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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3404

02/17/2026 Authored by Klevorn, Bahner, Moller, Gomez, Acomb 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; increasing criminal penalty for impersonating a peace
1.3 officer; establishing the crime of impersonating a peace officer while possessing
1.4 a firearm; establishing enhanced penalties for committing an offense while
1.5 impersonating a peace officer; requiring individuals presenting as peace officers
1.6 to identify themselves as peace officers; establishing criminal penalties; amending
1.7 Minnesota Statutes 2024, section 609.4751.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2024, section 609.4751, is amended to read:

1.10 609.4751 IMPERSONATING A PEACE OFFICER.

1.11 Subdivision 1. ~~Misdemeanor~~ Intent to mislead. Whoever falsely impersonates a peace
1.12 officer with intent to mislead another into believing that the impersonator is actually an
1.13 officer is guilty of a ~~misdemeanor~~ felony and may be sentenced to imprisonment for not
1.14 more than two years or to payment of a fine of not more than \$4,000, or both.

1.15 Subd. 2. ~~Gross misdemeanor~~ Buildings; vehicles. Whoever violates subdivision 1
1.16 while committing any of the following acts is guilty of a ~~gross misdemeanor~~ felony and
1.17 may be sentenced to imprisonment for not more than five years or to payment of a fine of
1.18 not more than \$10,000, or both:

1.19 (1) gaining access to a public building or government facility that is not open to the
1.20 public;

1.21 (2) without legal authority, directing or ordering another person to act or refrain from
1.22 acting;

2.1 (3) violating section 169.64, subdivision 2, 3, or 4, or the siren provisions of section  
2.2 169.68; or

2.3 (4) operating a motor vehicle ~~marked~~:

2.4 (i) marked with the word or words "police," "patrolman," "sheriff," "deputy," "trooper,"  
2.5 "state patrol," "conservation officer," "agent," or "marshal"; ~~or~~

2.6 (ii) marked with any lettering, marking, or insignia, or colorable imitation thereof,  
2.7 including, but not limited to, stars, badges, or shields identifying the vehicle as a law  
2.8 enforcement vehicle, and which a reasonable person would believe is a law enforcement  
2.9 vehicle governed under section 169.98, subdivision 1; or

2.10 (iii) displaying equipment commonly attached to law enforcement vehicles, or a facsimile  
2.11 of such equipment, in a manner that would lead a reasonable person to believe that the motor  
2.12 vehicle is a law enforcement vehicle governed under section 169.98, subdivision 1.

2.13 Subd. 3. **Felony Previous violation; possession of a firearm.** (a) Whoever violates this  
2.14 section within five years of a previous violation of this section is guilty of a felony and may  
2.15 be sentenced to imprisonment for not more than ~~two~~ ten years or to payment of a fine of  
2.16 not more than ~~\$4,000~~ \$20,000, or both.

2.17 (b) Whoever violates this section while in possession of a firearm is guilty of a felony  
2.18 and may be sentenced to imprisonment for not more than ten years or to payment of a fine  
2.19 of not more than \$20,000, or both.

2.20 Subd. 4. **Crime committed while impersonating an officer; enhanced penalties.** (a)  
2.21 A person who commits a crime other than a violation of this section while falsely  
2.22 impersonating a peace officer with intent to mislead another into believing that the  
2.23 impersonator is actually an officer may be sentenced as follows:

2.24 (1) if the crime committed is a misdemeanor, the person is guilty of a gross misdemeanor;

2.25 (2) if the crime committed is a gross misdemeanor, the person is guilty of a felony and  
2.26 may be sentenced to imprisonment for not more than three years or to payment of a fine of  
2.27 not more than \$15,000, or both; and

2.28 (3) if the crime committed is a felony, the statutory maximum for the crime is five years  
2.29 longer than the statutory maximum for the underlying crime.

2.30 (b) An enhanced penalty imposed under this subdivision does not preclude prosecution  
2.31 under any other provision of this section.

3.1 Subd. 5. Duty to identify. (a) As used in this subdivision, "powers or duties commonly  
3.2 associated with peace officers" means acts imposed by law or regularly performed by peace  
3.3 officers, including but not limited to stopping, detaining, or arresting individuals; executing  
3.4 warrants; and going to a business or dwelling to conduct an investigation or provide  
3.5 notification regarding suspicious activities.

3.6 (b) Any individual identifying as a peace officer or exercising powers or duties commonly  
3.7 associated with peace officers must identify the law enforcement agency or other entity  
3.8 employing the individual, the individual's name, and the individual's identification number.

3.9 (c) An individual satisfies the requirements in paragraph (b) if:

3.10 (1) the individual is an officer, wears a uniform that clearly identifies the law enforcement  
3.11 agency or other entity employing the officer, and displays any combination of a badge,  
3.12 nameplate, identification patch, or other label that clearly identifies the officer's name and  
3.13 identification number;

3.14 (2) the individual is an officer, wears body armor or a protective suit for the purposes  
3.15 of crowd control or participation as a member of a special weapons and tactics team, and  
3.16 displays any combination of a badge, nameplate, identification patch, or other label that  
3.17 clearly identifies the law enforcement agency or other entity employing the officer and the  
3.18 officer's identification number; or

3.19 (3) upon request, the individual states the required information or provides a card that  
3.20 includes the required information.

3.21 (d) An individual exercising powers or duties commonly associated with peace officers  
3.22 must not identify as a peace officer by wearing a uniform or other equipment marked with  
3.23 the word "police" unless the individual is:

3.24 (1) licensed by the Board of Peace Officer Standards and Training;

3.25 (2) an officer employed by a federally recognized Tribe, as defined in United States  
3.26 Code, title 25, section 450b(e);

3.27 (3) a peace officer of a state adjoining Minnesota exercising authority pursuant to section  
3.28 626.77; or

3.29 (4) an officer from another jurisdiction providing mutual assistance under the terms of  
3.30 an emergency management assistance compact entered into pursuant to section 192.89 or  
3.31 a mutual aid arrangement or cooperative agreement entered into pursuant to section 12.21.

4.1 (e) Nothing in this subdivision requires an undercover peace officer to reveal the  
4.2 undercover peace officer's identity unless the undercover peace officer is detaining a person,  
4.3 arresting a person, or executing a warrant.

4.4 (f) A person who violates paragraph (b) is guilty of a misdemeanor unless the person  
4.5 is:

4.6 (1) licensed by the Board of Peace Officer Standards and Training;

4.7 (2) an officer employed by a federally recognized Tribe, as defined in United States  
4.8 Code, title 25, section 450b(e);

4.9 (3) a peace officer of a state adjoining Minnesota exercising authority pursuant to section  
4.10 626.77; or

4.11 (4) an officer from another jurisdiction providing mutual assistance under the terms of  
4.12 an emergency management assistance compact entered into pursuant to section 192.89 or  
4.13 a mutual aid arrangement or cooperative agreement entered into pursuant to section 12.21.

4.14 (g) Failure by a peace officer to comply with the requirements of this subdivision does  
4.15 not make an arrest unlawful and must not be the basis to suppress any evidence identified  
4.16 or seized following an arrest.

4.17 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
4.18 committed on or after that date.