

NINETY-FOURTH SESSION

01/23/2025 Authored by Scott, Witte, Novotny, Backer, Gander and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

Section 1.

- 2.1

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes
- 2.2

committed on or after that date.
- 2.3

Sec. 2. **REPEALER.**
- 2.4

Minnesota Statutes 2024, section 624.7141, subdivision 4, is repealed.
- 2.5

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes
- 2.6

committed on or after that date.

APPENDIX

Repealed Minnesota Statutes: 25-02012

624.7141 TRANSFER TO INELIGIBLE PERSON.

Subd. 4. **Affirmative defense.** (a) As used in this subdivision, "family or household member" has the meaning given in section 518B.01, subdivision 2, paragraph (b).

(b) If proven by clear and convincing evidence, it is an affirmative defense to a violation of this section that the defendant was a family or household member of the transferee and committed the violation only under compulsion by the transferee who, by explicit or implicit threats or other acts, created a reasonable apprehension in the mind of the defendant that the refusal of the defendant to participate in the violation would result in the transferee inflicting substantial bodily harm or death on the defendant or a family or household member of the defendant.

(c) The fact finder may consider any evidence of past acts that would constitute domestic abuse, domestic or nondomestic assault, criminal sexual conduct, sexual extortion, sex trafficking, labor trafficking, harassment or stalking, or any other crime that is a crime of violence as defined in section 624.712, subdivision 5, or threats to commit any of these crimes by the transferee toward the defendant or another when determining if the defendant has proven the affirmative defense. Past prosecution is not required for the fact finder to consider evidence of these acts. Nothing in this paragraph limits the ability of the fact finder to consider other relevant evidence when determining if the defendant has proven the affirmative defense.