

Subject Requiring notice and disclosure when officers deploy chemical irritants within a building

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Overview

Peace officers may use chemical irritants such as tear gas and pepper spray in an attempt to force a person to leave a room or building. Officers may also use smoke screens and diversionary devices (such as “flash bang” devices) when entering a building or room. Those products may leave residue that requires specialized cleaning or treatment.

This bill requires peace officers to provide notice to building owners and, if the building is a home or apartment, the occupant when the officer uses a chemical irritant in the building. It also requires law enforcement agencies and local units of government to share specific information about the products used when asked by the building owner, a tenant in the building, an insurance company, or someone hired to clean or treat the building or room. Finally, the bill requires the Department of Public Safety to develop a standard notification form for officers to provide to building owners and occupants.

Summary

Section	Description
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1	Use of chemical irritants; disclosure required.
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Subd. 1. Definition. Defines “building” as used in this section.

Subd. 2. Notice of use; identification of products deployed. Authorizes peace officers, law enforcement agencies, and local government units to provide certain information about chemical irritants, smoke screens, and diversionary devices used within a building. Directs officers to provide a notice when chemical irritants are deployed within a building. Specifies that notice should be given to the building owner and, if the building is a home or apartment, to the occupant. Specifies that notice may be in the form of a standard notice form created by the Department of Public Safety. Also requires law enforcement agencies and local government units to provide specific information about chemical irritants, smoke

Section **Description**

screens, and diversionary devices used within a building when the building owner, a tenant, an insurance company, or a person hired to perform cleanup services asks for that information.

Subd. 3. Standard form. Directs the Department of Public Safety to establish a standard notification form for peace officers to use when informing a building owner or occupant that chemical irritants were deployed within the building. Requires that the notice inform the person that irritants were deployed, that they may need specialized cleanup or treatment, and that the owner or occupant can contact the law enforcement agency or local government unit for more information. Requires the department to provide notification forms to law enforcement agencies at no cost.



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