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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 935

02/09/2017 Authored by Franson  
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act  
1.2 relating to public safety; providing for an order for protection for certain victims  
1.3 of harassment; amending Minnesota Statutes 2016, sections 518B.01, by adding  
1.4 a subdivision; 609.748, subdivisions 1, 2.

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

1.6 Section 1. Minnesota Statutes 2016, section 518B.01, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 10a. Harassment victims. A person who is a harassment victim of a single incident  
1.9 of sexual assault under section 609.342, 609.343, 609.344, 609.3451, or 609.3453, regardless  
1.10 of the relationship between the actor and the victim, may seek an order for protection in the  
1.11 manner provided under this section or a restraining order under section 609.748.

1.12 Sec. 2. Minnesota Statutes 2016, section 609.748, subdivision 1, is amended to read:

1.13 Subdivision 1. **Definition.** For the purposes of this section, the following terms have  
1.14 the meanings given them in this subdivision.

1.15 (a) "Harassment" includes:

1.16 (1) a single incident of ~~physical or~~ sexual assault, under section 609.342, 609.343,  
1.17 609.344, 609.345, 609.3451, or 609.3453, regardless of the relationship between the actor  
1.18 and the intended target;

1.19 (2) a single incident of physical assault under section 609.221, 609.222, 609.223,  
1.20 609.2231, 609.2232, 609.224, or 609.2241, regardless of the relationship between the actor  
1.21 and the intended target;

2.1 (3) a single incident of stalking under section 609.749, subdivision 2, clause (8), a single  
 2.2 incident of nonconsensual dissemination of private sexual images under section 617.261,  
 2.3 or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial  
 2.4 adverse effect or are intended to have a substantial adverse effect on the safety, security, or  
 2.5 privacy of another, regardless of the relationship between the actor and the intended target;

2.6 ~~(2)~~ (4) targeted residential picketing; and

2.7 ~~(3)~~ (5) a pattern of attending public events after being notified that the actor's presence  
 2.8 at the event is harassing to another.

2.9 (b) "Respondent" includes any adults or juveniles alleged to have engaged in harassment  
 2.10 or organizations alleged to have sponsored or promoted harassment.

2.11 (c) "Targeted residential picketing" includes the following acts when committed on more  
 2.12 than one occasion:

2.13 (1) marching, standing, or patrolling by one or more persons directed solely at a particular  
 2.14 residential building in a manner that adversely affects the safety, security, or privacy of an  
 2.15 occupant of the building; or

2.16 (2) marching, standing, or patrolling by one or more persons which prevents an occupant  
 2.17 of a residential building from gaining access to or exiting from the property on which the  
 2.18 residential building is located.

2.19 Sec. 3. Minnesota Statutes 2016, section 609.748, subdivision 2, is amended to read:

2.20 Subd. 2. **Restraining order; ~~court jurisdiction~~ order for protection.** (a) A person  
 2.21 who is a victim of harassment under subdivision 1, paragraph (a), clauses (2) to (5), may  
 2.22 seek a restraining order from the district court in the manner provided in this section. The  
 2.23 parent, guardian, or stepparent of a minor who is a victim of harassment may seek a  
 2.24 restraining order from the district court on behalf of the minor. An application for relief  
 2.25 under this section may be filed in the county of residence of either party or in the county in  
 2.26 which the alleged harassment occurred. There are no residency requirements that apply to  
 2.27 a petition for a harassment restraining order.

2.28 (b) A person who is a victim of harassment under subdivision 1, paragraph (a), clause  
 2.29 (1), may seek either a restraining order under paragraph (a) or an order for protection from  
 2.30 the district court in the manner provided in section 518B.01.