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Senate

State of Minnesota

S.F. No. 89 – Clarifying the applicable criminal penalty for a violation of Minnesota Statutes, chapter 12

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Section 1 contains the legislative findings and purpose for the bill. In short, the applicable statute provides a misdemeanor penalty for a violation of chapter 12 (emergency management) or a rule or order having the force and effect of law issued under the authority of that chapter *unless a different penalty or punishment is specifically prescribed*. This section asserts that the different penalty or punishment must be provided in statute. The section details that the Governor issued executive orders in 2020 that provided gross misdemeanor penalties and that this was not a correct reading of the law.

Section 2 amends the penalty section of chapter 12 to clarify that the alternative penalty (see above) must be specifically provided in statute.