

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 4223

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DATE	D-PG	OFFICIAL STATUS
03/23/2022	5569	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; establishing the crime of carjacking; proposing coding

1.3 for new law in Minnesota Statutes, chapter 609.

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

1.5 Section 1. 609.2456 CARJACKING.

1.6 Subdivision 1. Definitions. (a) As used in this section, the following terms have the

1.7 meanings given.

1.8 (b) "Carjacking" means taking a motor vehicle from a person or in the presence of another

1.9 person while having knowledge of not being entitled to the motor vehicle and using or

1.10 threatening the imminent use of force against a person to overcome the person's resistance

1.11 or powers of resistance to, or to compel acquiescence in, the taking of the motor vehicle.

1.12 (c) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, clause (10).

1.13 Subd. 2. First degree. Whoever, while committing a carjacking, is armed with a

1.14 dangerous weapon or any article used or fashioned in a manner to lead the victim to

1.15 reasonably believe it to be a dangerous weapon, or inflicts bodily harm upon another, is

1.16 guilty of carjacking in the first degree and may be sentenced to imprisonment for not more

1.17 than 20 years or to payment of a fine of not more than \$35,000, or both.

1.18 Subd. 3. Second degree. Whoever, while committing a carjacking, implies, by word or

1.19 act, possession of a dangerous weapon, is guilty of carjacking in the second degree and may

1.20 be sentenced to imprisonment for not more than 15 years or to payment of a fine of not

1.21 more than \$30,000, or both.

2.1 Subd. 4. **Third degree.** Whoever commits carjacking under any other circumstances is
2.2 guilty of carjacking in the third degree and may be sentenced to imprisonment for not more
2.3 than ten years or to payment of a fine of not more than \$20,000, or both.

2.4 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
2.5 committed on or after that date.

2.6 Sec. 2. **REVISOR INSTRUCTION.**

2.7 (a) The revisor of statutes shall insert a cross-reference to Minnesota Statutes, section
2.8 609.2456, in the following statutory sections: Minnesota Statutes, sections 145A.061,
2.9 subdivision 3; 146A.08, subdivision 1, paragraph (c); 253B.02, subdivision 4e; 253D.02,
2.10 subdivision 8, paragraph (b); 260B.171, subdivision 3, paragraph (a), clause (1); 299A.296,
2.11 subdivision 2, paragraph (a), clause (5); 299C.105, subdivision 1, paragraph (a), clause (1),
2.12 item (iv), and clause (3), item (iv); 299C.67, subdivision 2, paragraph (b), clause (1);
2.13 609.1095, subdivision 1, paragraph (d); 609.341, subdivision 22; 609.52, subdivision 3,
2.14 clause (3), item (c); 609.531, subdivision 1, paragraph (f), clause (3); 609.631, subdivision
2.15 4, clause (3), item (b); 609.632, subdivision 4, paragraph (b), clause (3), item (ii); 609.821,
2.16 subdivision 3, paragraph (a), clause (1), item (iv); 611A.031; 611A.036, subdivision 7;
2.17 611A.08, subdivision 6; and 624.712, subdivision 5.

2.18 (b) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
2.19 subdivision 2, in Minnesota Statutes, section 243.167, subdivision 1.

2.20 (c) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
2.21 subdivisions 2 and 3, in the following statutory sections: Minnesota Statutes, sections
2.22 245C.15, subdivision 1, paragraph (a), and subdivision 4a, paragraph (a); 609.902,
2.23 subdivision 4; and 626A.05, subdivision 2, clause (1).

2.24 (d) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
2.25 subdivision 4, in the following statutory sections: Minnesota Statutes, sections 245C.15,
2.26 subdivision 2, paragraph (a), and subdivision 4a, paragraph (d); and 245C.24, subdivision
2.27 3, paragraph (a).

2.28 (e) Consistent with paragraphs (a) to (d), the revisor may make technical and other
2.29 necessary changes to language, grammar, and sentence structure in the statutory sections
2.30 listed in this section to preserve the meaning of the text.