

1.1 Senator moves to amend S.F. No. 3236 as follows:

1.2 Page 2, after line 13, insert:

1.3 "Section 1. Minnesota Statutes 2022, section 51A.14, is amended to read:

1.4 **51A.14 INDEMNITY BONDS.**

1.5 All directors, officers, and employees of an association shall, before entering upon the
 1.6 performance of any of their duties, execute their individual bonds with adequate corporate
 1.7 surety payable to the association as an indemnity for any loss the association may sustain
 1.8 of money or other property by or through any fraud, dishonesty, forgery or alteration, larceny,
 1.9 theft, embezzlement, robbery, carjacking, burglary, holdup, wrongful or unlawful abstraction,
 1.10 misapplication, misplacement, destruction or misappropriation, or any other dishonest or
 1.11 criminal act or omission by any such director, officer, employee, or agent. Associations
 1.12 which employ collection agents, who for any reason are not covered by a bond as hereinabove
 1.13 required, shall provide for the bonding of each such agent in an amount equal to at least
 1.14 twice the average monthly collection of such agent. Such agents shall be required to make
 1.15 settlement with the association at least monthly. No bond coverage will be required of any
 1.16 agent which is a financial institution insured by the Federal Deposit Insurance Corporation
 1.17 or by the federal savings and loan insurance corporation. The amounts and form of such
 1.18 bonds and sufficiency of the surety thereon shall be approved by the board of directors and
 1.19 by the commissioner. In lieu of individual bonds, a blanket bond, protecting the association
 1.20 from loss through any such act or acts on the part of any such director, officer, or employee,
 1.21 may be obtained. Such bonds shall provide that a cancellation thereof either by the surety
 1.22 or by the insured shall not become effective unless and until ten days' notice in writing first
 1.23 shall have been given to the commissioner unless the commissioner shall have approved
 1.24 such cancellation earlier."

1.25 Page 6, after line 4, insert:

1.26 "Sec. 4. Minnesota Statutes 2022, section 244.17, subdivision 3, is amended to read:

1.27 Subd. 3. **Offenders not eligible.** (a) The following offenders are not eligible to be placed
 1.28 in the challenge incarceration program:

- 1.29 (1) offenders who are committed to the commissioner's custody following a conviction
- 1.30 for murder, manslaughter, criminal sexual conduct, assault, kidnapping, robbery, carjacking,
- 1.31 arson, or any other offense involving death or intentional personal injury;

2.1 (2) offenders who were convicted within the preceding ten years of an offense described
2.2 in clause (1) and were committed to the custody of the commissioner;

2.3 (3) offenders who have been convicted or adjudicated delinquent within the past five
2.4 years for a violation of section 609.485;

2.5 (4) offenders who are committed to the commissioner's custody for an offense that
2.6 requires registration under section 243.166;

2.7 (5) offenders who are the subject of a current arrest warrant or detainer;

2.8 (6) offenders who have fewer than 180 days remaining until their supervised release
2.9 date;

2.10 (7) offenders who have had disciplinary confinement time added to their sentence or
2.11 who have been placed in segregation, unless 90 days have elapsed from the imposition of
2.12 the additional disciplinary confinement time or the last day of segregation;

2.13 (8) offenders who have received a suspended formal disciplinary sanction, unless the
2.14 suspension has expired;

2.15 (9) offenders whose governing sentence is for an offense from another state or the United
2.16 States; and

2.17 (10) offenders who have a medical condition included on the list of ineligible conditions
2.18 described in paragraph (b).

2.19 (b) The commissioner of corrections shall develop a list of medical conditions that will
2.20 disqualify an offender from participating in the challenge incarceration program. The
2.21 commissioner shall submit the list and any changes to it to the chairs and ranking minority
2.22 members of the senate and house committees having jurisdiction over criminal justice policy
2.23 and funding."

2.24 Page 20, after line 3, insert:

2.25 "Sec. 15. Minnesota Statutes 2022, section 326.3381, subdivision 3, is amended to read:

2.26 Subd. 3. **Disqualification.** No person is qualified to hold a license who has:

2.27 (1) been convicted of (i) a felony by the courts of this or any other state or of the United
2.28 States; (ii) acts which, if done in Minnesota, would be criminal sexual conduct; assault;
2.29 theft; larceny; burglary; robbery; carjacking; unlawful entry; extortion; defamation; buying
2.30 or receiving stolen property; using, possessing, manufacturing, or carrying weapons
2.31 unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; possession,

3.1 production, sale, or distribution of narcotics unlawfully; or (iii) in any other country of acts
3.2 which, if done in Minnesota, would be a felony or would be any of the other offenses
3.3 provided in this clause and for which a full pardon or similar relief has not been granted;

3.4 (2) made any false statement in an application for a license or any document required
3.5 to be submitted to the board; or

3.6 (3) failed to demonstrate to the board good character, honesty, and integrity."

3.7 Page 20, after line 22, insert:

3.8 "Sec. 17. Minnesota Statutes 2022, section 609.11, subdivision 9, is amended to read:

3.9 Subd. 9. **Applicable offenses.** The crimes for which mandatory minimum sentences
3.10 shall be served as provided in this section are: murder in the first, second, or third degree;
3.11 assault in the first, second, or third degree; burglary; kidnapping; false imprisonment;
3.12 manslaughter in the first or second degree; aggravated robbery; simple robbery; carjacking
3.13 in the first, second, or third degree; first-degree or aggravated first-degree witness tampering;
3.14 criminal sexual conduct under the circumstances described in sections 609.342, subdivision
3.15 1, and subdivision 1a, clauses (a) to (f) and (i); 609.343, subdivision 1, and subdivision 1a,
3.16 clauses (a) to (f) and (i); and 609.344, subdivision 1, clauses (a) to (c) and (d), under the
3.17 conditions described in section 609.341, subdivision 24, clause (2), item (i), (ii), or (iii),
3.18 and subdivision 1a, clauses (a) to (e), (h), and (i), under the conditions described in section
3.19 609.341, subdivision 24, clause (2), item (i), (ii), or (iii); escape from custody; arson in the
3.20 first, second, or third degree; drive-by shooting under section 609.66, subdivision 1e;
3.21 harassment under section 609.749, subdivision 3, paragraph (a), clause (3); possession or
3.22 other unlawful use of a firearm or ammunition in violation of section 609.165, subdivision
3.23 1b, or 624.713, subdivision 1, clause (2), a felony violation of chapter 152; or any attempt
3.24 to commit any of these offenses.

3.25 Sec. 18. Minnesota Statutes 2022, section 609.185, is amended to read:

3.26 **609.185 MURDER IN THE FIRST DEGREE.**

3.27 (a) Whoever does any of the following is guilty of murder in the first degree and shall
3.28 be sentenced to imprisonment for life:

3.29 (1) causes the death of a human being with premeditation and with intent to effect the
3.30 death of the person or of another;

4.1 (2) causes the death of a human being while committing or attempting to commit criminal
4.2 sexual conduct in the first or second degree with force or violence, either upon or affecting
4.3 the person or another;

4.4 (3) causes the death of a human being with intent to effect the death of the person or
4.5 another, while committing or attempting to commit burglary, aggravated robbery, carjacking
4.6 in the first or second degree, kidnapping, arson in the first or second degree, a drive-by
4.7 shooting, tampering with a witness in the first degree, escape from custody, or any felony
4.8 violation of chapter 152 involving the unlawful sale of a controlled substance;

4.9 (4) causes the death of a peace officer, prosecuting attorney, judge, or a guard employed
4.10 at a Minnesota state or local correctional facility, with intent to effect the death of that person
4.11 or another, while the person is engaged in the performance of official duties;

4.12 (5) causes the death of a minor while committing child abuse, when the perpetrator has
4.13 engaged in a past pattern of child abuse upon a child and the death occurs under
4.14 circumstances manifesting an extreme indifference to human life;

4.15 (6) causes the death of a human being while committing domestic abuse, when the
4.16 perpetrator has engaged in a past pattern of domestic abuse upon the victim or upon another
4.17 family or household member and the death occurs under circumstances manifesting an
4.18 extreme indifference to human life; or

4.19 (7) causes the death of a human being while committing, conspiring to commit, or
4.20 attempting to commit a felony crime to further terrorism and the death occurs under
4.21 circumstances manifesting an extreme indifference to human life.

4.22 (b) For the purposes of paragraph (a), clause (4), "prosecuting attorney" has the meaning
4.23 given in section 609.221, subdivision 2, paragraph (c), clause (4).

4.24 (c) For the purposes of paragraph (a), clause (4), "judge" has the meaning given in section
4.25 609.221, subdivision 2, paragraph (c), clause (5).

4.26 (d) For purposes of paragraph (a), clause (5), "child abuse" means an act committed
4.27 against a minor victim that constitutes a violation of the following laws of this state or any
4.28 similar laws of the United States or any other state: section 609.221; 609.222; 609.223;
4.29 609.224; 609.2242; 609.342; 609.343; 609.344; 609.345; 609.377; 609.378; or 609.713.

4.30 (e) For purposes of paragraph (a), clause (6), "domestic abuse" means an act that:

4.31 (1) constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242,
4.32 609.342, 609.343, 609.344, 609.345, 609.713, or any similar laws of the United States or
4.33 any other state; and

5.1 (2) is committed against the victim who is a family or household member as defined in
5.2 section 518B.01, subdivision 2, paragraph (b).

5.3 (f) For purposes of paragraph (a), clause (7), "further terrorism" has the meaning given
5.4 in section 609.714, subdivision 1.

5.5 Sec. 19. Minnesota Statutes 2022, section 609.2661, is amended to read:

5.6 **609.2661 MURDER OF UNBORN CHILD IN THE FIRST DEGREE.**

5.7 Whoever does any of the following is guilty of murder of an unborn child in the first
5.8 degree and must be sentenced to imprisonment for life:

5.9 (1) causes the death of an unborn child with premeditation and with intent to effect the
5.10 death of the unborn child or of another;

5.11 (2) causes the death of an unborn child while committing or attempting to commit
5.12 criminal sexual conduct in the first or second degree with force or violence, either upon or
5.13 affecting the mother of the unborn child or another; or

5.14 (3) causes the death of an unborn child with intent to effect the death of the unborn child
5.15 or another while committing or attempting to commit burglary, aggravated robbery,
5.16 carjacking in the first or second degree, kidnapping, arson in the first or second degree,
5.17 tampering with a witness in the first degree, or escape from custody."

5.18 Page 22, after line 18, insert:

5.19 "Sec. 22. Minnesota Statutes 2022, section 609.526, subdivision 2, is amended to read:

5.20 Subd. 2. **Crime described.** Any precious metal dealer or scrap metal dealer or any person
5.21 employed by a dealer, who receives, possesses, transfers, buys, or conceals any stolen
5.22 property or property obtained by robbery or carjacking, knowing or having reason to know
5.23 the property was stolen or obtained by robbery or carjacking, may be sentenced as follows:

5.24 (1) if the value of the property received, bought, or concealed is \$1,000 or more, to
5.25 imprisonment for not more than ten years or to payment of a fine of not more than \$50,000,
5.26 or both;

5.27 (2) if the value of the property received, bought, or concealed is less than \$1,000 but
5.28 more than \$500, to imprisonment for not more than three years or to payment of a fine of
5.29 not more than \$25,000, or both;

6.1 (3) if the value of the property received, bought, or concealed is \$500 or less, to
6.2 imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000,
6.3 or both.

6.4 Any person convicted of violating this section a second or subsequent time within a
6.5 period of one year may be sentenced as provided in clause (1)."

6.6 Page 27, after line 11, insert:

6.7 "Sec. 27. Minnesota Statutes 2022, section 609B.161, is amended to read:

6.8 **609B.161 PRIVATE DETECTIVE OR PROTECTIVE AGENT BUSINESS**
6.9 **LICENSE; DISQUALIFICATION.**

6.10 Under section 326.3381, a person is disqualified from holding a private detective or
6.11 protective agent business license if that person has been convicted of:

6.12 (1) a felony by the courts of this or any other state or of the United States;

6.13 (2) acts which, if committed in Minnesota, would be criminal sexual conduct; assault;
6.14 theft; larceny; burglary; robbery; carjacking; unlawful entry; extortion; defamation; buying
6.15 or receiving stolen property; using, possessing, manufacturing, or carrying weapons
6.16 unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; or possession,
6.17 production, sale, or distribution of narcotics unlawfully; or

6.18 (3) acts in any other country which, if committed in Minnesota, would be a felony or
6.19 considered as any of the other offenses listed in clause (2) and for which a full pardon or
6.20 similar relief has not been granted."

6.21 Page 29, after line 14, insert:

6.22 "Sec. 32. Minnesota Statutes 2022, section 626A.05, subdivision 2, is amended to read:

6.23 Subd. 2. **Offenses for which interception of wire or oral communication may be**
6.24 **authorized.** A warrant authorizing interception of wire, electronic, or oral communications
6.25 by investigative or law enforcement officers may only be issued when the interception may
6.26 provide evidence of the commission of, or of an attempt or conspiracy to commit, any of
6.27 the following offenses:

6.28 (1) a felony offense involving murder, manslaughter, assault in the first, second, and
6.29 third degrees, aggravated robbery, carjacking in the first or second degree, kidnapping,
6.30 criminal sexual conduct in the first, second, and third degrees, prostitution, bribery, perjury,
6.31 escape from custody, theft, receiving stolen property, embezzlement, burglary in the first,

7.1 second, and third degrees, forgery, aggravated forgery, check forgery, or financial transaction
7.2 card fraud, as punishable under sections 609.185, 609.19, 609.195, 609.20, 609.221, 609.222,
7.3 609.223, 609.2231, 609.245, 609.247, subdivision 2 or 3, 609.25, 609.321 to 609.324,
7.4 609.342, 609.343, 609.344, 609.42, 609.48, 609.485, subdivision 4, paragraph (a), clause
7.5 (1), 609.52, 609.53, 609.54, 609.582, 609.625, 609.63, 609.631, 609.821, and 609.825;

7.6 (2) an offense relating to gambling or controlled substances, as punishable under section
7.7 609.76 or chapter 152; or

7.8 (3) an offense relating to restraint of trade defined in section 325D.53, subdivision 1 or
7.9 2, as punishable under section 325D.56, subdivision 2.

7.10 Sec. 33. Minnesota Statutes 2022, section 629.361, is amended to read:

7.11 **629.361 PEACE OFFICERS RESPONSIBLE FOR CUSTODY OF STOLEN**
7.12 **PROPERTY.**

7.13 A peace officer arresting a person charged with committing or aiding in the committing
7.14 of a robbery, aggravated robbery, carjacking, or theft shall use reasonable diligence to secure
7.15 the property alleged to have been stolen. After seizure of the property, the officer shall be
7.16 answerable for it while it remains in the officer's custody. The officer shall annex a schedule
7.17 of the property to the return of the warrant. Upon request of the county attorney, the law
7.18 enforcement agency that has custody of the property alleged to have been stolen shall deliver
7.19 the property to the custody of the county attorney for use as evidence at an omnibus hearing
7.20 or at trial. The county attorney shall make a receipt for the property and be responsible for
7.21 the property while it is in the county attorney's custody. When the offender is convicted,
7.22 whoever has custody of the property shall turn it over to the owner."

7.23 Renumber the sections in sequence and correct the internal references

7.24 Amend the title accordingly