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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 68

January 12, 2009

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

1.1 A bill for an act
1.2 relating to crime; allowing consecutive sentencing when an offender commits
1.3 one or more additional crimes between the time of the commission of one crime
1.4 and the time of sentencing on that crime; directing the Sentencing Guidelines
1.5 Commission to make the guidelines consistent; amending Minnesota Statutes
1.6 2008, section 609.15, subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2008, section 609.15, subdivision 1, is amended to read:

1.9 Subdivision 1. **Concurrent, consecutive sentences; specification requirement.** (a)

1.10 Except as provided in paragraph ~~(e)~~ (d), when separate sentences of imprisonment are
1.11 imposed on a defendant for two or more crimes, whether charged in a single indictment
1.12 or information or separately, or when a person who is under sentence of imprisonment
1.13 in this state is being sentenced to imprisonment for another crime committed prior to
1.14 or while subject to such former sentence, the court in the later sentences shall specify
1.15 whether the sentences shall run concurrently or consecutively. If the court does not so
1.16 specify, the sentences shall run concurrently.

1.17 (b) The court may impose separate sentences of imprisonment on a defendant for two
1.18 or more crimes and require the sentences to run consecutively when the defendant commits
1.19 one or more additional crimes during the time between the defendant's commission of one
1.20 crime and the time of sentencing on that crime. If the court does not specify whether the
1.21 sentences run concurrently or consecutively, the sentences shall run concurrently.

1.22 (c) When a court imposes sentence for a misdemeanor or gross misdemeanor offense
1.23 and specifies that the sentence shall run consecutively to any other sentence, the court may
1.24 order the defendant to serve time in custody for the consecutive sentence in addition

2.1 to any time in custody the defendant may be serving for any other offense, including
2.2 probationary jail time or imprisonment for any felony offense.

2.3 ~~(e)~~ (d) An inmate of a state prison who is convicted of committing an assault
2.4 within the correctional facility is subject to the consecutive sentencing provisions of
2.5 section 609.2232.

2.6 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to
2.7 offenses committed on or after that date.