

1.1 moves to amend H.F. No. 1429 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. [609.6057] GEOGRAPHIC RESTRICTION.

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

1.7 Subd. 2. **Prohibited conduct; penalty.** A person who knows of a geographic restriction
1.8 order issued against the person and intentionally enters or is found in the restricted area is
1.9 guilty of a misdemeanor.

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

1.15 (b) In deciding whether to issue a geographic restriction, a court shall consider the
1.16 following factors:

1.17 (1) whether a defendant's presence in a restricted area creates a risk to public safety or
1.18 property;

1.19 (2) a defendant's criminal history;

1.20 (3) the likelihood of future criminal activity within the restricted area; and

1.21 (4) any other factors deemed relevant by the court.

1.22 (c) A geographic restriction order under this section shall be issued in a proceeding that
1.23 is separate from but which may be held immediately following a proceeding in which any
1.24 pretrial release or sentencing issues are decided.

2.1 (d) A court issuing a geographic restriction order under this section shall notify a
2.2 defendant:

2.3 (1) of the area subject to a geographic restriction; and

2.4 (2) that violation of the geographic restriction order is a crime.

2.5 Subd. 4. **Cancellation.** (a) A court shall cancel a pretrial geographic restriction order at
2.6 the final disposition of the underlying criminal case.

2.7 (b) A court shall cancel a postconviction geographic restriction order when an offender
2.8 completes a period of probationary supervision or is committed to the commissioner of
2.9 corrections.

2.10 (c) A court may cancel a postconviction geographic restriction order at any time during
2.11 which an offender is under probationary supervision.

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

2.14 Delete the title and insert:

2.15 "A bill for an act
2.16 relating to public safety; creating a geographic restriction crime; proposing coding
2.17 for new law in Minnesota Statutes, chapter 609."