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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1094

02/17/2025

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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; clarifying eligibility for certain expungements or
- 1.3

resentencings involving past cannabis crimes; amending Minnesota Statutes 2024,
- 1.4

section 609A.06, subdivision 3.
- 1.5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6

Section 1. Minnesota Statutes 2024, section 609A.06, subdivision 3, is amended to read:
- 1.7

Subd. 3. **Eligibility; cannabis offense.** (a) A person is eligible for an expungement or
- 1.8

resentencing to a lesser offense if:
- 1.9

(1) the person was convicted of, or adjudication was stayed for, a violation of ~~any of the~~
- 1.10

~~following a first-, second-, third-, fourth-, or fifth-degree controlled substance crime~~ involving
- 1.11

the sale or possession of marijuana or tetrahydrocannabinols:
- 1.12

~~(i) section 152.021, subdivision 1, clause (6);~~
- 1.13

~~(ii) section 152.021, subdivision 2, clause (6);~~
- 1.14

~~(iii) section 152.022, subdivision 1, clause (5), or clause (7), item (iii);~~
- 1.15

~~(iv) section 152.022, subdivision 2, clause (6);~~
- 1.16

~~(v) section 152.023, subdivision 1, clause (5);~~
- 1.17

~~(vi) section 152.023, subdivision 2, clause (5);~~
- 1.18

~~(vii) section 152.024, subdivision (4); or~~
- 1.19

~~(viii) section 152.025, subdivision 2, clause (1)~~ under Minnesota Statutes 2023
- 1.20

Supplement, sections 152.021, 152.022, 152.023, 152.024, or 152.025, or a previous version
- 1.21

of those statutes;

2.1 (2) the offense did not involve a dangerous weapon, the intentional infliction of bodily
2.2 harm on another, an attempt to inflict bodily harm on another, or an act committed with the
2.3 intent to cause fear in another of immediate bodily harm or death;

2.4 (3) the act on which the charge was based would either be a lesser offense or no longer
2.5 be a crime after August 1, 2023; and

2.6 (4) the person did not appeal the conviction, any appeal was denied, or the deadline to
2.7 file an appeal has expired.

2.8 (b) For purposes of this subdivision, a "lesser offense" means a nonfelony offense if the
2.9 person was charged with a felony.

2.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.