

Sec. 3. Minnesota Statutes 1986, section 609.535, is amended by adding a subdivision to read:

Subd. 2a. PENALTIES. (a) A person who is convicted of issuing a dishonored check under subdivision 2 may be sentenced as follows:

(1) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the dishonored check is more than \$250; or

(2) to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, if the value of the dishonored check is not more than \$250.

(b) In a prosecution under this subdivision, the value of dishonored checks issued by the defendant in violation of this subdivision within any six-month period may be aggregated and the defendant charged accordingly in applying this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the dishonored checks was issued for all of the offenses aggregated under this paragraph.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective August 1, 1988, and apply to crimes committed on or after that date.

Approved April 14, 1988

CHAPTER 528—H.F.No. 2637

An act relating to the city of Farmington; permitting the sale of certain tax-forfeited land.

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

Section 1. FARMINGTON LAND SALE.

Notwithstanding Minnesota Statutes, section 282.01, subdivision 1, the city of Farmington may convey the following property to the landowners who own abutting property:

14-57600-083-06 Pine Knoll Subdivision, Part of Lot 8, Block 6 lying N.E. of line beginning N.W. Line 113.55 feet, S.W. of most N corner thence S.E. in straight line to most E. corner and there terminating, in the county of Dakota, state of Minnesota.

New language is indicated by underline, deletions by ~~strikeout~~.

The conveyance may be without consideration or subject to consideration as the city deems appropriate. The conveyance may be subject to easements, covenants, and other conditions the city deems appropriate. Conveyance under this section shall extinguish the state's rights of reverter under Minnesota Statutes, section 282.01, subdivision 1 or other law.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved April 14, 1988

CHAPTER 529—S.F.No. 1018

An act relating to crimes; criminal sexual conduct; creating a crime of fifth degree criminal sexual conduct; amending Minnesota Statutes 1986, section 388.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Section 1. Minnesota Statutes 1986, section 388.051, subdivision 2, is amended to read:

Subd. 2. **SPECIAL PROVISIONS.** (a) In Anoka, Carver, Dakota, Hennepin, Scott, and Washington counties, only the county attorney shall prosecute gross misdemeanor violations of sections 290.53, subdivisions 4 and 11; 290.92, subdivision 15; 290A.11, subdivision 2; 297A.08; 297A.39, subdivisions 4 and 8; 297B.10; 609.255, subdivision 3; 609.377; 609.378; 609.41; and 617.247.

(b) The county attorney shall prosecute failure to report physical or sexual child abuse or neglect as provided under section 626.556, subdivision 6, and shall prosecute violations of fifth-degree criminal sexual conduct under section 2.

Sec. 2. **[609.3451] CRIMINAL SEXUAL CONDUCT IN THE FIFTH DEGREE.**

Subdivision 1. CRIME DEFINED. A person is guilty of criminal sexual conduct in the fifth degree if the person engages in nonconsensual sexual contact. For purposes of this section, "sexual contact" has the meaning given in section 609.341, subdivision 11, paragraph (a), clauses (i) and (iv), but does not include the intentional touching of the clothing covering the immediate area of the buttocks.

Subd. 2. PENALTY. A person convicted under subdivision 1 may be sentenced to imprisonment for not more than one year or to a payment of a fine of not more than \$3,000, or both.

New language is indicated by underline, deletions by ~~strikeout~~.