

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2134

(SENATE AUTHORS: INGEBRIGTSEN and Harrington)

DATE	D-PG	OFFICIAL STATUS
02/27/2012	3964	Introduction and first reading Referred to Judiciary and Public Safety

1.1 A bill for an act
1.2 relating to public safety; providing for a domestic abuse no contact order as
1.3 a criminal order; modifying when proceeding occurs; amending Minnesota
1.4 Statutes 2010, section 629.75, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2010, section 629.75, subdivision 1, is amended to read:

1.7 Subdivision 1. **Establishment; description.** (a) A domestic abuse no contact order
1.8 is ~~an~~ a criminal order issued by a court against a defendant in a criminal proceeding or a
1.9 juvenile offender in a delinquency proceeding for:

1.10 (1) domestic abuse as defined in section 518B.01, subdivision 2;

1.11 (2) harassment or stalking under section 609.749 when committed against a family
1.12 or household member as defined in section 518B.01, subdivision 2;

1.13 (3) violation of an order for protection under section 518B.01, subdivision 14; or

1.14 (4) violation of a prior domestic abuse no contact order under this section or

1.15 Minnesota Statutes 2008, section 518B.01, subdivision 22.

1.16 (b) A domestic abuse no contact order may be issued as a pretrial order before final
1.17 disposition of the underlying criminal case or as a postconviction probationary order. A
1.18 domestic abuse no contact order is independent of any condition of pretrial release or
1.19 probation imposed on the defendant. A domestic abuse no contact order may be issued in
1.20 addition to a similar restriction imposed as a condition of pretrial release or probation. In
1.21 the context of a postconviction probationary order, a domestic abuse no contact order may
1.22 be issued for an offense listed in paragraph (a) or for a conviction for any offense arising
1.23 out of the same set of circumstances as an offense listed in paragraph (a).

S.F. No. 2134, as introduced - 87th Legislative Session (2011-2012) [12-4326]

2.1 ~~(c) A no contact order under this section shall be issued in a proceeding that is~~
2.2 ~~separate from but held immediately following a proceeding in which any pretrial release~~
2.3 ~~or sentencing issues are decided.~~