

**609.576 NEGLIGENT FIRES; DANGEROUS SMOKING.**

Subdivision 1. **Negligent fire resulting in injury or property damage.** Whoever is grossly negligent in causing a fire to burn or get out of control thereby causing damage or injury to another, and as a result of this:

(1) a human being is injured and great bodily harm incurred, is guilty of a crime and 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;

(2) a human being is injured and bodily harm incurred, is guilty of a crime and 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; or

(3) property of another is injured, thereby, is guilty of a crime and may be sentenced as follows:

(i) to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both, if the value of the property damage is under \$300;

(ii) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the property damaged is at least \$300 but is less than \$2,500; or

(iii) to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both, if the value of the property damaged is \$2,500 or more.

Subd. 2. **Dangerous smoking.** A person is guilty of a misdemeanor if the person smokes in the presence of explosives or inflammable materials. If a person violates this subdivision and knows that doing so creates a risk of death or bodily harm or serious property damage, the person is guilty of a felony and 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.

**History:** 1976 c 124 s 7; 1977 c 355 s 10; 1981 c 107 s 1; 1984 c 628 art 3 s 11; 1985 c 141 s 5; 1989 c 5 s 8; 1989 c 290 art 6 s 20; 1993 c 326 art 5 s 9; 2001 c 155 s 1; 2003 c 82 s 1