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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 538

02/13/2025 Authored by Stier, Witte, Duran, Schwartz, Sexton and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; modifying use of deadly force by peace officer to protect
1.3 person from apparent death; amending Minnesota Statutes 2024, section 609.066,
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2024, section 609.066, subdivision 2, is amended to read:

1.7 Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or
1.8 609.065, the use of deadly force by a peace officer in the line of duty is justified only if an
1.9 objectively reasonable officer would believe, based on the totality of the circumstances
1.10 known to the officer at the time and without the benefit of hindsight, that such force is
1.11 necessary:

1.12 (1) to protect the peace officer or another from apparent death or great bodily harm,
1.13 provided that the threat:

1.14 (i) can be articulated with specificity;

1.15 (ii) is reasonably likely to occur absent action by the law enforcement officer; and

1.16 (iii) must be addressed through the use of deadly force without unreasonable delay; or

1.17 (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace
1.18 officer knows or has reasonable grounds to believe has committed or attempted to commit
1.19 a felony and the officer reasonably believes that the person will cause death or great bodily
1.20 harm to another person under the threat criteria in clause (1), items (i) to (iii), unless
1.21 immediately apprehended.

2.1 (b) A peace officer shall not use deadly force against a person based on the danger the
2.2 person poses to self if an objectively reasonable officer would believe, based on the totality
2.3 of the circumstances known to the officer at the time and without the benefit of hindsight,
2.4 that the person does not pose a threat of death or great bodily harm to the peace officer or
2.5 to another under the threat criteria in paragraph (a), clause (1), items (i) to (iii).