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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3175**

February 18, 2008

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

March 4, 2008

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to public safety; increasing penalty for attempted robbery; creating the
1.3 crime of robbery involving a motor vehicle; amending Minnesota Statutes 2006,
1.4 sections 609.24; 609.245; proposing coding for new law in Minnesota Statutes,
1.5 chapter 609.

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

1.7 Section 1. Minnesota Statutes 2006, section 609.24, is amended to read:

1.8 **609.24 SIMPLE ROBBERY.**

1.9 Whoever, having knowledge of not being entitled ~~thereto~~ to, takes or attempts to take
1.10 personal property from the person or in the presence of another and uses or threatens the
1.11 imminent use of force against any person to overcome the person's resistance or powers of
1.12 resistance to, or to compel acquiescence in, the taking or carrying away of the property is
1.13 guilty of robbery and may be sentenced to imprisonment for not more than ten years or
1.14 to payment of a fine of not more than \$20,000, or both.

1.15 **EFFECTIVE DATE.** This section is effective August 1, 2008, and applies to crimes
1.16 committed on or after that date.

1.17 Sec. 2. Minnesota Statutes 2006, section 609.245, is amended to read:

1.18 **609.245 AGGRAVATED ROBBERY.**

1.19 Subdivision 1. **First degree.** Whoever, while committing or attempting to commit a
1.20 robbery, is armed with a dangerous weapon or any article used or fashioned in a manner to
1.21 lead the victim to reasonably believe it to be a dangerous weapon, or inflicts bodily harm
1.22 upon another, is guilty of aggravated robbery in the first degree and may be sentenced

2.1 to imprisonment for not more than 20 years or to payment of a fine of not more than
2.2 \$35,000, or both.

2.3 Subd. 2. **Second degree.** Whoever, while committing or attempting to commit
2.4 a robbery, implies, by word or act, possession of a dangerous weapon, is guilty of
2.5 aggravated robbery in the second degree and may be sentenced to imprisonment for not
2.6 more than 15 years or to payment of a fine of not more than \$30,000, or both.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2008, and applies to crimes
2.8 committed on or after that date.

2.9 Sec. 3. **[609.246] ROBBERY INVOLVING A MOTOR VEHICLE.**

2.10 Subdivision 1. **Definition.** As used in this section, "motor vehicle" has the meaning
2.11 given in section 169.01, subdivision 3.

2.12 Subd. 2. **Crime described.** Whoever commits or attempts to commit a robbery
2.13 against a victim who is inside of a motor vehicle is guilty of a felony and may be sentenced
2.14 as provided in subdivision 3.

2.15 Subd. 3. **Penalty.** The statutory maximum sentence for a violation of this section
2.16 is 50 percent longer than the penalty would otherwise be under section 609.24 (simple
2.17 robbery) or 609.245 (aggravated robbery).

2.18 **EFFECTIVE DATE.** This section is effective August 1, 2008, and applies to crimes
2.19 committed on or after that date.