

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Counterfeiting of Currency

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### Overview

This bill modifies the career offender statute; creates the new crime of counterfeiting currency; and expands and clarifies the definition of federal law enforcement officer.

#### Section

- 1 **Career Offenders.** Eliminates the requirement that a career offender's sixth offense, which permits a judge greatly to increase the offender's sentence, be a felony-level offense that was committed as part of a pattern of criminal conduct.
- 2 **Counterfeiting of Currency.**

**Subd. 1. Manufacturing; Printing.** Creates the crime of manufacturing or printing currency with intent to defraud.

**Subd. 2. Means for False Reproduction.** Creates the crime of possessing or using counterfeiting devices with intent to defraud.

**Subd. 3. Uttering or Possessing.** Creates the crime of issuing or possessing counterfeit currency with intent to defraud. (Utter means to issue a forged document.)

**Subd. 4. Penalty.** Establishes penalties for violations of subdivisions 1 to 3. Violations of subdivisions 1 and 2 expose offenders to up to 20 years in prison and a fine of up to \$100,000. Violations of subdivision 3 range from a gross misdemeanor

## **Section**

for offenses involving small amounts of counterfeit currency to a 20-year felony for offenses involving large amounts of counterfeit currency.

**Subd. 5. Aggregation; Venue.** Permits aggregation of the dollar amounts, over a six month period, where there are multiple offenses involving counterfeit currency. Permits offenses to be prosecuted in any county where any one of a series of offenses was committed.

- 3 Federal Law Enforcement Officer.** Updates and expands the definition of federal law enforcement officer. Removes a reference to Immigration and Naturalization Service and replaces it with the Department of Homeland Security and adds the U.S. Postal inspection service to the list of federal law enforcement agencies recognized by the state. Recognized federal law enforcement officers are granted limited arrest and detention authority in the State.