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## **S.F. No. 2673 – Elimination of Mandatory Minimum Waivers; Cases Involving Dangerous Weapons**

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**S.F. No. 2673** amends Minnesota Statutes, section 609.11, which provides for mandatory minimum prison sentences for offenders convicted of committing certain specified violent crimes involving a firearm or other dangerous weapon or of unlawfully possessing a firearm in certain situations.

Under current law, a prosecutor may make a motion to have the defendant sentenced without regard to the mandatory minimum sentence required in section 609.11. The court, either based on the prosecutor’s motion or upon its own motion, may sentence without regard to the mandatory minimum if it finds substantial and compelling reasons to do so. This authority does not apply if the offender has previously been convicted of a violent crime while using or possessing a firearm or other dangerous weapon. Thus, the mandatory sentence in section 609.11 is considered a “soft” mandatory minimum sentence for first time offenders but a “hard” minimum for repeat offenders.

This bill removes the authority to sentence without regard to the mandatory minimum sentence for cases in which a *firearm* was involved but retains that authority for other (non-firearm) dangerous weapon cases.