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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1199**

March 2, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

March 23, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to crime; defining felony domestic assault and domestic assault by
1.3 strangulation as crimes of violence; amending Minnesota Statutes 2008, section
1.4 624.712, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2008, section 624.712, subdivision 5, is amended to read:

1.7 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
1.8 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in
1.9 the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the
1.10 first degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and
1.11 aiding attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the
1.12 second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth
1.13 degree); 609.2242, subdivision 4 (felony domestic assault); 609.2247 (domestic assault
1.14 by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235 (use
1.15 of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
1.16 robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.342 (criminal sexual
1.17 conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
1.18 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct
1.19 in the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or
1.20 endangerment of a child); 609.486 (commission of crime while wearing or possessing a
1.21 bullet-resistant vest); 609.52 (involving theft of a firearm, theft involving the intentional
1.22 taking or driving of a motor vehicle without the consent of the owner or authorized agent
1.23 of the owner, theft involving the taking of property from a burning, abandoned, or vacant
1.24 building, or from an area of destruction caused by civil disaster, riot, bombing, or the

2.1 proximity of battle, and theft involving the theft of a controlled substance, an explosive, or
2.2 an incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second
2.3 degree); 609.582, subdivision 1, 2, or 3 (burglary in the first through third degrees);
2.4 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully owning, possessing,
2.5 operating a machine gun or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic
2.6 threats); 609.749 (harassment and stalking); 609.855, subdivision 5 (shooting at a public
2.7 transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an attempt
2.8 to commit any of these offenses.

2.9 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes
2.10 committed on or after that date.