



2.1 (6) by committing or attempting to commit a violation of section 609.233,  
2.2 subdivision 1a (felony-level criminal neglect of a vulnerable adult), and murder in the  
2.3 first, second, or third degree is not committed in the process.

2.4 If proven by a preponderance of the evidence, it shall be an affirmative defense  
2.5 to criminal liability under clause (4) that the victim provoked the animal to cause the  
2.6 victim's death.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes  
2.8 committed on or after that date.

2.9 Sec. 2. Minnesota Statutes 2010, section 609.233, subdivision 1, is amended to read:

2.10 Subdivision 1. **Gross misdemeanor crime.** A caregiver or operator who  
2.11 intentionally neglects a vulnerable adult or knowingly permits conditions to exist that  
2.12 result in the abuse or neglect of a vulnerable adult where the abuse or neglect is likely to  
2.13 substantially harm the vulnerable adult's physical, mental, or emotional health is guilty  
2.14 of a gross misdemeanor. ~~For purposes of this section, "abuse" has the meaning given in~~  
2.15 ~~section 626.5572, subdivision 2, and "neglect" means a failure to provide a vulnerable~~  
2.16 ~~adult with necessary food, clothing, shelter, health care, or supervision.~~

2.17 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes  
2.18 committed on or after that date.

2.19 Sec. 3. Minnesota Statutes 2010, section 609.233, is amended by adding a subdivision  
2.20 to read:

2.21 Subd. 1a. **Felony crime.** A caregiver or operator who violates subdivision 1 where  
2.22 the violation results in substantial harm to the vulnerable adult's physical, mental, or  
2.23 emotional health is guilty of a felony and may be sentenced to imprisonment for not more  
2.24 than five years or to payment of a fine of not more than \$10,000, or both if:

2.25 (1) the caregiver or operator intends to harm the vulnerable adult's physical, mental,  
2.26 or emotional health;

2.27 (2) the violation involves three or more acts or is committed over an extended  
2.28 period of time; or

2.29 (3) the violation represents a gross deviation from the standard of acceptable care.

2.30 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes  
2.31 committed on or after that date.

**S.F. No. 1658, as introduced - 87th Legislative Session (2011-2012) [12-4889]**

3.1 Sec. 4. Minnesota Statutes 2010, section 609.233, is amended by adding a subdivision  
3.2 to read:

3.3 Subd. 3. **Definitions.** For purposes of this section:

3.4 (1) "abuse" has the meaning given in section 626.5572, subdivision 2; and

3.5 (2) "neglect" means a failure to provide a vulnerable adult with necessary food,  
3.6 clothing, shelter, health care, or supervision.

3.7 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes  
3.8 committed on or after that date.