order may be issued in
1.20 addition to a similar restriction imposed as a condition of pretrial release or probation. In
1.21 the context of a postconviction probationary order, a domestic abuse no contact order may
1.22 be issued for an offense listed in paragraph (a) or for a conviction for any offense arising
1.23 out of the same set of circumstances as an offense listed in paragraph (a).

2.1 ~~(c) A no contact order under this section shall be issued in a proceeding that is~~
2.2 ~~separate from but held immediately following a proceeding in which any pretrial release~~
2.3 ~~or sentencing issues are decided.~~