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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. 207

January 18, 2007

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to public safety; creating new penalties for criminal neglect of
1.3 a vulnerable adult; amending Minnesota Statutes 2006, section 609.233,
1.4 subdivision 1, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2006, section 609.233, subdivision 1, is amended to read:

1.7 Subdivision 1. **Crime.** A caregiver or operator who intentionally neglects a
1.8 vulnerable adult or knowingly permits conditions to exist that result in the abuse or
1.9 neglect of a vulnerable adult is guilty of ~~a gross misdemeanor~~ criminal neglect and may
1.10 be sentenced as provided in subdivision 3. For purposes of this section, "abuse" has the
1.11 meaning given in section 626.5572, subdivision 2, and "neglect" means a failure to provide
1.12 a vulnerable adult with necessary food, clothing, shelter, health care, or supervision.

1.13 **EFFECTIVE DATE.** This section is effective August 1, 2007, and applies to crimes
1.14 committed on or after that date.

1.15 Sec. 2. Minnesota Statutes 2006, section 609.233, is amended by adding a subdivision
1.16 to read:

1.17 Subd. 3. **Penalties.** (a) Except as provided in paragraph (b), a caregiver or operator
1.18 who violates subdivision 1 is guilty of a gross misdemeanor and may be sentenced
1.19 to imprisonment for not more than one year or to payment of a fine of not more than
1.20 \$3,000, or both.

1.21 (b) A caregiver, who is an individual and has responsibility for the care of a
1.22 vulnerable adult as a result of a family relationship, may be sentenced as follows:

2.1 (1) if a violation of subdivision 1 results in the death of a vulnerable adult, to
2.2 imprisonment for not more than ten years or to payment of a fine of not more than
2.3 \$20,000, or both; or

2.4 (2) if a violation of subdivision 1 results in substantial bodily harm or the risk of
2.5 death, to imprisonment for not more than five years or payment of a fine of not more
2.6 than \$10,000, or both.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2007, and applies to crimes
2.8 committed on or after that date.