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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 3394**

February 25, 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; requiring a mandatory minimum prison sentence for  
1.3 criminal vehicular homicide offenders; amending Minnesota Statutes 2007  
1.4 Supplement, section 609.21, subdivision 1a.

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

1.6 Section 1. Minnesota Statutes 2007 Supplement, section 609.21, subdivision 1a,  
1.7 is amended to read:

1.8 Subd. 1a. **Criminal penalties generally; mandatory minimum sentence for**  
1.9 **criminal vehicular homicide.** (a) A person who violates subdivision 1 and causes  
1.10 the death of a human being not constituting murder or manslaughter or the death of  
1.11 an unborn child may be sentenced to imprisonment for not more than ten years or to  
1.12 payment of a fine of not more than \$20,000, or both. Unless a longer mandatory minimum  
1.13 sentence is otherwise required by law, the court imposes a longer aggravated durational  
1.14 departure, or a longer prison sentence is presumed under the Sentencing Guidelines and  
1.15 imposed by the court, a person sentenced under this paragraph shall be committed to  
1.16 the custody of the commissioner of corrections for not less than five years. Any person  
1.17 convicted and sentenced as required by this paragraph is not eligible for probation, parole,  
1.18 discharge, work release, or supervised release until that person has served the full term  
1.19 of imprisonment as provided by law, notwithstanding the provisions of sections 242.19,  
1.20 243.05, 244.04, 609.12, and 609.135.

1.21 (b) A person who violates subdivision 1 and causes great bodily harm to another not  
1.22 constituting attempted murder or assault or great bodily harm to an unborn child who is  
1.23 subsequently born alive may be sentenced to imprisonment for not more than five years or  
1.24 to payment of a fine of not more than \$10,000, or both.

2.1 (c) A person who violates subdivision 1 and causes substantial bodily harm to  
2.2 another may be sentenced to imprisonment for not more than three years or to payment of  
2.3 a fine of not more than \$10,000, or both.

2.4 (d) A person who violates subdivision 1 and causes bodily harm to another may be  
2.5 sentenced to imprisonment for not more than one year or to payment of a fine of not  
2.6 more than \$3,000, 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.