

1.1 moves to amend H.F. No. 100, in conference committee, as follows:

1.2 On R1, Senate language, (UEH0100-2)

1.3 Page 216, delete section 10 and insert:

1.4 "Sec. ... Minnesota Statutes 2022, section 97B.065, subdivision 1, is amended to read:

1.5 Subdivision 1. **Acts prohibited.** (a) A person may not take wild animals with a firearm
1.6 or by archery:

1.7 (1) when the person is under the influence of alcohol;

1.8 (2) when the person is under the influence of a controlled substance, as defined in section
1.9 152.01, subdivision 4;

1.10 (3) when the person is under the influence of a combination of any two or more of the
1.11 elements in clauses (1) ~~and~~, (2), and (7);

1.12 (4) when the person's alcohol concentration is 0.08 or more;

1.13 (5) when the person's alcohol concentration as measured within two hours of the time
1.14 of taking is 0.08 or more; ~~or~~

1.15 (6) when the person is under the influence of an intoxicating substance as defined in
1.16 section 169A.03, subdivision 11a, and the person knows or has reason to know that the
1.17 substance has the capacity to cause impairment; or

1.18 (7) when the person is under the influence of cannabis flower, a cannabis product, a
1.19 lower-potency hemp edible, a hemp-derived consumer product, an artificially derived
1.20 cannabinoid, or tetrahydrocannabinols as those terms are defined in section 1342.01.

1.21 (b) An owner or other person having charge or control of a firearm or bow may not
1.22 authorize or permit an individual the person knows or has reason to believe is under the

2.1 influence of alcohol or a controlled substance, as provided under paragraph (a), to possess
2.2 the firearm or bow in this state or on a boundary water of this state.

2.3 (c) A person may not possess a loaded or uncased firearm or an uncased bow afield
2.4 under any of the conditions in paragraph (a).

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
2.6 committed on or after that date."

2.7 On R6, Senate language, (UEH0100-2)

2.8 Page 186, line 21, delete "cannabis" and insert "cannabinoid"

2.9 On R7, Senate language, (UEH0100-2)

2.10 Page 186, line 24, delete the second "cannabis" and insert "cannabinoid"

2.11 On R9, House language, (H0100-11)

2.12 Page 184, lines 13 and 22, delete "1.5" and insert "two"

2.13 On R11, House language, (H0100-11)

2.14 Page 185, line 26, delete "A person" and insert "An adult"

2.15 Page 185, line 28, delete "person" and insert "adult"

2.16 Page 186, line 1, delete "an adult who is"

2.17 Page 186, delete subdivision 2 and insert:

2.18 "Subd. 2. **Sale of cannabis in the second degree.** An adult is guilty of sale of cannabis
2.19 in the second degree and may be sentenced to imprisonment of not more than one year or
2.20 to payment of a fine of not more than \$3,000, or both, if the adult:

2.21 (1) unlawfully sells more than two ounces of cannabis flower; more than eight grams
2.22 of cannabis concentrate; or edible cannabis products, lower-potency hemp edibles, or
2.23 hemp-derived consumer products infused with more than 800 milligrams of
2.24 tetrahydrocannabinol:

2.25 (i) in a school zone, a park zone, or a drug treatment facility; or

2.26 (ii) within ten years of a conviction under subdivision 1, 2, or 3; or

2.27 (2) unlawfully sells cannabis flower, cannabis concentrate, edible cannabis products,
2.28 lower-potency hemp edibles, or hemp-derived consumer products to a minor."

2.29 On R11, House language, (H0100-11)

3.1 Page 187, delete subdivision 5 and insert:

3.2 "Subd. 5. Sale of cannabis by a minor. (a) A minor is guilty of a petty misdemeanor
3.3 if the minor unlawfully sells:

3.4 (1) not more than two ounces of cannabis flower;

3.5 (2) not more than eight grams of cannabis concentrate; or

3.6 (3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer
3.7 products infused with not more than 800 milligrams of tetrahydrocannabinol.

3.8 (b) A minor is guilty of a misdemeanor if the minor unlawfully sells:

3.9 (1) more than two ounces of cannabis flower;

3.10 (2) more than eight grams of cannabis concentrate; or

3.11 (3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer
3.12 products infused with more than 800 milligrams of tetrahydrocannabinol."

3.13 On R18, House language, (H0100-11)

3.14 Page 193, line 27, delete "in rules adopted by the"

3.15 Page 193, line 28, delete "commissioner of human services" and delete "254A.03,
3.16 subdivision 3" and insert "254B.04, subdivision 4"

3.17 On R19, Senate language, (UEH0100-2)

3.18 Page 231, delete section 33 and insert:

3.19 "Sec. Minnesota Statutes 2022, section 192A.555, is amended to read:

3.20 **192A.555 DRIVING WHILE UNDER THE INFLUENCE OR RECKLESS**
3.21 **DRIVING.**

3.22 Any person subject to this code who drives, operates or is in physical control of any
3.23 motor vehicle or aircraft while under the influence of an alcoholic beverage or ~~or~~ controlled
3.24 substance; cannabis flower, cannabis product, lower-potency hemp edible, hemp-derived
3.25 consumer product, artificially derived cannabinoid, or tetrahydrocannabinols, as these terms
3.26 are defined in section 342.01, or a combination thereof or whose blood contains 0.08 percent
3.27 or more by weight of alcohol or who operates said motor vehicle or aircraft in a reckless or
3.28 wanton manner, shall be punished as a court-martial may direct.

3.29 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
3.30 committed on or after that date.

4.1 Sec. Minnesota Statutes 2022, section 360.0752, subdivision 2, is amended to read:

4.2 Subd. 2. **Crime; acts prohibited.** (a) It is a crime for any person to operate or attempt
4.3 to operate an aircraft on or over land or water within this state or over any boundary water
4.4 of this state under any of the following conditions:

4.5 (1) when the person is under the influence of alcohol;

4.6 (2) when the person is under the influence of a controlled substance;

4.7 (3) when the person is under the influence of a combination of any two or more of the
4.8 elements named in clauses (1), (2), ~~and (6)~~, and (9);

4.9 (4) when the person's alcohol concentration is 0.04 or more;

4.10 (5) when the person's alcohol concentration as measured within two hours of the time
4.11 of operation or attempted operation is 0.04 or more;

4.12 (6) when the person is under the influence of an intoxicating substance and the person
4.13 knows or has reason to know that the substance has the capacity to cause impairment;

4.14 (7) when the person's body contains any amount of a controlled substance listed in
4.15 Schedule I or II, other than marijuana or tetrahydrocannabinols; ~~or~~

4.16 (8) within eight hours of having consumed any alcoholic beverage or used any controlled
4.17 substance; or

4.18 (9) when the person is under the influence of cannabis flower, a cannabis product, a
4.19 lower-potency hemp edible, a hemp-derived consumer product, an artificially derived
4.20 cannabinoid, or tetrahydrocannabinols as these terms are defined in section 342.01.

4.21 (b) If proven by a preponderance of the evidence, it shall be an affirmative defense to a
4.22 violation of paragraph (a), clause (7), that the defendant used the controlled substance
4.23 according to the terms of a prescription issued for the defendant in accordance with sections
4.24 152.11 and 152.12.

4.25 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
4.26 committed on or after that date."

4.27 On R20, Senate language, (UEH0100-2)

4.28 Page 195, line 33, delete everything before "under" and delete "254A.03, subdivision"
4.29 and insert "254B.04, subdivision 4"

4.30 Page 196, line 1, delete "3" and delete everything after "qualified"

5.1 Page 196, line 2, delete everything before "under" and delete everything after "section"
5.2 and insert "245G.11, subdivisions 1 and 5."

5.3 Page 196, delete lines 3 to 8

5.4 Page 241, delete section 45 and insert:

5.5 "Sec. Minnesota Statutes 2022, section 609.2111, is amended to read:

5.6 **609.2111 DEFINITIONS.**

5.7 (a) For purposes of sections 609.2111 to 609.2114, the terms defined in this subdivision
5.8 have the meanings given them.

5.9 (b) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and includes
5.10 attached trailers.

5.11 (c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

5.12 (d) "Intoxicating substance" has the meaning given in section 169A.03, subdivision 11a.

5.13 (e) "Qualified prior driving offense" includes a prior conviction:

5.14 (1) for a violation of section 169A.20 under the circumstances described in section
5.15 169A.24 or 169A.25;

5.16 (2) under section 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); 609.2113,
5.17 subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to (6); or 609.2114,
5.18 subdivision 1, paragraph (a), clauses (2) to (6); or 2, clauses (2) to (6);

5.19 (3) under Minnesota Statutes 2012, section 609.21, subdivision 1, clauses (2) to (6); or

5.20 (4) under Minnesota Statutes 2006, section 609.21, subdivision 1, clauses (2) to (6); 2,
5.21 clauses (2) to (6); 2a, clauses (2) to (6); 2b, clauses (2) to (6); 3, clauses (2) to (6); or 4,
5.22 clauses (2) to (6).

5.23 (f) "Artificially derived cannabinoid" has the meaning given in section 342.01, subdivision
5.24 6.

5.25 (g) "Cannabis flower" has the meaning given in section 342.01, subdivision 16.

5.26 (h) "Cannabis product" has the meaning given in section 342.01, subdivision 20.

5.27 (i) "Hemp-derived consumer product" has the meaning given in section 342.01,
5.28 subdivision 37.

5.29 (j) "Lower-potency hemp edible" has the meaning given in section 342.01, subdivision
5.30 50.

6.1 **EFFECTIVE DATE.** This section is effective August 1, 2023."

6.2 On R28, House language, (H0100-11)

6.3 Page 201, after line 21, insert:

6.4 "Sec. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

6.5 Subdivision 1. **Acts prohibited.** A person may not carry a pistol on or about the person's
6.6 clothes or person in a public place:

6.7 (1) when the person is under the influence of a controlled substance, as defined in section
6.8 152.01, subdivision 4;

6.9 (2) when the person is under the influence of a combination of any two or more of the
6.10 elements named in clauses (1) ~~and~~, (4), and (7);

6.11 (3) when the person is under the influence of an intoxicating substance as defined in
6.12 section 169A.03, subdivision 11a, and the person knows or has reason to know that the
6.13 substance has the capacity to cause impairment;

6.14 (4) when the person is under the influence of alcohol;

6.15 (5) when the person's alcohol concentration is 0.10 or more; ~~or~~

6.16 (6) when the person's alcohol concentration is less than 0.10, but more than 0.04; or

6.17 (7) when the person is under the influence of cannabis flower, a cannabis product, a
6.18 lower-potency hemp edible, a hemp-derived consumer product, an artificially derived
6.19 cannabinoid, or tetrahydrocannabinols as these terms are defined in section 342.01.

6.20 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
6.21 committed on or after that date."

6.22 Renumber the sections in sequence and correct the internal references

6.23 Amend the title accordingly