

Subject Increasing penalties for impersonating a peace officer

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Overview

This bill amends the crime of impersonating a peace officer by increasing penalties, identifying additional acts that result in an enhanced charge, requiring certain individuals to provide identifying information when exercising the powers and duties associated with officers, and prohibiting the use of the word “police” on a uniform or clothing unless the person is a peace officer licensed in Minnesota, a Tribal officer, or an officer from another state exercising duties allowed under state law.

Summary

Section	Description
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1	Impersonating a peace officer.
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Subd. 1. Intent to mislead. Increases the penalty for impersonating a peace officer from a misdemeanor to a felony with a maximum prison sentence of two years. This penalty applies when a person impersonates an officer with the intent to mislead another, but does not take further action.

Subd. 2. Buildings; vehicles. Increases the penalty for impersonating a peace officer from a gross misdemeanor to a felony with a maximum prison sentence of five years if the person also commits certain acts. Acts that result in the increased penalty are gaining access to certain buildings, directing someone to take a certain action or refrain from acting, violating the provisions related to vehicle lights and sirens, and operating a vehicle marked with “police” or a similar marking indicating the vehicle is a law enforcement vehicle. Expands the enhancement for operating certain vehicles while impersonating an officer to include operating a vehicle that does not include “police” or a similar marking, but displays equipment that is commonly associated with law enforcement vehicles.

Subd. 3. Previous violation; possession of a firearm. Increases the penalty for impersonating a peace officer within five years of a previous conviction from a felony with a maximum prison sentence of two years to a maximum prison

Section **Description**

sentence of ten years. Establishes a new penalty with a maximum prison sentence of ten years for a person who possesses a firearm while impersonating an officer.

Subd. 4. Crime committed while impersonating an officer; enhanced penalties.

Creates a penalty enhancement for a person who commits another crime while impersonating an officer. Establishes that a misdemeanor offense becomes a gross misdemeanor, a gross misdemeanor offense becomes a felony with a maximum prison sentence of three years, and the maximum prison sentence for a felony increases by five years. Establishes that a person can be convicted of the crime of impersonating an officer and be subject to the enhanced penalty for committing another offense while impersonating an officer.

Subd. 5. Duty to identify. Requires anyone who exercises the powers and duties commonly associated with peace officers to identify the person's employer, provide the person's name, and provide the person's identification number. Establishes that an officer in uniform that displays the person's employer, name, and identification number satisfies this requirement. States that an officer wearing certain protective gear only needs to display the person's employer and identification number. Permits a person to provide the required information orally or by giving a person a card. Also prohibits a person from wearing a uniform or operating equipment that displays the word "police" unless the person is a peace officer licensed in Minnesota, a Tribal officer, an officer from a neighboring state exercising authority under Minnesota law allowing neighboring officers to take certain actions, or an officer from another state exercising authority under a mutual aid agreement. Creates an exception for undercover officers. Establishes that a person who fails to provide the required information is guilty of a misdemeanor, but creates an exception for licensed peace officers, Tribal officers, and officers from another state exercising authority under Minnesota law. Asserts that a violation of the requirement does not make an arrest unlawful and cannot be the basis to suppress any evidence seized following an arrest.



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