

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 1296

(SENATE AUTHORS: HOUSLEY)

DATE
02/14/2019

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Introduction and first reading
Referred to Family Care and Aging

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; requiring speedy trials and depositions for criminal cases
1.3 involving vulnerable adult victims; amending Minnesota Statutes 2018, section
1.4 611A.033; proposing coding for new law in Minnesota Statutes, chapter 630.

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

1.6 Section 1. Minnesota Statutes 2018, section 611A.033, is amended to read:

1.7 **611A.033 SPEEDY TRIAL; NOTICE OF SCHEDULE CHANGE.**

1.8 (a) A victim has the right to request that the prosecutor make a demand under rule 11.09
1.9 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand.
1.10 The prosecutor shall make reasonable efforts to comply with the victim's request.

1.11 (b) A prosecutor shall make reasonable efforts to provide advance notice of any change
1.12 in the schedule of the court proceedings to a victim who has been subpoenaed or requested
1.13 to testify.

1.14 (c) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232,
1.15 subdivision 11, is a victim, the state may, and, if requested to do so by the victim, the state
1.16 shall, move the court for a speedy trial. The court, ~~after consideration of~~ shall grant the
1.17 motion if it determines that the age and health of the victim, ~~may grant a speedy trial~~ justifies
1.18 doing so. The motion may be filed and served with the complaint or any time after the
1.19 complaint is filed and served.

1.20 **Sec. 2. [630.38] VULNERABLE ADULT VICTIM; MOTION FOR DEPOSITION.**

1.21 In a criminal proceeding in which a vulnerable adult, as defined in section 609.232,
1.22 subdivision 11, is a victim, the state may, and, if requested to do so by the victim, the state

- 2.1 shall, make a motion to depose the victim under Minnesota Rules of Criminal Procedure,
2.2 rule 21. The court shall grant the motion if it determines that the age and health of the victim
2.3 justifies doing so or if other criteria in the rule are met. If the motion is granted, the court
2.4 shall ensure that the deposition takes place as soon as is practicable.