

**609.43 MISCONDUCT OF PUBLIC OFFICER OR EMPLOYEE.**

A public officer or employee who does any of the following, for which no other sentence is specifically provided by law, may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both:

- (1) intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the office or employment within the time or in the manner required by law; or
- (2) in the capacity of such officer or employee, does an act knowing it is in excess of lawful authority or knowing it is forbidden by law to be done in that capacity; or
- (3) under pretense or color of official authority intentionally and unlawfully injures another in the other's person, property, or rights; or
- (4) in the capacity of such officer or employee, makes a return, certificate, official report, or other like document having knowledge it is false in any material respect.

**History:** *1963 c 753 art 1 s 609.43; 1984 c 628 art 3 s 11; 1986 c 444; 2023 c 52 art 6 s 16*