

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1838
Version: As introduced

DATE: March 14, 2012

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Subject: Legislative Immunity; DWI

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The bill adds a section of law to the DWI chapter (169A). The new section specifies that DWI offenses constitute breaches of the peace for purposes of the legislative immunity provision found in the Minnesota Constitution. Under the Constitution, a legislator can avoid arrest during the legislative session unless the offense constitutes treason, a felony, or a breach of the peace.

The applicable portion of the relevant section of the Constitution reads as follows:

Sec. 10. **PRIVILEGE FROM ARREST.** The members of each house in all cases except treason, felony and breach of the peace, shall be privileged from arrest during the session of their respective houses and in going to or returning from the same.