

1.1
1.2
1.3
1.4
1.5
1.6
1.7
1.8
1.9
1.10
1.11
1.12
1.13
1.14
1.15
1.16
1.17
1.18
1.19
1.20
1.21
1.22
1.23
1.24
1.25
1.26
1.27
1.28
1.29
1.30

ARTICLE 3

PUBLIC SAFETY, CORRECTIONS, AND GENERAL CRIME

Section 1. Minnesota Statutes 2016, section 171.24, is amended to read:

171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.

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

- (1) the person's driver's license or driving privilege has been suspended;
- (2) the person has been given notice of or reasonably should know of the suspension;
- and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is suspended.

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

- (1) the person's driver's license or driving privilege has been revoked;
- (2) the person has been given notice of or reasonably should know of the revocation;
- and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is revoked.

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

- (1) the person's driver's license or driving privilege has been canceled;
- (2) the person has been given notice of or reasonably should know of the cancellation;
- and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled.

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

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

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

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

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

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

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

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

2.15 (b) A person is guilty of a gross misdemeanor if the person:

2.16 (1) violates this section;

2.17 (i) and causes a collision resulting in substantial bodily harm, as defined in section
2.18 609.02, subdivision 7a, or death to another; or

2.19 (ii) within ten years of the first of two prior convictions under this section; and

2.20 (2) at the time of the violation the person's driver's license or driving privilege has been
2.21 suspended, revoked, or canceled, or the person has been disqualified from holding a
2.22 commercial driver's license or been denied the privilege to operate a commercial motor
2.23 vehicle, pursuant to:

2.24 (i) section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision 2b, paragraph
2.25 (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, clause (1) or (10); 171.177; 171.18,
2.26 subdivision 1, clause (2), (3), (4), (5), or (11); 171.32; or 260B.225, subdivision 9; or a
2.27 violation of section 169.13; 169.21; 169.444; 609.19, subdivision 1, clause (2); or 609.487,
2.28 subdivisions 3 to 5; or any violation of chapter 169A; or

2.29 (ii) a law from another state similar to those described in item (i).

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

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

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

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

3.16 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
3.17 committed on or after that date.

3.18 Sec. 2. Minnesota Statutes 2017 Supplement, section 171.3215, subdivision 2, is amended
3.19 to read:

3.20 Subd. 2. **Cancellation for disqualifying and other offenses.** Within ten days of receiving
3.21 notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident
3.22 driver, that a school bus driver has been convicted of, or received a stay of adjudication for,
3.23 a disqualifying offense, the commissioner shall permanently cancel the school bus driver's
3.24 endorsement on the offender's driver's license and in the case of a nonresident, the driver's
3.25 privilege to operate a school bus in Minnesota. A school bus driver whose endorsement or
3.26 privilege to operate a school bus in Minnesota has been permanently canceled may not
3.27 apply for reinstatement. Within ten days of receiving notice under section 631.40, subdivision
3.28 1a, or otherwise receiving notice for a nonresident driver, that a school bus driver has been
3.29 convicted of a violation of section 169A.20, or a similar statute or ordinance from another
3.30 state, and within ten days of revoking a school bus driver's license under section 169A.52
3.31 or 171.177, the commissioner shall cancel the school bus driver's endorsement on the
3.32 offender's driver's license or the nonresident's privilege to operate a school bus in Minnesota
3.33 for five years. After five years, a school bus driver may apply to the commissioner for
3.34 reinstatement. Even after five years, cancellation of a school bus driver's endorsement or a

4.1 nonresident's privilege to operate a school bus in Minnesota for a violation under section
4.2 169A.20, sections 169A.50 to 169A.53, section 171.177, or a similar statute or ordinance
4.3 from another state, shall remain in effect until the driver provides proof of successful
4.4 completion of an alcohol or controlled substance treatment program. For a first offense,
4.5 proof of completion is required only if treatment was ordered as part of a chemical use
4.6 assessment. Within ten days of receiving notice under section 631.40, subdivision 1a, or
4.7 otherwise receiving notice for a nonresident driver, that a school bus driver has been
4.8 convicted of a fourth moving violation in the last three years, the commissioner shall cancel
4.9 the school bus driver's endorsement on the offender's driver's license or the nonresident's
4.10 privilege to operate a school bus in Minnesota until one year has elapsed since the last
4.11 conviction. A school bus driver who has no new convictions after one year may apply for
4.12 reinstatement. Upon canceling the offender's school bus driver's endorsement, the
4.13 commissioner shall immediately notify the licensed offender of the cancellation in writing,
4.14 by depositing in the United States post office a notice addressed to the licensed offender at
4.15 the licensed offender's last known address, with postage prepaid thereon.

4.16 Sec. 3. Minnesota Statutes 2017 Supplement, section 171.3215, subdivision 3, is amended
4.17 to read:

4.18 Subd. 3. **Background check.** Before issuing or renewing a driver's license with a school
4.19 bus driver's endorsement, the commissioner shall conduct an investigation to determine if
4.20 the applicant has been convicted of, or received a stay of adjudication for, committing a
4.21 disqualifying offense, four moving violations in the previous three years, a violation of
4.22 section 169A.20 or a similar statute or ordinance from another state, a gross misdemeanor,
4.23 or if the applicant's driver's license has been revoked under section 169A.52 or 171.177.
4.24 The commissioner shall not issue a new bus driver's endorsement and shall not renew an
4.25 existing bus driver's endorsement if the applicant has been convicted of committing a
4.26 disqualifying offense. The commissioner shall not issue a new bus driver's endorsement
4.27 and shall not renew an existing bus driver's endorsement if, within the previous five years,
4.28 the applicant has been convicted of committing a violation of section 169A.20, or a similar
4.29 statute or ordinance from another state, a gross misdemeanor, or if the applicant's driver's
4.30 license has been revoked under section 169A.52 or 171.177, or if, within the previous three
4.31 years, the applicant has been convicted of four moving violations. An applicant who has
4.32 been convicted of violating section 169A.20, or a similar statute or ordinance from another
4.33 state, or who has had a license revocation under section 169A.52 or 171.177 within the
4.34 previous ten years must show proof of successful completion of an alcohol or controlled
4.35 substance treatment program in order to receive a bus driver's endorsement. For a first

5.1 offense, proof of completion is required only if treatment was ordered as part of a chemical
5.2 use assessment. A school district or contractor that employs a nonresident school bus driver
5.3 must conduct a background check of the employee's driving record and criminal history in
5.4 both Minnesota and the driver's state of residence. Convictions for disqualifying offenses,
5.5 gross misdemeanors, a fourth moving violation within the previous three years, or violations
5.6 of section 169A.20, or a similar statute or ordinance in another state, must be reported to
5.7 the Department of Public Safety.

5.8 Sec. 4. Minnesota Statutes 2016, section 242.192, is amended to read:

5.9 **242.192 CHARGES TO COUNTIES.**

5.10 The commissioner shall charge counties or other appropriate jurisdictions 65 percent of
5.11 the per diem cost of confinement, excluding educational costs and nonbillable service, of
5.12 juveniles at the Minnesota Correctional Facility-Red Wing and of juvenile females committed
5.13 to the commissioner of corrections. This charge applies to juveniles committed to the
5.14 commissioner of corrections and juveniles admitted to the Minnesota Correctional
5.15 Facility-Red Wing under established admissions criteria. This charge applies to both counties
5.16 that participate in the Community Corrections Act and those that do not. The commissioner
5.17 shall determine the per diem cost of confinement based on projected population, pricing
5.18 incentives, and market conditions, ~~and the requirement that expense and revenue balance~~
5.19 ~~out over a period of two years.~~ All money received under this section must be deposited in
5.20 the state treasury and credited to the general fund.

5.21 Sec. 5. Minnesota Statutes 2016, section 299A.707, is amended by adding a subdivision
5.22 to read:

5.23 Subd. 6. **Annual transfer.** In fiscal year 2018 and each year thereafter, the commissioner
5.24 of management and budget shall transfer \$461,000 from the general fund to the community
5.25 justice reinvestment account.

5.26 Sec. 6. **[604.135] CRITICAL INFRASTRUCTURE; JOINT AND SEVERAL**
5.27 **LIABILITY.**

5.28 (a) A person who is convicted of trespass under section 609.6055 or damage to property
5.29 under section 609.594, or is arrested for a violation of one or both of those sections and
5.30 convicted of another offense arising out of the same behavioral incident, may be held liable
5.31 for any damages to personal or real property committed by the person while trespassing or
5.32 causing damage to property.

6.1 (b) A person or entity that knowingly recruits, trains, aids, advises, hires, counsels,
6.2 conspires with, or otherwise procures another for the purpose of trespassing or causing
6.3 damage to property as described in paragraph (a) may also be jointly and severably liable
6.4 for the damages under paragraph (a).

6.5 **EFFECTIVE DATE.** This section is effective on August 1, 2018, and applies to causes
6.6 of action arising on or after that date.

6.7 Sec. 7. Minnesota Statutes 2016, section 609.6055, subdivision 2, is amended to read:

6.8 Subd. 2. **Prohibited conduct; penalty.** (a) Whoever enters or is found upon property
6.9 containing a critical public service facility, utility, or pipeline, without claim of right or
6.10 consent of one who has the right to give consent to be on the property, is guilty of a gross
6.11 misdemeanor, if:

6.12 (1) the person refuses to depart from the property on the demand of one who has the
6.13 right to give consent;

6.14 (2) within the past six months, the person had been told by one who had the right to give
6.15 consent to leave the property and not to return, unless a person with the right to give consent
6.16 has given the person permission to return; or

6.17 (3) the property is posted.

6.18 (b) Whoever enters an underground structure that (1) contains a utility line or pipeline
6.19 and (2) is not open to the public for pedestrian use, without claim of right or consent of one
6.20 who has the right to give consent to be in the underground structure, is guilty of a gross
6.21 misdemeanor. The underground structure does not need to be posted for this paragraph to
6.22 apply.

6.23 (c) Unless a greater penalty is provided elsewhere, whoever violates this section with
6.24 intent to damage, destroy, or tamper with equipment, or significantly impede or inhibit
6.25 operation, is guilty of a felony and may be sentenced to imprisonment for not more than
6.26 three years or to payment of a fine of not more than \$5,000, or both.

6.27 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
6.28 committed on or after that date.

6.29 Sec. 8. Minnesota Statutes 2016, section 609.74, is amended to read:

6.30 **609.74 PUBLIC NUISANCE.**

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

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

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

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

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

7.19 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
7.20 committed on or after that date.

7.21 Sec. 9. Minnesota Statutes 2016, section 626.8452, is amended by adding a subdivision
7.22 to read:

7.23 **Subd. 6. Prohibition on disarming local law enforcement officers.** Unless expressly
7.24 authorized under another section of law, a mayor, city council, county board, or chief law
7.25 enforcement officer may not disarm a peace officer who is in good standing and not currently
7.26 under investigation or subject to disciplinary action.

7.27 Sec. 10. Minnesota Statutes 2016, section 631.40, subdivision 1a, is amended to read:

7.28 **Subd. 1a. Certified copy of disqualifying offense convictions sent to public safety**
7.29 **and school districts.** When a person is convicted of, or receives a stay of adjudication for,
7.30 committing a disqualifying offense, as defined in section 171.3215, subdivision 1, a gross
7.31 misdemeanor, a fourth moving violation within the previous three years, or a violation of
7.32 section 169A.20, or a similar statute or ordinance from another state, the court shall determine

8.1 whether the offender is a school bus driver as defined in section 171.3215, subdivision 1,
8.2 whether the offender possesses a school bus driver's endorsement on the offender's driver's
8.3 license and in what school districts the offender drives a school bus. If the offender is a
8.4 school bus driver or possesses a school bus driver's endorsement, the court administrator
8.5 shall send a certified copy of the conviction or stay of adjudication to the Department of
8.6 Public Safety and to the school districts in which the offender drives a school bus within
8.7 ten days after the conviction or stay of adjudication.

8.8 Sec. 11. **TASK FORCE ON MISSING AND MURDERED INDIGENOUS WOMEN.**

8.9 Subdivision 1. **Creation and duties.** (a) By September 1, 2018, the commissioner, in
8.10 consultation with the Minnesota Indian Affairs Council, shall appoint members to the Task
8.11 Force on Missing and Murdered Indigenous Women to advise the commissioner and report
8.12 to the legislature on recommendations to reduce and end violence against indigenous women
8.13 and girls in Minnesota. The task force shall also serve as a liaison between the commissioner
8.14 and agencies and nongovernmental organizations that provide services to victims, victims'
8.15 families, and victims' communities. Task force members may receive expense reimbursement
8.16 as specified in Minnesota Statutes, section 15.059, subdivision 6.

8.17 (b) The Task Force on Missing and Murdered Indigenous Women must examine and
8.18 report on the following:

8.19 (1) the systemic causes behind violence that indigenous women and girls experience,
8.20 including patterns and underlying factors that explain why disproportionately high levels
8.21 of violence occur against indigenous women and girls, including underlying historical,
8.22 social, economic, institutional, and cultural factors which may contribute to the violence;

8.23 (2) appropriate methods for tracking and collecting data on violence against indigenous
8.24 women and girls, including data on missing and murdered indigenous women and girls;

8.25 (3) policies and institutions such as policing, child welfare, coroner practices, and other
8.26 governmental practices that impact violence against indigenous women and girls and the
8.27 investigation and prosecution of crimes of gender violence against indigenous people;

8.28 (4) measures necessary to address and reduce violence against indigenous women and
8.29 girls; and

8.30 (5) measures to help victims, victims' families, and victims' communities prevent and
8.31 heal from violence that occurs against indigenous women and girls.

9.1 (c) For the purposes of this section, "commissioner" means the commissioner of public
9.2 safety and "nongovernmental organizations" means nonprofit, nongovernmental organizations
9.3 that provide legal, social, or other community services.

9.4 Subd. 2. **Membership.** (a) To the extent practicable, the Task Force on Missing and
9.5 Murdered Indigenous Women shall consist of the following individuals, or their designees,
9.6 who are knowledgeable in crime victims' rights or violence protection and, unless otherwise
9.7 specified, members shall be appointed by the commissioner:

9.8 (1) two members of the senate, one appointed by the majority leader and one appointed
9.9 by the minority leader;

9.10 (2) two members of the house of representatives, one appointed by the speaker of the
9.11 house and one appointed by the minority leader;

9.12 (3) two representatives from among the following:

9.13 (i) the Minnesota Chiefs of Police Association;

9.14 (ii) the Minnesota Sheriffs' Association;

9.15 (iii) the Bureau of Criminal Apprehension;

9.16 (iv) the Minnesota Police and Peace Officers Association; or

9.17 (v) a peace officer who works for and resides on a federally recognized American Indian
9.18 reservation in Minnesota;

9.19 (4) a representative from among the following:

9.20 (i) the Minnesota County Attorneys Association;

9.21 (ii) the United States Attorney's Office; or

9.22 (iii) a judge or attorney working in juvenile court;

9.23 (5) a county coroner or a representative from a statewide coroner's association or a
9.24 representative of the Department of Health;

9.25 (6) two representatives for tribal governments, with a focus on individuals who work
9.26 with victims of violence or their families; and

9.27 (7) four representatives from among the following:

9.28 (i) a tribal, statewide, or local organization that provides legal services to indigenous
9.29 women and girls;

10.1 (ii) a tribal, statewide, or local organization that provides advocacy or counseling for
10.2 indigenous women and girls who have been victims of violence;

10.3 (iii) a tribal, statewide, or local organization that provides services to indigenous women
10.4 and girls;

10.5 (iv) a representative from the Minnesota Indian Women's Sexual Assault Coalition;

10.6 (v) a representative from Mending the Sacred Hoop;

10.7 (vi) a representative from an Indian health organization or agency; or

10.8 (vii) an indigenous woman who is a survivor of gender violence.

10.9 (b) Members of the task force serve at the pleasure of the appointing authority or until
10.10 the task force expires. Vacancies shall be filled by the commissioner consistent with the
10.11 qualifications of the vacating member required by this subdivision.

10.12 Subd. 3. **Officers; meetings.** (a) The task force shall be chaired by one of the task force's
10.13 legislative members. The legislative members shall annually elect a chair and vice-chair
10.14 from among the task force's legislative members, and may elect other officers as necessary.
10.15 The task force shall meet at least quarterly, or upon the call of its chair. The task force shall
10.16 meet sufficiently enough to accomplish the tasks identified in this section. Meetings of the
10.17 task force are subject to Minnesota Statutes, chapter 13D. The task force shall seek out and
10.18 enlist the cooperation and assistance of nongovernmental organizations, community and
10.19 advocacy organizations working with the American Indian community, and academic
10.20 researchers and experts, specifically those specializing in violence against indigenous women
10.21 and girls, representing diverse communities disproportionately affected by violence against
10.22 women and girls, or focusing on issues related to gender violence and violence against
10.23 indigenous women and girls.

10.24 (b) The commissioner shall convene the first meeting of the task force no later than
10.25 October 1, 2018, and shall provide meeting space and administrative assistance as necessary
10.26 for the task force to conduct its work.

10.27 Subd. 4. **Report.** The task force shall report to the chairs and ranking minority members
10.28 of the legislative committees with jurisdiction over public safety, human services, and state
10.29 government on the work of the task force, including but not limited to the issues to be
10.30 examined in subdivision 1, and shall include in the report institutional policies and practices
10.31 or proposed institutional policies and practices that are effective in reducing gender violence
10.32 and increasing the safety of indigenous women and girls. The report shall include
10.33 recommendations to reduce and end violence against indigenous women and girls and help

11.1 victims and communities heal from gender violence and violence against indigenous women
11.2 and girls. The report shall be submitted to the legislative committees by June 30, 2020.

11.3 Subd. 5. **Expiration.** Notwithstanding Minnesota Statutes, section 15.059, the task force
11.4 expires June 30, 2020.

11.5 Sec. 12. **SUPERSEDING AMENDMENT.**

11.6 The amendment to Minnesota Statutes, section 631.40, subdivision 1a, in section 10
11.7 supersedes any other amendment to Minnesota Statutes, section 631.40, subdivision 1a,
11.8 enacted in this act.

11.9 Sec. 13. **REVISOR'S INSTRUCTION.**

11.10 The revisor of statutes shall make necessary cross-reference changes in Minnesota
11.11 Statutes and Minnesota Rules resulting from the amendments to Minnesota Statutes, sections
11.12 609.2112, subdivision 1, and 609.2114, subdivision 1, in Laws 2016, chapter 109.

11.13 Sec. 14. **REPEALER.**

11.14 Minnesota Statutes 2016, section 401.13, is repealed.