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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 69**

January 12, 2009

Authored by Mullery

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act  
1.2 relating to criminal justice; providing that certain violent offenders consent to  
1.3 on-demand searches as a condition of being released on probation, supervised  
1.4 release, or parole; amending Minnesota Statutes 2008, sections 244.05, by adding  
1.5 a subdivision; 609.135, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 244.05, is amended by adding a  
1.8 subdivision to read:

1.9 Subd. 2a. **On-demand searches.** (a) This subdivision applies to inmates who were  
1.10 convicted of and imprisoned for a violent crime, as defined in section 609.1095, involving  
1.11 the sale, use, or possession of a controlled substance or a dangerous weapon.

1.12 (b) When an inmate is released on supervised release or parole, the inmate, as a  
1.13 condition of release, consents to a search of the inmate's person and any motor vehicle  
1.14 in which the inmate is found. The search may be conducted on demand by a peace  
1.15 officer who knows that the person is subject to search under this subdivision. A peace  
1.16 officer's knowledge of the offender's status may be based on information provided by the  
1.17 offender's probation agent.

1.18 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to  
1.19 persons placed on supervised release or parole on or after that date.

1.20 Sec. 2. Minnesota Statutes 2008, section 609.135, is amended by adding a subdivision  
1.21 to read:

2.1            Subd. 9. **On-demand searches.** (a) This subdivision applies to offenders who are  
2.2 convicted of a violent crime, as defined in section 609.1095, involving the sale, use, or  
2.3 possession of a controlled substance or a dangerous weapon.

2.4            (b) When an offender is placed on probation, the offender, as a condition of being  
2.5 released on probation, consents to a search of the offender's person and any motor vehicle  
2.6 in which the offender is found. The search may be conducted on demand by a peace  
2.7 officer who knows that the person is subject to search under this subdivision. A peace  
2.8 officer's knowledge of the offender's status may be based on information provided by the  
2.9 offender's probation agent.

2.10           **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to  
2.11 offenders placed on probation on or after that date.