

House Research Act Summary

CHAPTER: 93

SESSION: 2016 Regular Session

TOPIC: Assaulting Peace Officers

Analyst: Jeff Diebel

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This act clarifies the offense of assaulting a peace officer. A recent Minnesota Supreme Court case held that the 4th degree assault offense of throwing or otherwise transferring bodily fluids or feces at or onto a peace officer also required proof of a physical assault. *State v. Struzyk*, 869 N.W.2d 280 (Minn.2015). This act clarifies the law by eliminating the requirement that a physical assault accompany an assault of a peace officer by bodily fluid or feces. The bill also removes restrictions on the circumstances when a physical assault of a peace officer is covered under the statute.