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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 13

01/22/2025

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

- 1.1A bill for an act
- 1.2relating to public safety; eliminating the duty to retreat before using reasonable
- 1.3force in defense of self or others; amending Minnesota Statutes 2024, section
- 1.4609.06, subdivision 1.
- 1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6Section 1. Minnesota Statutes 2024, section 609.06, subdivision 1, is amended to read:
- 1.7Subdivision 1. **When authorized.** (a) Except as otherwise provided in subdivisions 2
- 1.8to 4, reasonable force may be used upon or toward the person of another without the other's
- 1.9consent when the following circumstances exist or the actor reasonably believes them to
- 1.10exist:
- 1.11(1) when used by a public officer or one assisting a public officer under the public
- 1.12officer's direction:
- 1.13(i) in effecting a lawful arrest; or
- 1.14(ii) in the execution of legal process; or
- 1.15(iii) in enforcing an order of the court; or
- 1.16(iv) in executing any other duty imposed upon the public officer by law; or
- 1.17(2) when used by a person not a public officer in arresting another in the cases and in
- 1.18the manner provided by law and delivering the other to an officer competent to receive the
- 1.19other into custody; or
- 1.20(3) when used by any person in resisting or aiding another to resist an offense against
- 1.21the person; or

(4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or

(5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or

(6) when used by a parent, guardian, or other lawful custodian of a child, in the exercise of lawful authority, to restrain or correct such child; or

(7) when used by a teacher, school principal, school employee, school bus driver, or other agent of a district in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

(b) An actor may use reasonable force under the circumstances described in paragraph (a), clause (3), regardless of whether a reasonable possibility of retreat to avoid the danger exists.

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to acts committed on or after that date.