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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1830**

March 8, 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; increasing the criminal penalty for criminal vehicular
1.3 homicide committed by a person with a prior DWI offense; amending Minnesota
1.4 Statutes 2006, section 609.21, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 609.21, subdivision 1, is amended to read:

1.7 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in paragraph
1.8 (b), a person is guilty of criminal vehicular homicide resulting in death and may be
1.9 sentenced to imprisonment for not more than ten years or to payment of a fine of not more
1.10 than \$20,000, or both, if the person causes the death of a human being not constituting
1.11 murder or manslaughter as a result of operating a motor vehicle:

1.12 (1) in a grossly negligent manner;

1.13 (2) in a negligent manner while under the influence of:

1.14 (i) alcohol;

1.15 (ii) a controlled substance; or

1.16 (iii) any combination of those elements;

1.17 (3) while having an alcohol concentration of 0.08 or more;

1.18 (4) while having an alcohol concentration of 0.08 or more, as measured within
1.19 two hours of the time of driving;

1.20 (5) in a negligent manner while knowingly under the influence of a hazardous
1.21 substance;

1.22 (6) in a negligent manner while any amount of a controlled substance listed in
1.23 schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's
1.24 body; or

2.1 (7) where the driver who causes the accident leaves the scene of the accident in
2.2 violation of section 169.09, subdivision 1 or 6.

2.3 (b) A person who violates paragraph (a) within ten years of a qualified prior impaired
2.4 driving incident, as defined in section 169A.03, subdivision 22, may be sentenced to
2.5 imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000,
2.6 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.