

61.1 **ARTICLE 5**

61.2 **GENERAL CRIMINAL PROVISIONS**

61.3 Section 1. Minnesota Statutes 2016, section 169.444, subdivision 2, is amended to read:

61.4 Subd. 2. **Violations by drivers; penalties.** (a) A person who fails to stop a vehicle or  
61.5 to keep it stopped, as required in subdivision 1, or who violates subdivision 1a, is guilty of  
61.6 a misdemeanor punishable by a fine of not less than ~~\$300~~ \$500.

61.7 (b) A person is guilty of a gross misdemeanor if the person fails to stop a motor vehicle  
61.8 or to keep it stopped, as required in subdivision 1, or who violates subdivision 1a, and  
61.9 commits either or both of the following acts:

61.10 (1) passes or attempts to pass the school bus in a motor vehicle on the right-hand,  
61.11 passenger-door side of the bus; or

61.12 (2) passes or attempts to pass the school bus in a motor vehicle when a school child is  
61.13 outside of and on the street or highway used by the school bus or on the adjacent sidewalk.

61.14 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations  
61.15 committed on and after that date.

61.16 Sec. 2. Minnesota Statutes 2016, section 169.64, is amended by adding a subdivision to  
61.17 read:

61.18 Subd. 11. **Gross misdemeanor.** A person who violates subdivision 2, 3, or 4 while  
61.19 impersonating a peace officer in violation of section 609.4751, subdivision 1, is guilty of a  
61.20 gross misdemeanor.

61.21 Sec. 3. Minnesota Statutes 2016, section 169.68, is amended to read:

61.22 **169.68 HORN, SIREN.**

61.23 Subdivision 1. **Requirement; limitations.** (a) Every motor vehicle when operated upon  
61.24 a highway must be equipped with a horn in good working order and capable of emitting  
61.25 sound audible under normal conditions from a distance of not less than 200 feet. However,  
61.26 the horn or other warning device must not emit an unreasonably loud or harsh sound or a  
61.27 whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe  
61.28 operation, give audible warning with the horn, but shall not otherwise use the horn when  
61.29 upon a highway.

61.30 (b) A vehicle must not be equipped with, and a person shall not use upon a vehicle, any  
61.31 siren, whistle, or bell, except as otherwise permitted in this section.

62.1 (c) It is permissible, but not required, for any commercial vehicle to be equipped with  
62.2 a theft alarm signal device, so arranged that it cannot be used by the driver as an ordinary  
62.3 warning signal.

62.4 (d) All authorized emergency vehicles must be equipped with a siren capable of emitting  
62.5 sound audible under normal conditions from a distance of not less than 500 feet and of a  
62.6 type conforming to the federal certification standards for sirens, as determined by the General  
62.7 Services Administration. However, the siren must not be used except when the vehicle is  
62.8 operated in response to an emergency call or in the immediate pursuit of an actual or  
62.9 suspected violator of the law, in which latter events the driver of the vehicle shall sound the  
62.10 siren when necessary to warn pedestrians and other drivers of the vehicle's approach.

62.11 (e) It is permissible, but not required, for a bicycle to be equipped with a horn or bell  
62.12 designed to alert motor vehicles, other bicycles, and pedestrians of the bicycle's presence.

62.13 Subd. 2. **Gross misdemeanor.** A person who violates subdivision 1 while impersonating  
62.14 a peace officer in violation of section 609.4751, subdivision 1, is guilty of a gross  
62.15 misdemeanor.

62.16 Sec. 4. Minnesota Statutes 2016, section 169.98, subdivision 3, is amended to read:

62.17 Subd. 3. **Security guard vehicle.** (a) All motor vehicles which that are used by security  
62.18 guards in the course of their employment may have any color other than those specified in  
62.19 subdivision 1 for law enforcement vehicles shall be predominantly grey. The identity of the  
62.20 security service shall be displayed on the motor vehicle as required for law enforcement  
62.21 vehicles both front door panels and on the rear of the vehicle. The identity must include the  
62.22 word "Security" with letters not less than 2-1/2 inches high, one inch wide, and of a  
62.23 three-eighth inch brush stroke. The identity shall be of a color contrasting with the  
62.24 background color so that the motor vehicle is easily identifiable as belonging to a specific  
62.25 security service. The identity may be in the form of an emblem. Each vehicle must be marked  
62.26 with its own identifying number on the rear of the vehicle. The number shall be printed in  
62.27 the same size and color required pursuant to this subdivision for identifying words which  
62.28 may be displayed on the vehicle.

62.29 (b) Notwithstanding subdivision 1, paragraph (a), clause (1), a security guard may  
62.30 continue to use a motor vehicle that is predominantly black in the course of the guard's  
62.31 employment if the vehicle was being used in this manner before August 1, 2002.

63.1 (c) Notwithstanding subdivision 1, paragraph (a), clause (3), a security guard may  
63.2 continue to use a motor vehicle that is predominantly gold in the course of the guard's  
63.3 employment if the vehicle was being used in this manner before August 1, 2012.

63.4 (d) Notwithstanding paragraph (a), a security guard may continue to use a motor vehicle  
63.5 that is not predominantly grey in the course of the guard's employment if the vehicle was  
63.6 being used in this manner before August 1, 2017.

63.7 Sec. 5. Minnesota Statutes 2016, section 169.98, is amended by adding a subdivision to  
63.8 read:

63.9 Subd. 6. **Offense.** A person may not own or operate a motor vehicle marked or identified:

63.10 (1) in any manner described in this section;

63.11 (2) with the word or words "police," "patrolman," "sheriff," "deputy," "trooper," "state  
63.12 patrol," "conservation officer," "agent," or "marshal"; or

63.13 (3) with any lettering, marking, or insignia, or colorable imitation thereof, including,  
63.14 but not limited to, stars, badges, or shields identifying the vehicle as a federal, state, county,  
63.15 or municipal law enforcement vehicle, and which a reasonable person would believe that  
63.16 the vehicle is authorized by any agency for use by the person operating the motor vehicle;  
63.17 and

63.18 (4) that a reasonable person would believe that the vehicle is authorized by any agency  
63.19 for use by the person operating the motor vehicle.

63.20 Sec. 6. Minnesota Statutes 2016, section 171.24, is amended to read:

63.21 **171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.**

63.22 Subdivision 1. **Driving after suspension; misdemeanor.** Except as otherwise provided  
63.23 in subdivision 5, a person is guilty of a misdemeanor if:

63.24 (1) the person's driver's license or driving privilege has been suspended;

63.25 (2) the person has been given notice of or reasonably should know of the suspension;  
63.26 and

63.27 (3) the person disobeys the order by operating in this state any motor vehicle, the  
63.28 operation of which requires a driver's license, while the person's license or privilege is  
63.29 suspended.

64.1 Subd. 2. **Driving after revocation; misdemeanor.** Except as otherwise provided in  
64.2 subdivision 5, a person is guilty of a misdemeanor if:

64.3 (1) the person's driver's license or driving privilege has been revoked;

64.4 (2) the person has been given notice of or reasonably should know of the revocation;  
64.5 and

64.6 (3) the person disobeys the order by operating in this state any motor vehicle, the  
64.7 operation of which requires a driver's license, while the person's license or privilege is  
64.8 revoked.

64.9 Subd. 3. **Driving after cancellation; misdemeanor.** Except as otherwise provided in  
64.10 subdivision 5, a person is guilty of a misdemeanor if:

64.11 (1) the person's driver's license or driving privilege has been canceled;

64.12 (2) the person has been given notice of or reasonably should know of the cancellation;  
64.13 and

64.14 (3) the person disobeys the order by operating in this state any motor vehicle, the  
64.15 operation of which requires a driver's license, while the person's license or privilege is  
64.16 canceled.

64.17 Subd. 4. **Driving after disqualification; misdemeanor.** Except as otherwise provided  
64.18 in subdivision 5, a person is guilty of a misdemeanor if the person:

64.19 (1) has been disqualified from holding a commercial driver's license or been denied the  
64.20 privilege to operate a commercial motor vehicle;

64.21 (2) has been given notice of or reasonably should know of the disqualification; and

64.22 (3) disobeys the order by operating in this state a commercial motor vehicle while the  
64.23 person is disqualified to hold the license or privilege.

64.24 Subd. 5. **Gross misdemeanor violations.** (a) A person is guilty of a gross misdemeanor  
64.25 if:

64.26 (1) the person's driver's license or driving privilege has been canceled or denied under  
64.27 section 171.04, subdivision 1, clause (10);

64.28 (2) the person has been given notice of or reasonably should know of the cancellation  
64.29 or denial; and

65.1 (3) the person disobeys the order by operating in this state any motor vehicle, the  
65.2 operation of which requires a driver's license, while the person's license or privilege is  
65.3 canceled or denied.

65.4 (b) A person is guilty of a gross misdemeanor if the person violates this section and  
65.5 causes a collision resulting in substantial bodily harm or death to another.

65.6 (c) A person is guilty of a gross misdemeanor and is subject to the minimum penalty  
65.7 under subdivision 5a, paragraph (b), if the person violates this section within ten years of  
65.8 the first of two prior convictions under this section.

65.9 Subd. 5a. **Minimum penalties.** (a) A person who is convicted under this section a second  
65.10 time must, at a minimum, be sentenced to pay a fine of at least \$750. This paragraph does  
65.11 not apply to penalties under subdivision 5, paragraph (c).

65.12 (b) A person who is convicted under this section a third or subsequent time must, at a  
65.13 minimum, be sentenced to pay a fine of at least \$1,500.

65.14 (c) The court may order a person to perform community work service in lieu of all or a  
65.15 portion of the minimum fine required under this subdivision if the court makes specific  
65.16 findings on the record that the convicted person is indigent or that payment of the fine would  
65.17 create undue hardship for the convicted person or that person's immediate family.

65.18 Subd. 6. **Responsibility for prosecution.** (a) The attorney in the jurisdiction in which  
65.19 the violation occurred who is responsible for prosecution of misdemeanor violations of this  
65.20 section is also responsible for prosecution of gross misdemeanor violations of this section.

65.21 (b) Nothing in this section or section 609.035 or 609.04 shall limit the power of the state  
65.22 to prosecute or punish a person for conduct that constitutes any other crime under any other  
65.23 law of this state.

65.24 Subd. 7. **Sufficiency of notice.** (a) Notice of revocation, suspension, cancellation, or  
65.25 disqualification is sufficient if personally served, or if mailed by first class mail to the  
65.26 person's last known address or to the address listed on the person's driver's license. Notice  
65.27 is also sufficient if the person was informed that revocation, suspension, cancellation, or  
65.28 disqualification would be imposed upon a condition occurring or failing to occur, and where  
65.29 the condition has in fact occurred or failed to occur.

65.30 (b) It is not a defense that a person failed to file a change of address with the post office,  
65.31 or failed to notify the Department of Public Safety of a change of name or address as required  
65.32 under section 171.11.

66.1 Subd. 8. **Definition.** For the purposes of this section, "substantial bodily harm" has the  
66.2 meaning given in section 609.02, subdivision 7a.

66.3 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to offenses  
66.4 committed on or after that date.

66.5 Sec. 7. Minnesota Statutes 2016, section 243.166, subdivision 1b, is amended to read:

66.6 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

66.7 (1) the person was charged with or petitioned for a felony violation of or attempt to  
66.8 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted  
66.9 of or adjudicated delinquent for that offense or another offense arising out of the same set  
66.10 of circumstances:

66.11 (i) murder under section 609.185, paragraph (a), clause (2);

66.12 (ii) kidnapping under section 609.25;

66.13 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,  
66.14 subdivision 3; or 609.3453; ~~or~~

66.15 (iv) indecent exposure under section 617.23, subdivision 3; or

66.16 (v) stalking a minor with sexual or aggressive intent under section 609.749, subdivision  
66.17 3, paragraph (b);

66.18 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or  
66.19 aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325,  
66.20 subdivision 1, paragraph (b); false imprisonment in violation of section 609.255, subdivision  
66.21 2; solicitation, inducement, or promotion of the prostitution of a minor or engaging in the  
66.22 sex trafficking of a minor in violation of section 609.322; a prostitution offense in violation  
66.23 of section 609.324, subdivision 1, paragraph (a); soliciting a minor to engage in sexual  
66.24 conduct in violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a  
66.25 sexual performance in violation of section 617.246; or possessing pornographic work  
66.26 involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent  
66.27 for that offense or another offense arising out of the same set of circumstances;

66.28 (3) the person was sentenced as a patterned sex offender under section 609.3455,  
66.29 subdivision 3a; or

66.30 (4) the person was charged with or petitioned for, including pursuant to a court martial,  
66.31 violating a law of the United States, including the Uniform Code of Military Justice, similar  
67.1 to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent  
67.2 for that offense or another offense arising out of the same set of circumstances.

67.3 (b) A person also shall register under this section if:

67.4 (1) the person was charged with or petitioned for an offense in another state that would  
67.5 be a violation of a law described in paragraph (a) if committed in this state and convicted  
67.6 of or adjudicated delinquent for that offense or another offense arising out of the same set  
67.7 of circumstances;

67.8 (2) the person enters this state to reside, work, or attend school, or enters this state and  
67.9 remains for 14 days or longer; and

67.10 (3) ten years have not elapsed since the person was released from confinement or, if the  
67.11 person was not confined, since the person was convicted of or adjudicated delinquent for  
67.12 the offense that triggers registration, unless the person is subject to a longer registration  
67.13 period under the laws of another state in which the person has been convicted or adjudicated,  
67.14 or is subject to lifetime registration.

67.15 If a person described in this paragraph is subject to a longer registration period in another  
67.16 state or is subject to lifetime registration, the person shall register for that time period  
67.17 regardless of when the person was released from confinement, convicted, or adjudicated  
67.18 delinquent.

67.19 (c) A person also shall register under this section if the person was committed pursuant  
67.20 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter  
67.21 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the  
67.22 United States, regardless of whether the person was convicted of any offense.

67.23 (d) A person also shall register under this section if:

67.24 (1) the person was charged with or petitioned for a felony violation or attempt to violate  
67.25 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or  
67.26 the United States, or the person was charged with or petitioned for a violation of any of the  
67.27 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United  
67.28 States;

67.29 (2) the person was found not guilty by reason of mental illness or mental deficiency  
67.30 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in  
67.31 states with a guilty but mentally ill verdict; and

67.32 (3) the person was committed pursuant to a court commitment order under section  
67.33 253B.18 or a similar law of another state or the United States.

68.1 Sec. 8. Minnesota Statutes 2016, section 326.3384, subdivision 1, is amended to read:

68.2 Subdivision 1. **Prohibition.** No license holder or employee of a license holder shall, in  
68.3 a manner that implies that the person is an employee or agent of a governmental agency,  
68.4 display on a badge, identification card, emblem, vehicle, uniform, stationery, or in advertising  
68.5 for private detective or protective agent services:

68.6 (1) the words "public safety," "police," "highway patrol," "state patrol," "sheriff,"  
68.7 "trooper," "marshal," "agent," or "law enforcement"; or

68.8 (2) the name of a municipality, county, state, or of the United States, or any governmental  
68.9 subdivision thereof.

68.10 Sec. 9. Minnesota Statutes 2016, section 609.2231, subdivision 2, is amended to read:

68.11 Subd. 2. **Firefighters and emergency medical personnel.** (a) Whoever physically  
68.12 assaults any of the following persons and inflicts demonstrable bodily harm is guilty of a  
68.13 felony and may be sentenced to imprisonment for not more than two years or to payment  
68.14 of a fine of not more than \$4,000, or both gross misdemeanor:

68.15 (1) a member of a municipal or volunteer fire department or emergency medical services  
68.16 personnel unit in the performance of the member's duties; or

68.17 (2) a physician, nurse, or other person providing health care services in a hospital  
68.18 ~~emergency department.~~

68.19 (b) Whoever commits either of the following acts against a person identified in paragraph  
68.20 (a), clause (1) or (2), is guilty of a felony and may be sentenced to imprisonment for not  
68.21 more than three years or to payment of a fine of not more than \$6,000, or both:

68.22 (1) physically assaults the person and the assault inflicts demonstrable bodily harm; or

68.23 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the person.



68.24 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
68.25 committed on or after that date.

68.26 Sec. 10. Minnesota Statutes 2016, section 609.475, is amended to read:

68.27 **609.475 IMPERSONATING ~~OFFICER~~ A MILITARY SERVICE MEMBER,**  
68.28 **VETERAN, OR PUBLIC OFFICIAL.**

68.29 Whoever falsely impersonates a ~~police or military officer~~ an active or reserve component  
68.30 military service member, veteran, or public official with intent to ~~mislead another into~~  
69.1 ~~believing that the impersonator is actually such officer or official~~ wrongfully obtain money,  
69.2 property, or any other tangible benefit is guilty of a misdemeanor.

69.3 Sec. 11. **[609.4751] IMPERSONATING A PEACE OFFICER.**

69.4 Subdivision 1. **Misdemeanor.** Whoever falsely impersonates a peace officer with intent  
69.5 to mislead another into believing that the impersonator is actually an officer is guilty of a  
69.6 misdemeanor.

69.7 Subd. 2. **Gross misdemeanor.** Whoever violates subdivision 1 while committing any  
69.8 of the following acts is guilty of a gross misdemeanor:

69.9 (1) attempting to gain access to a public building or government facility that is not open  
69.10 to the public;

69.11 (2) possessing false or fraudulent credentials that identify the person as a peace officer;  
69.12 or

69.13 (3) directing or ordering another person to act.

69.14 Subd. 3. **Felony.** (a) Whoever violates subdivision 1 or 2 while committing any of the  
69.15 following acts is guilty of a felony and may be sentenced to imprisonment for not more than  
69.16 five years or to payment of a fine of not more than \$10,000, or both:

69.17 (1) possessing a firearm; or

69.18 (2) violating section 169.98, subdivision 6.

69.19 (b) Whoever violates subdivision 1 or 2 within five years of a previous violation of this  
69.20 section is guilty of a felony and may be sentenced to imprisonment for not more than five  
69.21 years or to payment of a fine of not more than \$10,000, or both.

69.22 Sec. 12. [609.476] IMPERSONATING A SECURITY OFFICER.

69.23 Whoever falsely impersonates a private security officer, protective officer, or bail  
69.24 enforcement officer with intent to mislead another into believing that the impersonator is  
69.25 actually an officer to gain entry to a government facility that the impersonator is not  
69.26 authorized to enter or for other criminal purposes is guilty of a gross misdemeanor.

69.27 Sec. 13. [609.547] PUBLIC SAFETY MOTOR VEHICLE TAMPERING.

69.28 Subdivision 1. Offenses. (a) Whoever intentionally damages or tampers with a public  
69.29 safety motor vehicle is guilty of a felony and may be sentenced as provided in subdivision  
69.30 2.

70.1 (b) Whoever intentionally damages or tampers with a motor vehicle owned by a public  
70.2 safety officer because the motor vehicle belongs to a public safety officer is guilty of a crime  
70.3 and may be sentenced as provided in subdivision 2.

70.4 Subd. 2. Penalties. (a) Except as provided in paragraph (c), a person who violates  
70.5 subdivision 1, paragraph (a), may be sentenced to imprisonment for not more than five years  
70.6 or to payment of a fine of not more than \$10,000, or both.

70.7 (b) Except as provided in paragraph (c), a person who violates subdivision 1, paragraph  
70.8 (b), may be sentenced:

70.9 (1) to a gross misdemeanor if the violation reduces the value of the property by not more  
70.10 than \$500; or

70.11 (2) to imprisonment for not more than two years or to payment of a fine of not more  
70.12 than \$5,000, or both, if the violation:

70.13 (i) reduces the value of the property by more than \$500 but not more than \$1,000 as  
70.14 measured by the cost of repair and replacement; or

70.15 (ii) creates a reasonably foreseeable risk of bodily harm but does not otherwise damage  
70.16 the vehicle.

70.17 (c) A person who violates subdivision 1, paragraph (a) or (b), and the violation causes  
70.18 a substantial interruption or impairment of a service rendered by the public safety agency  
70.19 that owns the motor vehicle or employs the officer who owns the motor vehicle may be  
70.20 sentenced to imprisonment for not more than ten years or to payment of a fine of not more  
70.21 than \$20,000, or both.

70.22 Subd. 3. Definitions. (a) As used in this section, the following terms have the meanings  
70.23 given.

70.24 (b) "Public safety motor vehicle" includes:

70.25 (1) police patrols, including specially marked vehicles permitted under section 169.98,  
70.26 subdivision 2a, owned or leased by the state or a political subdivision;

70.27 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the  
70.28 state or a political subdivision;

70.29 (3) ambulances owned or leased by the state or a political subdivision;

70.30 (4) vehicles owned by ambulance services licensed under section 144E.10 that are  
70.31 equipped and specifically intended for emergency response or providing ambulance services;  
70.32 and

71.1 (5) marked vehicles used by conservation officers of the Division of Enforcement and  
71.2 Field Service of the Department of Natural Resources.

71.3 (c) "Public safety officer" includes:

71.4 (1) a peace officer as defined in section 626.84, subdivision 1, paragraph (c) or (d);

71.5 (2) an individual employed on a full-time basis by the state or by a fire department of a  
71.6 governmental subdivision of the state, who is engaged in any of the following duties:

71.7 (i) firefighting;

71.8 (ii) emergency motor vehicle operation;

71.9 (iii) the provision of emergency medical services; or

71.10 (iv) hazardous material response;

71.11 (3) a legally enrolled member of a volunteer fire department or member of an independent  
71.12 nonprofit firefighting corporation who is engaged in the hazards of firefighting; and

71.13 (4) a first responder who is certified by the Emergency Medical Services Regulatory  
71.14 Board to perform basic emergency skills before the arrival of a licensed ambulance service  
71.15 and who is a member of an organized service recognized by a local political subdivision to

71.16 respond to medical emergencies to provide initial medical care before the arrival of an  
71.17 ambulance.

71.18 Sec. 14. Minnesota Statutes 2016, section 609.605, is amended by adding a subdivision  
71.19 to read:

71.20 Subd. 4a. **Trespass on a school bus.** (a) As used in this subdivision, "school bus" has  
71.21 the meaning given in section 169.011, subdivision 71.

71.22 (b) As used in this subdivision, "pupil" has the meaning given in section 123B.41,  
71.23 subdivision 6.

71.24 (c) A person who boards a school bus when the bus is on its route or otherwise in  
71.25 operation, or while it has pupils in it, and who refuses to leave the bus on demand of the  
71.26 bus operator, is guilty of a misdemeanor.

71.27 (d) This subdivision does not apply to a pupil, school employee, or volunteer authorized  
71.28 to be on the school bus.

71.29 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations  
71.30 committed on or after that date.

72.1 Sec. 15. **[609.6057] GEOGRAPHIC RESTRICTION.**

72.2 Subdivision 1. **Definition.** As used in this section "geographic restriction" means a  
72.3 limitation prohibiting a defendant in a criminal proceeding or a juvenile offender in a  
72.4 delinquency proceeding from entering a designated property or geographic area.

72.5 Subd. 2. **Prohibited conduct; penalty.** A person who knows of a geographic restriction  
72.6 order issued against the person and intentionally enters or remains in the restricted area is  
72.7 guilty of a misdemeanor.

72.8 Subd. 3. **Notice.** (a) A geographic restriction may be issued as a pretrial order before  
72.9 final disposition of the underlying criminal case, as a postconviction probationary order, or  
72.10 both. A geographic restriction order is independent of any condition of pretrial release or  
72.11 probation imposed on the defendant. A geographic restriction order may be issued in addition  
72.12 to a similar restriction imposed as a condition of pretrial release or probation.

72.13 (b) A court may issue a geographic restriction upon a finding that its issuance will serve  
72.14 the interests of protecting public safety or property. In making that determination, a court  
72.15 shall consider the following factors:

- 72.16 (1) whether a defendant's presence in a restricted area creates a risk to public safety or  
72.17 property;
- 72.18 (2) a defendant's criminal history;
- 72.19 (3) the likelihood of future criminal activity within the restricted area; and
- 72.20 (4) any other factors deemed relevant by the court.
- 72.21 (c) A court may grant any exceptions to a geographic restriction that it deems necessary  
72.22 in order to avoid the imposition of a significant hardship upon a defendant. In determining  
72.23 whether to grant an exception, a court shall also consider the impact of the exception on the  
72.24 interests of protecting public safety or property.
- 72.25 (d) A geographic restriction order under this section shall be issued in a proceeding that  
72.26 is separate from but which may be held immediately following a proceeding in which any  
72.27 pretrial release or sentencing issues are decided.
- 72.28 (e) A court issuing a geographic restriction order under this section shall notify a  
72.29 defendant:
- 72.30 (1) of the area subject to a geographic restriction; and
- 72.31 (2) that violation of the geographic restriction order is a crime.
- 73.1 Subd. 4. **Cancellation.** (a) A court shall cancel a pretrial geographic restriction order at  
73.2 the final disposition of the underlying criminal case.
- 73.3 (b) A court shall cancel a postconviction geographic restriction order when an offender  
73.4 completes a period of probationary supervision or is committed to the commissioner of  
73.5 corrections.
- 73.6 (c) A court may cancel a postconviction geographic restriction order at any time during  
73.7 which an offender is under probationary supervision.
- 73.8 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
73.9 committed on or after that date.
- 73.10 Sec. 16. **[609.7141] SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF**  
73.11 **TERRORISM.**

73.12 Subdivision 1. **Crime.** Whoever raises, solicits, collects, or provides material support  
73.13 or resources with intent that the material support or resources will be used, in whole or in  
73.14 part, to plan, prepare, carry out, or aid in either an act of terrorism or the concealment of,  
73.15 or an escape from, an act of terrorism is guilty of a felony.

73.16 Subd. 2. **Penalty.** Whoever violates subdivision 1 may be sentenced as follows:

73.17 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than  
73.18 \$30,000, or both, if the total value of the material support or resources exceeds \$5,000; or

73.19 (2) to imprisonment for not more than seven years or to payment of a fine of not more  
73.20 than \$15,000, or both, if the total value of the material support or resources is \$5,000 or  
73.21 less.

73.22 Subd. 3. **Definitions.** (a) As used in this section, the following terms have the meanings  
73.23 given.

73.24 (b) "Act of terrorism" means an act that is violent or dangerous to human life, a violation  
73.25 of the criminal laws of the United States or any state, and intended to:

73.26 (1) intimidate or coerce a civilian population; or

73.27 (2) affect the conduct of a unit of government by murder, assassination, or kidnapping.

73.28 (c) "Coercion" means compulsion by physical force or threat of physical force.

73.29 (d) "Material support or resources" means currency or other financial securities, financial  
73.30 services, lodging, training, safehouses, false documentation or identification, communications  
74.1 equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and  
74.2 other physical assets, except medicine or religious materials.

74.3 Sec. 17. Minnesota Statutes 2016, section 609.74, is amended to read:

74.4 **609.74 PUBLIC NUISANCE.**

74.5 (a) Whoever by an act or failure to perform a legal duty intentionally does any of the  
74.6 following is guilty of maintaining a public nuisance, which is a misdemeanor:

74.7 (1) maintains or permits a condition which unreasonably annoys, injures or endangers  
74.8 the safety, health, morals, comfort, or repose of any considerable number of members of  
74.9 the public; or

74.10 (2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous  
74.11 for passage, any public highway or right-of-way, or waters used by the public; or

74.12 (3) is guilty of any other act or omission declared by law to be a public nuisance and for  
74.13 which no sentence is specifically provided.

74.14 (b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is  
74.15 entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the  
74.16 boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt  
74.17 traffic. This paragraph does not apply to the actions of law enforcement or other emergency  
74.18 responders, road or airport authorities, or utility officials, or their agents, employees, or  
74.19 contractors when carrying out duties imposed by law or contract. For purposes of this  
74.20 paragraph: (1) "airport" means an airport that has a control tower and airline service; and  
74.21 (2) "freeway" means any section of a divided highway where the only access and egress for  
74.22 vehicular traffic is from entrance and exit ramps.

74.23 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
74.24 committed on or after that date.

74.25 Sec. 18. Minnesota Statutes 2016, section 609.746, subdivision 1, is amended to read:

74.26 Subdivision 1. **Surreptitious intrusion; observation device.** (a) A person is guilty of  
74.27 a gross misdemeanor who:

74.28 (1) enters upon another's property;

74.29 (2) surreptitiously gazes, stares, or peeps in the window or any other aperture of a house  
74.30 or place of dwelling of another; and

75.1 (3) does so with intent to intrude upon or interfere with the privacy of a member of the  
75.2 household.

75.3 (b) A person is guilty of a gross misdemeanor who:

75.4 (1) enters upon another's property;

75.5 (2) surreptitiously installs or uses any device for observing, photographing, recording,  
75.6 amplifying, or broadcasting sounds or events through the window or any other aperture of  
75.7 a house or place of dwelling of another; and

75.8 (3) does so with intent to intrude upon or interfere with the privacy of a member of the  
75.9 household.

75.10 (c) A person is guilty of a gross misdemeanor who:

75.11 (1) surreptitiously gazes, stares, or peeps in the window or other aperture of a sleeping  
75.12 room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or other place  
75.13 where a reasonable person would have an expectation of privacy and has exposed or is  
75.14 likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or the  
75.15 clothing covering the immediate area of the intimate parts; and

75.16 (2) does so with intent to intrude upon or interfere with the privacy of the occupant.

75.17 (d) A person is guilty of a gross misdemeanor who:

75.18 (1) surreptitiously installs or uses any device for observing, photographing, recording,  
75.19 amplifying, or broadcasting sounds or events through the window or other aperture of a  
75.20 sleeping room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or  
75.21 other place where a reasonable person would have an expectation of privacy and has exposed  
75.22 or is likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or  
75.23 the clothing covering the immediate area of the intimate parts; and

75.24 (2) does so with intent to intrude upon or interfere with the privacy of the occupant.

75.25 (e) A person is guilty of a felony and may be sentenced to imprisonment for not more  
75.26 than ~~two~~ five years or to payment of a fine of not more than \$5,000, or both, if the person:

75.27 (1) violates this subdivision after a previous conviction under this subdivision or section  
75.28 609.749; or

75.29 (2) violates this subdivision against a minor under the age of 18, knowing or having  
75.30 reason to know that the minor is present.

76.1 (f) Paragraphs (b) and (d) do not apply to law enforcement officers or corrections  
76.2 investigators, or to those acting under their direction, while engaged in the performance of  
76.3 their lawful duties. Paragraphs (c) and (d) do not apply to conduct in: (1) a medical facility;  
76.4 or (2) a commercial establishment if the owner of the establishment has posted conspicuous  
76.5 signs warning that the premises are under surveillance by the owner or the owner's employees.

76.6 Sec. 19. Minnesota Statutes 2016, section 609.749, subdivision 3, is amended to read:

76.7 Subd. 3. **Aggravated violations.** (a) A person who commits any of the following acts  
76.8 is guilty of a felony and may be sentenced to imprisonment for not more than five years or  
76.9 to payment of a fine of not more than \$10,000, or both:



76.10 (1) commits any offense described in subdivision 2 because of the victim's or another's  
76.11 actual or perceived race, color, religion, sex, sexual orientation, disability as defined in  
76.12 section 363A.03, age, or national origin;

76.13 (2) commits any offense described in subdivision 2 by falsely impersonating another;

76.14 (3) commits any offense described in subdivision 2 and possesses a dangerous weapon  
76.15 at the time of the offense;

76.16 (4) stalks another, as defined in subdivision 1, with intent to influence or otherwise  
76.17 tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial  
76.18 officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the  
76.19 court, because of that person's performance of official duties in connection with a judicial  
76.20 proceeding; or

76.21 (5) commits any offense described in subdivision 2 against a victim under the age of  
76.22 18, if the actor is more than 36 months older than the victim.

76.23 (b) A person who commits any offense described in subdivision 2 against a victim under  
76.24 the age of 18, if the actor is more than 36 months older than the victim, and the act is  
76.25 committed with sexual or aggressive intent, is guilty of a felony and may be sentenced to  
76.26 imprisonment for not more than ~~ten~~ 15 years or to payment of a fine of not more than  
76.27 \$20,000, or both.

76.28 Sec. 20. Minnesota Statutes 2016, section 609.855, subdivision 2, is amended to read:

76.29 Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally  
76.30 commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the  
76.31 operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime  
76.32 and may be sentenced as provided in paragraph (c).

77.1 (b) An act ~~that is~~ committed on a transit vehicle that distracts the driver from the safe  
77.2 operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers  
77.3 passengers is a violation of this subdivision if an authorized transit representative has clearly  
77.4 warned the person once to stop the act.

77.5 (c) A person who violates this subdivision may be sentenced as follows:

77.6 (1) to imprisonment for not more than three years or to payment of a fine of not more  
77.7 than \$5,000, or both, if the violation was accompanied by force or violence or a  
77.8 communication of a threat of force or violence; or

77.9 (2) to imprisonment for not more than ~~90 days~~ one year or to payment of a fine of not  
77.10 more than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence  
77.11 or a communication of a threat of force or violence.

77.12 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
77.13 committed on or after that date.

77.14 Sec. 21. Minnesota Statutes 2016, section 609.87, subdivision 2a, is amended to read:

77.15 Subd. 2a. **Authorization.** (a) "Authorization" means:

77.16 (1) with the permission of the owner of the computer, computer system, computer  
77.17 network, computer software, or other property;

77.18 (2) access by employees of the Department of Commerce acting under the authority and  
77.19 powers granted to the director of the Weights and Measures Division in chapter 239 at any  
77.20 time the device is commercially available for use;

77.21 (3) access by registrants in the voluntary placing in service program and registered  
77.22 liquefied petroleum gas (LPG) meter inspectors acting under the authority and powers  
77.23 granted in Minnesota Rules, chapter 7601, but only at times specified by the device owner  
77.24 or operator or the device owner's or operator's designated representative; or

77.25 (4) access by other people who have the express permission of the device owner or  
77.26 operator or the device owner's or operator's designated representative but only at times as  
77.27 approved by the device owner or operator and only for purposes approved by the device  
77.28 owner or operator.

77.29 (b) Authorization may be limited by the owner by:

77.30 (1) giving the user actual notice orally or in writing;

78.1 (2) posting a written notice in a prominent location adjacent to the computer being used;  
78.2 or

78.3 (3) using a notice displayed on or announced by the computer being used.

78.4 Sec. 22. Minnesota Statutes 2016, section 609.87, is amended by adding a subdivision to  
78.5 read:

78.6        Subd. 15. **Electronic terminal.** "Electronic terminal" means an electronic device, other  
78.7 than a telephone operated by a consumer, through which an individual or company may  
78.8 initiate an electronic fund transfer. The term includes, but is not limited to, point-of-sale  
78.9 terminals, automated teller machines, cash dispensing machines, and gas pump dispensers.

78.10      Sec. 23. Minnesota Statutes 2016, section 609.87, is amended by adding a subdivision to  
78.11 read:

78.12        Subd. 16. **Access device.** "Access device" means a card that is used by an individual or  
78.13 company to initiate transactions and is:

78.14        (1) a means of access to an individual's or company's account;

78.15        (2) issued on a prepaid basis to the individual or company in a specific amount; or

78.16        (3) used by the individual or company to access government benefits.

78.17      Sec. 24. Minnesota Statutes 2016, section 609.891, subdivision 1, is amended to read:

78.18        Subdivision 1. **Crime.** A person is guilty of unauthorized computer access if the person  
78.19 intentionally and without authorization attempts to or does penetrate a computer security  
78.20 system or electronic terminal.

78.21      Sec. 25. Minnesota Statutes 2016, section 609.891, subdivision 2, is amended to read:

78.22        Subd. 2. **Felony.** (a) A person who violates subdivision 1 in a manner that creates a  
78.23 grave risk of causing the death of a person is guilty of a felony and may be sentenced to  
78.24 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,  
78.25 or both.

78.26        (b) A person who is convicted of a second or subsequent gross misdemeanor violation  
78.27 of subdivision 1 is guilty of a felony and may be sentenced under paragraph (a).

78.28        (c) A person who violates subdivision 1 by accessing or attempting to access an electronic  
78.29 terminal through opening any panel or access door without authorization and placing or  
79.1 attaching or attempting to place or attach an electronic device to capture, store, or  
79.2 communicate access device information is guilty of a felony.

79.3        **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
79.4 committed on or after that date.

79.5 Sec. 26. Minnesota Statutes 2016, section 609.891, subdivision 3, is amended to read:

79.6 Subd. 3. **Gross misdemeanor.** (a) A person who violates subdivision 1 in a manner that  
79.7 creates a risk to public health and safety is guilty of a gross misdemeanor and may be  
79.8 sentenced to imprisonment for a term of not more than one year or to payment of a fine of  
79.9 not more than \$3,000, or both.

79.10 (b) A person who violates subdivision 1 in a manner that compromises the security of  
79.11 data that are protected under section 609.52, subdivision 2, clause (8), or are not public data  
79.12 as defined in section 13.02, subdivision 8a, is guilty of a gross misdemeanor and may be  
79.13 sentenced under paragraph (a).

79.14 (c) A person who violates subdivision 1 and gains access to personal data is guilty of a  
79.15 gross misdemeanor and may be sentenced under paragraph (a).

79.16 (d) A person who is convicted of a second or subsequent misdemeanor violation of  
79.17 subdivision 1 within five years is guilty of a gross misdemeanor and may be sentenced  
79.18 under paragraph (a).

79.19 (e) A person who violates subdivision 1 by accessing an electronic terminal through  
79.20 opening any panel or access door without authorization is guilty of a gross misdemeanor  
79.21 and may be sentenced under paragraph (a).

79.22 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
79.23 committed on or after that date.

79.24 Sec. 27. Minnesota Statutes 2016, section 626.863, is amended to read:

79.25 **626.863 UNAUTHORIZED PRACTICE.**

79.26 (a) A person who is not a peace officer or part-time peace officer is guilty of a  
79.27 misdemeanor if the person: (1) makes a representation of being a peace officer or part-time  
79.28 peace officer, or (2) performs or attempts to perform an act, duty, or responsibility reserved  
79.29 by law for licensed peace officers and part-time peace officers.

79.30 (b) A peace officer who authorizes or knowingly allows a person to violate paragraph  
79.31 (a) is guilty of a misdemeanor.

80.1 (c) The board shall designate the appropriate law enforcement agency to investigate  
80.2 violations of this section. The attorney general shall prosecute violations of this section.

80.3 (d) A person who violates this section and who has previously been convicted of a  
80.4 violation of this section is guilty of a ~~gross misdemeanor~~ felony.

80.5 Sec. 28. Minnesota Statutes 2016, section 626.88, subdivision 2, is amended to read:

80.6 Subd. 2. **Uniforms.** (a) Uniforms for peace officers shall be of uniform colors throughout  
80.7 the state as provided herein. Uniforms for:

80.8 (1) municipal peace officers, including University of Minnesota peace officers and peace  
80.9 officers assigned to patrol duties in parks, shall be blue, brown, or green;

80.10 (2) peace officers who are members of the county sheriffs' office shall be blue, brown,  
80.11 or green;

80.12 (3) state troopers shall be maroon;

80.13 (4) conservation officers shall be green.

80.14 (b) The uniforms of security guards ~~may be any color other than those specified for~~  
80.15 ~~peace officers and protective agents shall be predominantly white or grey. This paragraph~~  
80.16 shall apply to uniforms purchased after August 1, 2018.

80.17 (c) The uniforms of a bail bondsman or bail enforcement agent or any person who acts  
80.18 at the direction of a surety may be any color other than those specified for peace officers.  
80.19 A violation of this paragraph is a petty misdemeanor.

80.20 (d) This subdivision shall apply to uniforms purchased subsequent to January 1, 1981.

80.21 Sec. 29. **SENTENCING GUIDELINES MODIFICATIONS.**

80.22 The Sentencing Guidelines Commission shall modify the sentencing guidelines grid by  
80.23 ranking: (1) violations of Minnesota Statutes, section 609.746, subdivision 1, paragraph (e)  
80.24 (interfering with the privacy - subsequent violations and minor victim), in severity level 2;  
80.25 and (2) violations of Minnesota Statutes, section 609.749, subdivision 3, paragraph (b)  
80.26 (stalking a minor with sexual or aggressive intent), in severity level 5.