

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH LEGISLATURE

S.F. No. 864

(SENATE AUTHORS: ROSEN and Champion)

DATE	D-PG	OFFICIAL STATUS
02/28/2013	446	Introduction and first reading Referred to Judiciary

A bill for an act  
relating to public safety; authorizing judges under certain circumstances to  
relieve certain nonviolent offenders of the duty to register as a predatory offender;  
amending Minnesota Statutes 2012, section 243.166, by adding a subdivision.

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

Section 1. Minnesota Statutes 2012, section 243.166, is amended by adding a  
subdivision to read:

Subd. 12. **Exception; certain nonviolent offenders; judicial determination.**  
Notwithstanding any contrary provision in this section or other law, a judge, when  
pronouncing sentence or upon a future petition, may order that a person is not required  
to register under this section based solely on a violation of section 609.344, subdivision  
1, paragraph (b), or an offense arising out of the same set of circumstances. A judge  
may do this only if the judge determines, after reviewing the complaint or petition, the  
person's prior criminal record, and the presentence investigation, that the offense: (1)  
involved a complainant who was at least 15 years of age at the time of the offense; (2)  
involved an actor who was no more than 48 months older than the complainant; and (3)  
did not involve predatory or stalking conduct.

**EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to persons  
who are registered or required to register as a predatory offender on or after that date.