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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **1590**

02/26/2025 Authored by West, Nash, Scott, Swedzinski, Novotny 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; establishing mandatory minimum sentences for the
1.3 malicious punishment of a child; amending Minnesota Statutes 2024, section
1.4 609.377.
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 609.377, is amended to read:

1.7 **609.377 MALICIOUS PUNISHMENT OF CHILD.**

1.8 Subdivision 1. **Malicious punishment.** A parent, legal guardian, or caretaker who, by
1.9 an intentional act or a series of intentional acts with respect to a child, evidences unreasonable
1.10 force or cruel discipline that is excessive under the circumstances is guilty of malicious
1.11 punishment of a child and may be sentenced as provided in subdivisions 2 to 6.

1.12 Subd. 2. **Gross misdemeanor.** If the punishment results in less than substantial bodily
1.13 harm, the person may be sentenced to imprisonment for not more than 364 days or to payment
1.14 of a fine of not more than \$3,000, or both.

1.15 Subd. 3. **Enhancement to a felony.** Whoever violates the provisions of subdivision 2
1.16 during the time period between a previous conviction or adjudication for delinquency under
1.17 this section or sections 609.221 to 609.2231, 609.224, 609.2242, 609.342 to 609.345, or
1.18 609.713, and the end of five years following discharge from sentence or disposition for that
1.19 conviction or adjudication ~~may be sentenced to imprisonment~~ shall be committed to the
1.20 custody of the commissioner of corrections for not less than a year, nor more than five years
1.21 ~~or~~ and may be sentenced to payment of a fine of \$10,000, or both.

2.1 Subd. 4. **Felony; child under age four.** If the punishment is to a child under the age of
2.2 four and causes bodily harm to the head, eyes, neck, or otherwise causes multiple bruises
2.3 to the body, the person ~~may be sentenced to imprisonment~~ shall be committed to the custody
2.4 of the commissioner of corrections for not less than a year, nor more than five years ~~or~~ and
2.5 may be sentenced to payment of a fine of \$10,000, or both.

2.6 Subd. 5. **Felony; substantial bodily harm.** If the punishment results in substantial
2.7 bodily harm, the person ~~may be sentenced to imprisonment~~ shall be committed to the custody
2.8 of the commissioner of corrections for not less than a year, nor more than five years ~~or~~ and
2.9 may be sentenced to payment of a fine of not more than \$10,000, or both.

2.10 Subd. 6. **Felony; great bodily harm.** If the punishment results in great bodily harm,
2.11 the person ~~may be sentenced to imprisonment~~ shall be committed to the custody of the
2.12 commissioner of corrections for not less than two years, nor more than ten years ~~or~~ and may
2.13 be sentenced to payment of a fine of not more than \$20,000, or both.

2.14 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.15 committed on or after that date.