

**609.5641 WILDFIRE ARSON.**

Subdivision 1. **Setting wildfires.** A person is guilty of a felony who intentionally sets a fire to burn out of control on land of another containing timber, underbrush, grass, or other vegetative combustible material.

Subd. 2. **Possession of flammables to set wildfires.** A person is guilty of a gross misdemeanor who possesses a flammable, explosive, or incendiary device, substance, or material with intent to use the device, substance, or material to violate subdivision 1.

Subd. 3. **Penalty; restitution.** (a) A person who violates subdivision 1 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A person who violates subdivision 2 may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(c) In addition to the sentence otherwise authorized, the court may order a person who is convicted of violating this section to pay fire suppression costs and damages to the owner of the damaged land.

**History:** 1990 c 478 s 2