

(SENATE AUTHORS: NEWMAN)

DATE	D-PG	OFFICIAL STATUS
02/14/2011	238	Introduction and first reading Referred to Judiciary and Public Safety
04/14/2011	1298a	Comm report: To pass as amended
	1338	Second reading
05/13/2011	2015	General Orders: To pass
05/16/2011	2078	Calendar: Third reading Passed
05/21/2011	3038	Returned from House with amendment
	3038	Laid on table
	3245	Taken from table
		Senate concurred and repassed bill
	3246	Third reading

1.1

A bill for an act

1.2

relating to public safety; expanding the fourth-degree assault crime and the

1.3

assaulting a police horse crime to provide more protection to law enforcement

1.4

assistants; amending Minnesota Statutes 2010, sections 609.02, by adding a

1.5

subdivision; 609.2231, by adding a subdivision; 609.597.

1.6

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

1.7

Section 1. Minnesota Statutes 2010, section 609.02, is amended by adding a

1.8

subdivision to read:

1.9

Subd. 17. **Law enforcement assistant.** "Law enforcement assistant" means

1.10

any authorized member of a sheriff's office or other state, county, regional, or local

1.11

government's mounted posse, mounted patrol, or unmounted posse organization. A law

1.12

enforcement assistant's duties do not include enforcement of the general criminal laws of

1.13

the state, and the assistant does not have full powers of arrest or authorization to carry

1.14

a firearm on duty.

1.15

EFFECTIVE DATE. This section is effective August 1, 2011, and applies to crimes

1.16

committed on or after that date.

1.17

Sec. 2. Minnesota Statutes 2010, section 609.2231, is amended by adding a subdivision

1.18

to read:

1.19

Subd. 8. **Law enforcement assistants.** A person is guilty of a gross misdemeanor

1.20

who assaults a law enforcement assistant while the law enforcement assistant is

1.21

operating at the direction of, under the control of, or on behalf of a peace officer or a

1.22

law enforcement agency.

EFFECTIVE DATE. This section is effective August 1, 2011, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2010, section 609.597, is amended to read:

609.597 ASSAULTING OR HARMING POLICE HORSE; PENALTIES.

Subdivision 1. **Definition.** As used in this section, "police horse" means a horse that has been trained for crowd control and other law enforcement purposes and is used to assist peace officers or law enforcement assistants in the performance of their official duties.

Subd. 2. **Crime.** Whoever assaults or intentionally harms a police horse while the horse is being used or maintained for use by a law enforcement agency, or while a law enforcement assistant is operating at the direction of, under the control of, or on behalf of a peace officer or a law enforcement agency, is guilty of a crime and may be sentenced as provided in subdivision 3.

Subd. 3. **Penalties.** A person convicted of violating subdivision 2 may be sentenced as follows:

(1) if a peace officer, law enforcement assistant, or any other person suffers great bodily harm or death as a result of the violation, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;

(2) if the police horse suffers death or great bodily harm as a result of the violation, or if a peace officer or law enforcement assistant suffers demonstrable bodily harm as a result of the violation, the person may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both;

(3) if the police horse suffers demonstrable bodily harm as a result of the violation, the person may be sentenced to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both;

(4) if a peace officer or law enforcement assistant is involuntarily unseated from the police horse or any person, other than the peace officer or law enforcement assistant, suffers demonstrable bodily harm as a result of the violation, the person may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both;

(5) if a violation other than one described in clauses (1) to (4) occurs, the person may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to crimes
3.2 committed on or after that date.