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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 3192**

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

1.1 A bill for an act  
1.2 relating to public safety; enhancing sentences for violent crimes committed in  
1.3 school zones; proposing coding for new law in Minnesota Statutes, chapter 609.

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

1.5 Section 1. **[609.1096] INCREASED PENALTIES FOR VIOLENT CRIME IN A**  
1.6 **SCHOOL ZONE.**

1.7 Subdivision 1. **Definitions.** As used in this section:

1.8 (a) "Crime of violence" means a violation of or an attempt or conspiracy to violate  
1.9 any of the following laws of this state or any similar laws of the United States or any other  
1.10 state: sections 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.221;  
1.11 609.222; 609.223; 609.2231; 609.2242; 609.2247; 609.228; 609.229; 609.235; 609.24;  
1.12 609.245; 609.25; 609.255; 609.26; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665;  
1.13 609.267; 609.2671; 609.2672; 609.268; 609.342; 609.343; 609.344; 609.345; 609.3451;  
1.14 609.3453; 609.352; 609.377; 609.378; 609.487; 609.498; 609.561; 609.562; 609.563;  
1.15 609.5631; 609.5632; 609.582; 609.687; 609.713; 609.748; 609.749; 617.23; 617.246;  
1.16 617.247; and 624.713.

1.17 (b) "School zone" means:

1.18 (1) any property owned, leased, or controlled by a school district or an organization  
1.19 operating a nonpublic school, as defined in section 123B.41, subdivision 9, where an  
1.20 elementary, middle, secondary school, secondary vocational center, or other school  
1.21 providing education services in kindergarten through grade 12 is located, or used for  
1.22 educational purposes, or where extracurricular or cocurricular activities are regularly  
1.23 provided;

2.1 (2) the area surrounding school property as described in clause (1) to a distance of  
2.2 1,000 feet or one city block, whichever distance is greater, beyond the school property;

2.3 (3) that portion of a building or facility under the temporary, exclusive control of  
2.4 a public or nonpublic school, a school district, or an association of such entities where  
2.5 conspicuous signs are prominently posted at each entrance that give actual notice to  
2.6 persons of the school-related use;

2.7 (4) the area within a school bus when that bus is being used to transport one or more  
2.8 elementary or secondary school students to or from school-related activities, including  
2.9 curricular, cocurricular, noncurricular, extracurricular, and supplementary activities; and

2.10 (5) the designated area where students wait for school buses or are dropped off by  
2.11 school buses.

2.12 Subd. 2. **Crime.** A person who commits a crime of violence in a school zone is  
2.13 guilty of a crime and shall be sentenced as provided in subdivision 3.

2.14 Subd. 3. **Penalty.** (a) If the underlying crime committed in violation of subdivision  
2.15 2 is a felony, the statutory maximum term of imprisonment is five years longer than the  
2.16 statutory maximum for the underlying crime.

2.17 (b) If the underlying crime committed in violation of subdivision 2 is a gross  
2.18 misdemeanor, the person is guilty of a felony and may be sentenced to imprisonment for  
2.19 not more than two years or to payment of a fine of not more than \$10,000, or both.

2.20 (c) If the underlying crime committed in violation of subdivision 2 is a misdemeanor,  
2.21 the person is guilty of a gross misdemeanor.

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