

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4623

(SENATE AUTHORS: LIMMER, Howe and Kreun)

DATE
03/07/2024

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; requiring prosecution of offenses punishable by life
1.3 imprisonment to proceed by indictment; requiring prosecutions of peace officers
1.4 involved in an officer-involved death to proceed by indictment; proposing coding
1.5 for new law in Minnesota Statutes, chapter 628.

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

1.7 Section 1. 628.025 **INDICTMENT REQUIRED.**

1.8 (a) An offense punishable by life imprisonment must be prosecuted by indictment. The
1.9 prosecutor may initially proceed by a complaint after an arrest without a warrant or as the
1.10 basis to issue an arrest warrant. Subsequent procedure must be in accordance with rules 8
1.11 and 19 of the Rules of Criminal Procedure.

1.12 (b) An offense arising from an officer-involved death must be prosecuted by indictment
1.13 if a peace officer is alleged to have committed the offense.

1.14 (c) Any other offense defined by state law may be prosecuted by indictment or by a
1.15 complaint as provided by rule 2 of the Rules of Criminal Procedure.

1.16 (d) As used in this section, the following terms have the meanings given:

1.17 (1) "officer-involved death" has the meaning given in section 299C.80, subdivision 1,
1.18 paragraph (c); and

1.19 (2) "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
1.20 (c).

1.21 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to offenses
1.22 committed on or after that date.