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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2595

03/03/2014 Authored by Johnson, B.,
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; creating the crime of arson resulting in bodily harm;
1.3 amending Minnesota Statutes 2013 Supplement, section 609.5641, subdivision
1.4 1a; proposing coding for new law in Minnesota Statutes, chapter 609.

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

1.6 Section 1. **[609.5634] ARSON RESULTING IN BODILY HARM.**

1.7 Subdivision 1. **Crime described.** Whoever unlawfully by means of fire or
1.8 explosives sets fire to or burns or causes to be burned any real or personal property with
1.9 intent to damage or destroy the property, and the fire causes injury to another, is guilty of a
1.10 felony and may be sentenced as provided in subdivision 2.

1.11 Subd. 2. **Penalties.** (a) A person who violates subdivision 1 where the fire causes
1.12 another person to suffer great bodily harm may be sentenced to imprisonment for not more
1.13 than 20 years or to payment of a fine of not more than \$20,000, or both.

1.14 (b) A person who violates subdivision 1 where the fire causes another person to
1.15 suffer substantial bodily harm may be sentenced to imprisonment for not more than ten
1.16 years or to payment of a fine of not more than \$15,000, or both.

1.17 (c) A person who violates subdivision 1 where the fire causes another person to
1.18 suffer demonstrable bodily harm may be sentenced to imprisonment for not more than five
1.19 years or to payment of a fine of not more than \$10,000, or both.

1.20 Subd. 3. **Exemption.** As used in this section, personal property does not include
1.21 items where fire is involved in its normally intended use or repair, including but not
1.22 limited to a candle wick, welding solder or flux, or campfire wood or kindling.

1.23 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to crimes
1.24 committed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2013 Supplement, section 609.5641, subdivision 1a,
2.2 is amended to read:

2.3 Subd. 1a. **Penalty; felonies.** (a) Except as provided in paragraphs (b), (c), and (d), a
2.4 person who violates subdivision 1 may be sentenced to imprisonment for not more than
2.5 five years or to payment of a fine of not more than \$10,000, or both.

2.6 (b) A person who violates subdivision 1 where the fire threatens to damage or
2.7 damages in excess of five buildings or dwellings, burns 500 acres or more, or damages
2.8 crops in excess of \$100,000, may be sentenced to imprisonment for not more than ten
2.9 years or to payment of a fine of not more than \$15,000, or both.

2.10 (c) A person who violates subdivision 1 where the fire threatens to damage or
2.11 damages in excess of 100 buildings or dwellings, burns 1,500 acres or more, or damages
2.12 crops in excess of \$250,000, may be sentenced to imprisonment for not more than 20 years
2.13 or to payment of a fine of not more than \$25,000, or both.

2.14 (d) A person who violates subdivision 1 where the fire causes another person to suffer
2.15 demonstrable bodily harm may be sentenced to imprisonment for not more than ten years
2.16 or to payment of a fine of \$15,000, or both as provided in section 609.5634, subdivision 2.

2.17 (e) For purposes of this section, a building or dwelling is threatened when there is a
2.18 probability of damage to the building or dwelling requiring evacuation for safety of life.

2.19 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to crimes
2.20 committed on or after that date.