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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2319

03/01/2023 Authored by Hollins, Frazier, Agbaje, Finke, Lee, F., and others
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
03/18/2024 Adoption of Report: Amended and re-referred to the Committee on Public Safety Finance and Policy
03/25/2024 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to judiciary; prohibiting admission in judicial proceeding of certain
1.3 custodial statements; proposing coding for new law in Minnesota Statutes, chapter
1.4 634.

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

1.6 Section 1. 634.025 CONFESSION; INADMISSIBLE WHEN DECEPTION IS
1.7 USED.

1.8 (a) Any admission, confession, or statement, whether written or oral, made by any person
1.9 during a custodial interrogation by a law enforcement agency official, juvenile court official,
1.10 or their agent, is presumed involuntarily made and inadmissible in any proceeding if, during
1.11 the interrogation, a law enforcement agency official or juvenile court official or their agent
1.12 knowingly:

1.13 (1) communicated false facts about the existence or nature of evidence to the extent such
1.14 evidence would be material to assessing any suspected or alleged criminal conduct on behalf
1.15 of the individual being interrogated; or

1.16 (2) communicated unauthorized statements regarding leniency.

1.17 (b) The presumption that any such admission, confession, or statement is involuntarily
1.18 made and inadmissible may be overcome if the state proves by a preponderance of the
1.19 evidence that the admission, confession, or statement was voluntary, reliable, and not induced
1.20 by any act described in paragraph (a).

1.21 EFFECTIVE DATE. This section is effective January 1, 2025, and applies to admission,
1.22 confession, or statement, whether written or oral, made on or after that date.