

**609.125 SENTENCE FOR MISDEMEANOR OR GROSS MISDEMEANOR.**

Subdivision 1. **Sentences available.** (a) Upon conviction of a misdemeanor or gross misdemeanor the court, if sentence is imposed, may, to the extent authorized by law, sentence the defendant:

- (1) to imprisonment for a definite term; or
- (2) to payment of a fine without imprisonment or as an intermediate sanction on a stayed sentence; or
- (3) to both imprisonment for a definite term and payment of a fine; or
- (4) to payment of court-ordered restitution in addition to either imprisonment or payment of a fine, or both; or
- (5) to payment of a local correctional fee as authorized under section 609.102 in addition to any other sentence imposed by the court; or
- (6) to perform work service in a restorative justice program in addition to any other sentence imposed by the court.

(b) If the court imposes a fine or orders restitution under paragraph (a), payment is due on the date imposed unless the court otherwise establishes a due date or a payment plan.

Subd. 2. **Restitution.** (a) As used in this section, "restitution" includes:

- (1) payment of compensation to the victim or the victim's family; and
- (2) if the victim is deceased or already has been fully compensated, payment of money to a victim assistance program or other program directed by the court.

"Restitution" includes payment of compensation to a government entity that incurs loss as a direct result of a crime.

(b) When the defendant does not pay the entire amount of court-ordered restitution and the fine at the same time, the court may order that all restitution shall be paid before the fine is paid.

**History:** 1963 c 753 art 1 s 609.125; 1971 c 25 s 91; 1984 c 610 s 2; 1992 c 571 art 11 s 14; 1995 c 244 s 11; 1996 c 408 art 7 s 3; 1997 c 239 art 3 s 6; art 7 s 17; 2009 c 83 art 2 s 43