

Act 82-23

An Act amending Title 8, section 401 to expand the definition of domestic abuse and family or household members.

The District I Representative introduced the following Bill on the 20th day of December, 2023.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 8 Section 401.

(a) "Domestic abuse" is hereby defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members. means the following, if committed against a family or household member by a family or household member:

- (1) physical harm, bodily injury, or assault;
- (2) the infliction of fear of imminent physical harm, bodily injury, or assault;
- (3) terroristic threats, which means threats, directly or indirectly, to commit any crime of violence with purpose to terrorize another or to cause evacuation of a building, place of assembly, vehicle or facility of public transportation or otherwise to cause serious public inconvenience, or in a reckless disregard of the risk of causing such terror or inconvenience;
- (4) criminal sexual conduct, as defined in Minn. Stat. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451, to include criminal sexual conduct first through fifth degree;
- (5) sexual extortion, as defined in Minn. Stat. § 609.3458; or
- (6) interference with an emergency call, which means when a person intentionally interrupts, disrupts, impedes, or interferes with an emergency call or intentionally prevents or hinders another from placing an emergency call.

(b) "Family or household members" is defined as the spouse, parents and children, person related by consanguinity, and persons jointly residing in the same dwelling unit. means:

- (1) spouses and former spouses;
- (2) parents and children;
- (3) persons related by blood;
- (4) persons who are presently residing together or who have resided together in the past;
- (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
- (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- (7) persons involved in a significant romantic or sexual relationship.

Issuance of an order for protection on the ground in paragraph (6) does not affect a determination of paternity under Title 8, Chapter 12, Subchapter 2. In determining whether persons are or have been involved in a significant romantic or sexual relationship under paragraph (7), the court shall consider the length of time of the relationship; type of relationship; frequency of interaction between the parties; and, if the relationship has terminated, length of time since the termination.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.


**Act 82-23
(Band Assembly Bill 80-04-82-23)**

Introduced to the Band Assembly on this
Twentieth day of December in the year
Two thousand twenty-three.

Passed by the Band Assembly on this
Twentieth day of December in the year
Two thousand twenty-three.


Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: December 21, 2023 
Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

