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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 3953

03/19/2018 Authored by Slocum, Lee, Bly and Wagenius  
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act  
1.2 relating to public safety; modifying provisions related to transfer of firearms and  
1.3 ammunition and to eligibility to possess firearm; limiting or prohibiting possession  
1.4 of certain firearms and firearm accessories; providing criminal penalties; amending  
1.5 Minnesota Statutes 2016, sections 13.87, subdivision 2; 97B.031, by adding a  
1.6 subdivision; 609.66, subdivision 1a, by adding a subdivision; 609.67, subdivision  
1.7 1; 624.712, subdivisions 6, 7, by adding subdivisions; 624.713, subdivisions 1a,  
1.8 3; 624.7131, subdivisions 1, 4, 7; 624.7132, subdivisions 1, 3, 4, 5, 6, 8, 9, 12, 15,  
1.9 by adding subdivisions; 624.7141; 624.7161, by adding a subdivision; proposing  
1.10 coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota  
1.11 Statutes 2016, sections 609.66, subdivision 1f; 624.711; 624.7131, subdivision  
1.12 10; 624.7132, subdivisions 10, 14.

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

1.14 Section 1. Minnesota Statutes 2016, section 13.87, subdivision 2, is amended to read:

1.15 Subd. 2. **Firearms data.** All data pertaining to the purchase or transfer of firearms, the  
1.16 possession of assault weapons, and applications for permits to carry firearms ~~which~~ that are  
1.17 collected by government entities pursuant to sections 624.712 to 624.719 are private, ~~pursuant~~  
1.18 ~~to section 13.02, subdivision 12~~ data on individuals.

1.19 **EFFECTIVE DATE.** This section is effective September 1, 2018.

1.20 Sec. 2. Minnesota Statutes 2016, section 97B.031, is amended by adding a subdivision to  
1.21 read:

1.22 Subd. 4a. **Silencers prohibited.** Except as provided in section 609.66, subdivision 1i,  
1.23 a person may not own or possess a silencer for a firearm or a firearm equipped to have a  
1.24 silencer attached.

2.1 Sec. 3. Minnesota Statutes 2016, section 609.66, subdivision 1a, is amended to read:

2.2 Subd. 1a. **Felony crimes; ~~suppressors~~ silencers prohibited; reckless discharge.** (a)  
 2.3 Except as otherwise permitted in subdivision 1i, whoever does any of the following is guilty  
 2.4 of a felony and may be sentenced as provided in paragraph (b):

2.5 (1) sells or has in possession ~~a suppressor that is not lawfully possessed under federal~~  
 2.6 law any device designed to silence or muffle the discharge of a firearm;

2.7 (2) intentionally discharges a firearm under circumstances that endanger the safety of  
 2.8 another; or

2.9 (3) recklessly discharges a firearm within a municipality.

2.10 (b) A person convicted under paragraph (a) may be sentenced as follows:

2.11 (1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation of  
 2.12 paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined in  
 2.13 section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision  
 2.14 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not  
 2.15 more than five years or to payment of a fine of not more than \$10,000, or both; or

2.16 (2) otherwise, to imprisonment for not more than two years or to payment of a fine of  
 2.17 not more than \$5,000, or both.

2.18 ~~(e) As used in this subdivision, "suppressor" means any device for silencing, muffling,~~  
 2.19 ~~or diminishing the report of a portable firearm, including any combination of parts, designed~~  
 2.20 ~~or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm~~  
 2.21 ~~muffler, and any part intended only for use in such assembly or fabrication.~~

2.22 Sec. 4. Minnesota Statutes 2016, section 609.66, is amended by adding a subdivision to  
 2.23 read:

2.24 Subd. 1i. **Silencers; authorized for law enforcement and wildlife control purposes.**

2.25 (a) Notwithstanding subdivision 1a, paragraph (a), clause (1), licensed peace officers may  
 2.26 use devices designed to silence or muffle the discharge of a firearm for tactical emergency  
 2.27 response operations. Tactical emergency response operations include execution of high-risk  
 2.28 search and arrest warrants, incidents of terrorism, hostage rescue, and any other tactical  
 2.29 deployments involving high-risk circumstances. The chief law enforcement officer of a law  
 2.30 enforcement agency that has the need to use silencing devices must establish and enforce  
 2.31 a written policy governing the use of the devices.

3.1 (b) Notwithstanding subdivision 1a, paragraph (a), clause (1), an enforcement officer,  
3.2 as defined in section 97A.015, subdivision 18, a wildlife area manager, an employee  
3.3 designated under section 84.0835, or a person acting under contract with the commissioner  
3.4 of natural resources at specific times and locations that are authorized by the commissioner  
3.5 of natural resources may use devices designed to silence or muffle the discharge of a firearm  
3.6 for wildlife control operations that require stealth. If the commissioner determines that the  
3.7 use of silencing devices is necessary under this paragraph, the commissioner must establish  
3.8 and enforce a written policy governing the use, possession, and transportation of the devices.

3.9 (c) Notwithstanding subdivision 1a, paragraph (a), clause (1), a person who is licensed  
3.10 by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and  
3.11 Explosives under United States Code, title 18, section 923, as a firearms importer,  
3.12 manufacturer, or dealer, who is acting in full compliance with all federal requirements under  
3.13 that license, may possess devices designed to silence or muffle the discharge of a firearm  
3.14 for the purpose of selling or otherwise transferring in any lawful manner the devices or  
3.15 firearms tested with the devices to:

3.16 (1) the chief administrator of any federal, state, or local governmental agency;

3.17 (2) the commander or commander's designee of any unit of the United States Armed  
3.18 Forces; or

3.19 (3) a person who is licensed by the United States Department of Justice, Bureau of  
3.20 Alcohol, Tobacco, Firearms and Explosives, under United States Code, title 18, section  
3.21 923, as a firearms importer, manufacturer, or dealer, who is acting in full compliance with  
3.22 all federal requirements under that license.

3.23 Sec. 5. Minnesota Statutes 2016, section 609.67, subdivision 1, is amended to read:

3.24 Subdivision 1. **Definitions.** (a) "Machine gun" means any firearm designed to discharge,  
3.25 or capable of discharging automatically more than once by a single function of the trigger.

3.26 (b) "Shotgun" means a weapon designed, redesigned, made or remade which is intended  
3.27 to be fired from the shoulder and uses the energy of the explosive in a fixed shotgun shell  
3.28 to fire through a smooth bore either a number of ball shot or a single projectile for each  
3.29 single pull of the trigger.

3.30 (c) "Short-barreled shotgun" means a shotgun having one or more barrels less than 18  
3.31 inches in length and any weapon made from a shotgun if such weapon as modified has an  
3.32 overall length less than 26 inches.

4.1 (d) "Trigger activator" means a removable manual or power driven trigger activating  
 4.2 device constructed and designed so that, when attached to a firearm, the rate at which the  
 4.3 trigger may be pulled increases and the rate of fire of the firearm increases to approximate  
 4.4 that of a machine gun. For purposes of this section, a device that is designed to use the recoil  
 4.5 of a semiautomatic firearm to enable a shooter to fire multiple shots in rapid succession,  
 4.6 commonly known as a slide-fire or bump-fire stock, is a trigger activator.

4.7 (e) "Machine gun conversion kit" means any part or combination of parts designed and  
 4.8 intended for use in converting a weapon into a machine gun, and any combination of parts  
 4.9 from which a machine gun can be assembled, but does not include a spare or replacement  
 4.10 part for a machine gun that is possessed lawfully under section 609.67, subdivision 3.

4.11 **EFFECTIVE DATE.** This section is effective August 1, 2018.

4.12 Sec. 6. Minnesota Statutes 2016, section 624.712, subdivision 6, is amended to read:

4.13 Subd. 6. **Transfer.** "Transfer" means a sale, gift, loan, assignment or other delivery to  
 4.14 another, whether or not for consideration, of a ~~pistol or semiautomatic military-style assault~~  
 4.15 ~~weapon~~ firearm or the frame or receiver of a ~~pistol or semiautomatic military-style assault~~  
 4.16 ~~weapon~~ firearm.

4.17 Sec. 7. Minnesota Statutes 2016, section 624.712, subdivision 7, is amended to read:

4.18 Subd. 7. ~~Semiautomatic military-style Assault weapon.~~ (a) "~~Semiautomatic~~  
 4.19 ~~military-style Assault weapon~~" means any:

4.20 ~~(1) any of the following firearms:~~

4.21 ~~(i) Avtomat Kalashnikov (AK-47) semiautomatic rifle type;~~

4.22 ~~(ii) Beretta AR-70 and BM-59 semiautomatic rifle types;~~

4.23 ~~(iii) Colt AR-15 semiautomatic rifle type;~~

4.24 ~~(iv) Daewoo Max-1 and Max-2 semiautomatic rifle types;~~

4.25 ~~(v) Famas MAS semiautomatic rifle type;~~

4.26 ~~(vi) Fabrique Nationale FN-LAR and FN-FNC semiautomatic rifle types;~~

4.27 ~~(vii) Galil semiautomatic rifle type;~~

4.28 ~~(viii) Heckler & Koch HK-91, HK-93, and HK-94 semiautomatic rifle types;~~

4.29 ~~(ix) Ingram MAC-10 and MAC-11 semiautomatic pistol and carbine types;~~

- 5.1 ~~(x) Intratec TEC-9 semiautomatic pistol type;~~
- 5.2 ~~(xi) Sigarms SIG 550SP and SIG 551SP semiautomatic rifle types;~~
- 5.3 ~~(xii) SKS with detachable magazine semiautomatic rifle type;~~
- 5.4 ~~(xiii) Steyr AUG semiautomatic rifle type;~~
- 5.5 ~~(xiv) Street Sweeper and Striker-12 revolving-cylinder shotgun types;~~
- 5.6 ~~(xv) USAS-12 semiautomatic shotgun type;~~
- 5.7 ~~(xvi) Uzi semiautomatic pistol and carbine types; or~~
- 5.8 ~~(xvii) Valmet M76 and M78 semiautomatic rifle types;~~
- 5.9 ~~(2) any firearm that is another model made by the same manufacturer as one of the~~
- 5.10 ~~firearms listed in clause (1), and has the same action design as one of the listed firearms,~~
- 5.11 ~~and is a redesigned, renamed, or renumbered version of one of the firearms listed in clause~~
- 5.12 ~~(1), or has a slight modification or enhancement, including but not limited to a folding or~~
- 5.13 ~~retractable stock; adjustable sight; case deflector for left-handed shooters; shorter barrel;~~
- 5.14 ~~wooden, plastic, or metal stock; larger clip size; different caliber; or a bayonet mount; and~~
- 5.15 ~~(3) any firearm that has been manufactured or sold by another company under a licensing~~
- 5.16 ~~agreement with a manufacturer of one of the firearms listed in clause (1) entered into after~~
- 5.17 ~~the effective date of Laws 1993, chapter 326, to manufacture or sell firearms that are identical~~
- 5.18 ~~or nearly identical to those listed in clause (1), or described in clause (2), regardless of the~~
- 5.19 ~~company of production or country of origin.~~

5.20 ~~The weapons listed in clause (1), except those listed in items (iii), (ix), (x), (xiv), and~~

5.21 ~~(xv), are the weapons the importation of which was barred by the Bureau of Alcohol,~~

5.22 ~~Tobacco, and Firearms of the United States Department of the Treasury in July 1989.~~

5.23 ~~Except as otherwise specifically provided in paragraph (d), a firearm is not a~~

5.24 ~~"semiautomatic military-style assault weapon" if it is generally recognized as particularly~~

5.25 ~~suitable for or readily adaptable to sporting purposes under United States Code, title 18,~~

5.26 ~~section 925, paragraph (d)(3), or any regulations adopted pursuant to that law.~~

5.27 (1) semiautomatic rifle that has the capacity to accept a detachable magazine and has

5.28 one or more of the following:

5.29 (i) a pistol grip or thumbhole stock;

5.30 (ii) any feature capable of functioning as a protruding grip that can be held by the

5.31 nontrigger hand;

6.1 (iii) a folding or telescoping stock; or

6.2 (iv) a shroud attached to the barrel or that partially or completely encircles the barrel  
6.3 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but  
6.4 excluding a slide that encloses the barrel;

6.5 (2) semiautomatic pistol, or any semiautomatic, centerfire, or rimfire rifle with a fixed  
6.6 magazine, that has the capacity to accept more than seven rounds of ammunition;

6.7 (3) semiautomatic pistol that has the capacity to accept a detachable magazine and has  
6.8 one or more of the following:

6.9 (i) any feature capable of functioning as a protruding grip that can be held by the  
6.10 nontrigger hand;

6.11 (ii) a folding, telescoping, or thumbhole stock;

6.12 (iii) a shroud attached to the barrel or that partially or completely encircles the barrel  
6.13 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but  
6.14 excluding a slide that encloses the barrel; or

6.15 (iv) the capacity to accept a detachable magazine at any location outside of the pistol  
6.16 grip;

6.17 (4) semiautomatic shotgun that has one or more of the following:

6.18 (i) a pistol grip or thumbhole stock;

6.19 (ii) any feature capable of functioning as a protruding grip that can be held by the  
6.20 nontrigger hand;

6.21 (iii) a folding or telescoping stock;

6.22 (iv) a fixed magazine capacity in excess of seven rounds; or

6.23 (v) an ability to accept a detachable magazine;

6.24 (5) shotgun with a revolving cylinder; or

6.25 (6) conversion kit, part, or combination of parts from which an assault weapon can be  
6.26 assembled if those parts are in the possession or under the control of the same person.

6.27 (b) Assault weapon does not include any firearm that has been made permanently  
6.28 inoperable.

6.29 **EFFECTIVE DATE.** This section is effective September 1, 2018, and applies to crimes  
6.30 committed on or after that date.

7.1 Sec. 8. Minnesota Statutes 2016, section 624.712, is amended by adding a subdivision to  
7.2 read:

7.3 Subd. 13. **Firearm.** "Firearm" means a weapon that expels a projectile by the combustion  
7.4 of gunpowder or other explosive charge.

7.5 Sec. 9. Minnesota Statutes 2016, section 624.712, is amended by adding a subdivision to  
7.6 read:

7.7 Subd. 14. **Large-capacity magazine.** "Large-capacity magazine" means any  
7.8 ammunition-feeding device with the capacity to accept more than ten rounds, or any  
7.9 conversion kit, part, or combination of parts from which this type of device can be assembled  
7.10 if those parts are in the possession or under the control of the same person. The term does  
7.11 not include any of the following:

7.12 (1) a feeding device that has been permanently altered so that it cannot accommodate  
7.13 more than ten rounds;

7.14 (2) a .22 caliber tube ammunition feeding device; or

7.15 (3) a tubular magazine that is contained in a lever-action firearm.

7.16 Sec. 10. Minnesota Statutes 2016, section 624.712, is amended by adding a subdivision  
7.17 to read:

7.18 Subd. 15. **Detachable magazine.** "Detachable magazine" means an ammunition-feeding  
7.19 device that can be loaded or unloaded while detached from a firearm and readily inserted  
7.20 into a firearm.

7.21 **EFFECTIVE DATE.** This section is effective September 1, 2018, and applies to crimes  
7.22 committed on or after that date.

7.23 Sec. 11. Minnesota Statutes 2016, section 624.712, is amended by adding a subdivision  
7.24 to read:

7.25 Subd. 16. **Fixed magazine.** "Fixed magazine" means an ammunition-feeding device  
7.26 contained in or permanently attached to a firearm in such a manner that the device cannot  
7.27 be removed without disassembly of the firearm action.

7.28 **EFFECTIVE DATE.** This section is effective September 1, 2018, and applies to crimes  
7.29 committed on or after that date.

8.1 Sec. 12. Minnesota Statutes 2016, section 624.713, subdivision 1a, is amended to read:

8.2 Subd. 1a. **Ineligible to receive, ship, transport.** A person presently charged with a  
8.3 crime punishable by imprisonment for a term exceeding one year shall not be entitled to  
8.4 receive, ship, or transport ~~any pistol or semiautomatic military-style assault weapon or~~  
8.5 ~~ammunition designed for use in a pistol or semiautomatic military-style assault weapon~~ a  
8.6 firearm or ammunition. A violation of this subdivision is a gross misdemeanor.

8.7 Sec. 13. Minnesota Statutes 2016, section 624.713, subdivision 3, is amended to read:

8.8 Subd. 3. **Notice.** (a) When a person is convicted of, or adjudicated delinquent or convicted  
8.9 as an extended jurisdiction juvenile for committing, a crime of violence as defined in section  
8.10 624.712, subdivision 5, the court shall inform the defendant that the defendant is prohibited  
8.11 from possessing ammunition or a ~~pistol or semiautomatic military-style assault weapon~~  
8.12 firearm for the remainder of the person's lifetime, and that it is a felony offense to violate  
8.13 this prohibition. The failure of the court to provide this information to a defendant does not  
8.14 affect the applicability of the ammunition or ~~pistol or semiautomatic military-style assault~~  
8.15 ~~weapon~~ firearm possession prohibition or the felony penalty to that defendant.

8.16 (b) When a person, including a person under the jurisdiction of the juvenile court, is  
8.17 charged with committing a crime of violence and is placed in a pretrial diversion program  
8.18 by the court before disposition, the court shall inform the defendant that: (1) the defendant  
8.19 is prohibited from possessing a ~~pistol or semiautomatic military-style assault weapon~~ firearm  
8.20 or ammunition ~~designed for use in a pistol or semiautomatic military-style assault weapon~~  
8.21 until the person has completed the diversion program and the charge of committing a crime  
8.22 of violence has been dismissed; (2) it is a gross misdemeanor offense to violate this  
8.23 prohibition; and (3) if the defendant violates this condition of participation in the diversion  
8.24 program, the charge of committing a crime of violence may be prosecuted. The failure of  
8.25 the court to provide this information to a defendant does not affect the applicability of the  
8.26 ammunition or ~~pistol or semiautomatic military-style assault weapon~~ firearm possession  
8.27 prohibition or the gross misdemeanor penalty to that defendant.

8.28 (c) A court shall notify a person subject to subdivision 1, clause (3), of the prohibitions  
8.29 described in that clause and those described in United States Code, title 18, sections 922(d)(4)  
8.30 and 922(g)(4).

8.31 Sec. 14. Minnesota Statutes 2016, section 624.7131, subdivision 1, is amended to read:

8.32 Subdivision 1. **Information.** Any person may apply for a transferee permit by providing  
8.33 the following information in writing to the chief of police of an organized full time police



9.1 department of the municipality in which the person resides or to the county sheriff if there  
9.2 is no such local chief of police:

9.3 (1) the name, residence, telephone number, and driver's license number or  
9.4 nonqualification certificate number, if any, of the proposed transferee;

9.5 (2) the sex, date of birth, height, weight, and color of eyes, and distinguishing physical  
9.6 characteristics, if any, of the proposed transferee;

9.7 (3) a statement that the proposed transferee authorizes the release to the local police  
9.8 authority of commitment information about the proposed transferee maintained by the  
9.9 commissioner of human services, to the extent that the information relates to the proposed  
9.10 transferee's eligibility to possess a ~~pistol or semiautomatic military-style assault weapon~~  
9.11 firearm under section 624.713, subdivision 1; and

9.12 (4) a statement by the proposed transferee that the proposed transferee is not prohibited  
9.13 by section 624.713 from possessing a ~~pistol or semiautomatic military-style assault weapon~~  
9.14 firearm.

9.15 The statements shall be signed and dated by the person applying for a permit. At the  
9.16 time of application, the local police authority shall provide the applicant with a dated receipt  
9.17 for the application. The statement under clause (3) must comply with any applicable  
9.18 requirements of Code of Federal Regulations, title 42, sections 2.31 to 2.35, with respect  
9.19 to consent to disclosure of alcohol or drug abuse patient records.

9.20 Sec. 15. Minnesota Statutes 2016, section 624.7131, subdivision 4, is amended to read:

9.21 Subd. 4. **Grounds for disqualification.** A determination by the chief of police or sheriff  
9.22 that the applicant is prohibited by section 624.713 from possessing a ~~pistol or semiautomatic~~  
9.23 ~~military-style assault weapon~~ firearm shall be the only basis for refusal to grant a transferee  
9.24 permit.

9.25 Sec. 16. Minnesota Statutes 2016, section 624.7131, subdivision 7, is amended to read:

9.26 Subd. 7. **Permit voided.** The transferee permit shall be void at the time that the holder  
9.27 becomes prohibited from possessing a ~~pistol~~ firearm under section 624.713, in which event  
9.28 the holder shall return the permit within five days to the issuing authority. Failure of the  
9.29 holder to return the permit within the five days is a misdemeanor unless the court finds that  
9.30 the circumstances or the physical or mental condition of the permit holder prevented the  
9.31 holder from complying with the return requirement.

10.1 Sec. 17. Minnesota Statutes 2016, section 624.7132, subdivision 1, is amended to read:

10.2 Subdivision 1. **Required information.** Except as provided in this section ~~and section~~  
 10.3 ~~624.7131~~, every person who agrees to transfer a ~~pistol or semiautomatic military-style~~  
 10.4 ~~assault weapon~~ firearm shall report the following information in writing to the chief of  
 10.5 police of the organized full-time police department of the municipality where the proposed  
 10.6 transferee resides or to the appropriate county sheriff if there is no such local chief of police:

10.7 (1) the name, residence, telephone number, and driver's license number or  
 10.8 nonqualification certificate number, if any, of the proposed transferee;

10.9 (2) the sex, date of birth, height, weight, and color of eyes, and distinguishing physical  
 10.10 characteristics, if any, of the proposed transferee;

10.11 (3) a statement that the proposed transferee authorizes the release to the local police  
 10.12 authority of commitment information about the proposed transferee maintained by the  
 10.13 commissioner of human services, to the extent that the information relates to the proposed  
 10.14 transferee's eligibility to possess a ~~pistol or semiautomatic military-style assault weapon~~  
 10.15 firearm under section 624.713, subdivision 1;

10.16 (4) a statement by the proposed transferee that the transferee is not prohibited by section  
 10.17 624.713 from possessing a ~~pistol or semiautomatic military-style assault weapon~~ firearm;  
 10.18 and

10.19 (5) the address of the place of business of the transferor.

10.20 The report shall be signed and dated by the transferor and the proposed transferee. The  
 10.21 report shall be delivered by the transferor to the chief of police or sheriff no later than three  
 10.22 days after the date of the agreement to transfer, excluding weekends and legal holidays.

10.23 The statement under clause (3) must comply with any applicable requirements of Code of  
 10.24 Federal Regulations, title 42, sections 2.31 to 2.35, with respect to consent to disclosure of  
 10.25 alcohol or drug abuse patient records.

10.26 Sec. 18. Minnesota Statutes 2016, section 624.7132, subdivision 3, is amended to read:

10.27 Subd. 3. **Notification.** The chief of police or sheriff shall notify the transferor and  
 10.28 proposed transferee in writing as soon as possible if the chief or sheriff determines that the  
 10.29 proposed transferee is prohibited by section 624.713 from possessing a ~~pistol or~~  
 10.30 ~~semiautomatic military-style assault weapon~~ firearm. The notification to the transferee shall  
 10.31 specify the grounds for the disqualification of the proposed transferee and shall set forth in  
 10.32 detail the transferee's right of appeal under subdivision 13.

11.1 Sec. 19. Minnesota Statutes 2016, section 624.7132, subdivision 4, is amended to read:

11.2 Subd. 4. **Delivery.** Except as otherwise provided in subdivision 7 or 8, no person shall  
11.3 deliver a ~~pistol or semiautomatic military-style assault weapon~~ firearm to a proposed  
11.4 transferee until five business days after the date the agreement to transfer is delivered to a  
11.5 chief of police or sheriff in accordance with subdivision 1 unless the chief of police or sheriff  
11.6 waives all or a portion of the seven-day waiting period. The chief of police or sheriff may  
11.7 waive all or a portion of the five business day waiting period in writing if the chief of police  
11.8 or sheriff finds that the transferee requires access to a ~~pistol or semiautomatic military-style~~  
11.9 ~~assault weapon~~ firearm because of a threat to the life of the transferee or of any member of  
11.10 the household of the transferee.

11.11 No person shall deliver a ~~pistol or semiautomatic military-style assault weapon~~ firearm  
11.12 to a proposed transferee after receiving a written notification that the chief of police or  
11.13 sheriff has determined that the proposed transferee is prohibited by section 624.713 from  
11.14 possessing a ~~pistol or semiautomatic military-style assault weapon~~ firearm.

11.15 If the transferor makes a report of transfer and receives no written notification of  
11.16 disqualification of the proposed transferee within five business days after delivery of the  
11.17 agreement to transfer, the ~~pistol or semiautomatic military-style assault weapon~~ firearm  
11.18 may be delivered to the transferee.

11.19 Sec. 20. Minnesota Statutes 2016, section 624.7132, subdivision 5, is amended to read:

11.20 Subd. 5. **Grounds for disqualification.** A determination by the chief of police or sheriff  
11.21 that the proposed transferee is prohibited by section 624.713 from possessing a ~~pistol or~~  
11.22 ~~semiautomatic military-style assault weapon~~ firearm shall be the sole basis for a notification  
11.23 of disqualification under this section.

11.24 Sec. 21. Minnesota Statutes 2016, section 624.7132, subdivision 6, is amended to read:

11.25 Subd. 6. **Transferee permit.** If a chief of police or sheriff determines that a transferee  
11.26 is not a person prohibited by section 624.713 from possessing a ~~pistol or semiautomatic~~  
11.27 ~~military-style assault weapon~~ firearm, the transferee may, within 30 days after the  
11.28 determination, apply to that chief of police or sheriff for a transferee permit, and the permit  
11.29 shall be issued.

12.1 Sec. 22. Minnesota Statutes 2016, section 624.7132, is amended by adding a subdivision  
12.2 to read:

12.3 Subd. 7a. **Transfer by or to licensed dealers only.** No person shall transfer a firearm  
12.4 unless the transferor or transferee is a federally licensed firearms dealer. Where neither  
12.5 party to a prospective firearm transfer is a federally licensed firearms dealer, the parties  
12.6 shall complete the transfer through a federally licensed firearms dealer as follows:

12.7 (1) the transferor shall deliver the firearm and a valid transferee permit or report of  
12.8 transfer to a federally licensed firearms dealer, who shall retain possession of that firearm  
12.9 until the transaction is completed or transferred as provided in clause (3);

12.10 (2) the federally licensed dealer shall comply with this section and federal law as if the  
12.11 dealer had agreed to directly transfer the firearm to the proposed transferee, except the dealer  
12.12 must hold the firearm for at least two days prior to completing the transfer;

12.13 (3) if the dealer cannot legally deliver the firearm to the proposed transferee or otherwise  
12.14 chooses not to complete the transaction, the dealer shall conduct a background check in  
12.15 accordance with federal law and file a report of transfer to transfer the firearm back to the  
12.16 original transferor. If the original transferor is prohibited by any state or federal law from  
12.17 possessing a firearm, the dealer shall transfer the firearm to the chief of police or sheriff  
12.18 within 24 hours;

12.19 (4) a dealer who denies transfer of a firearm shall immediately report the identity of the  
12.20 proposed transferee and the date, time, and place of the attempted transfer to the local law  
12.21 enforcement agency where the dealer is located; and

12.22 (5) the dealer may require the proposed transferee to pay a fee of no more than \$25 when  
12.23 assisting with a transfer under this subdivision.

12.24 Sec. 23. Minnesota Statutes 2016, section 624.7132, subdivision 8, is amended to read:

12.25 **Subd. 8. Report not required.** If the proposed transferee presents a valid transferee  
12.26 permit issued under section 624.7131 or a valid permit to carry issued under section 624.714,  
12.27 the transferor need not file a transfer report, but shall (i) wait at least two days to complete  
12.28 the transfer, and (ii) file a record of transfer pursuant to subdivision 8a.

12.29 Sec. 24. Minnesota Statutes 2016, section 624.7132, is amended by adding a subdivision  
12.30 to read:

12.31 **Subd. 8a. Record of transfer.** For each firearm transfer that does not require a report  
12.32 of transfer, the transferor must prepare a record of transfer and, within five business days

- 13.1 of the transfer, provide a copy to the sheriff in the county where the transfer occurred. The  
 13.2 record of transfer must include:
- 13.3 (1) the transferor's name and address;  
 13.4 (2) the transferee's name, residence, telephone number, and type and unique identifying  
 13.5 number of the transferee's government issued photo identification; and  
 13.6 (3) the type, manufacturer, and serial number of each firearm transferred.

13.7 Sec. 25. Minnesota Statutes 2016, section 624.7132, subdivision 9, is amended to read:

- 13.8 Subd. 9. **Number of ~~pistols or semiautomatic military-style assault weapons~~ firearms.**  
 13.9 Any number of ~~pistols or semiautomatic military-style assault weapons~~ firearms may be  
 13.10 the subject of a single transfer agreement and report to the chief of police or sheriff. Nothing  
 13.11 in this section or section 624.7131 shall be construed to limit or restrict the number of ~~pistols~~  
 13.12 ~~or semiautomatic military-style assault weapons~~ firearms a person may acquire.

13.13 Sec. 26. Minnesota Statutes 2016, section 624.7132, subdivision 12, is amended to read:

- 13.14 Subd. 12. **Exclusions.** ~~Except as otherwise provided in section 609.66, subdivision 1f,~~  
 13.15 This section shall not apply to transfers of antique firearms as curiosities or for their historical  
 13.16 significance or value, transfers to or between federally licensed firearms dealers, transfers  
 13.17 by order of court, involuntary transfers, ~~transfers at death~~ or the following transfers:
- 13.18 ~~(1) a transfer by a person other than a federally licensed firearms dealer;~~  
 13.19 ~~(2) a loan to a prospective transferee if the loan is intended for a period of no more than~~  
 13.20 ~~one day;~~  
 13.21 ~~(3) the delivery of a pistol or semiautomatic military-style assault weapon~~ firearm to a  
 13.22 person for the purpose of repair, reconditioning or remodeling;
- 13.23 ~~(4)~~ (2) a loan by a teacher to a student in a course designed to teach marksmanship or  
 13.24 safety with a pistol and approved by the commissioner of natural resources;
- 13.25 ~~(5) a loan between persons at a firearms collectors exhibition;~~  
 13.26 ~~(6)~~ (3) a loan between persons lawfully engaged in hunting or target shooting if the loan  
 13.27 is intended for a period of no more than 12 hours;
- 13.28 ~~(7)~~ (4) a loan between law enforcement officers who have the power to make arrests  
 13.29 other than citizen arrests; and

14.1 ~~(8)~~ (5) a loan between employees or between the employer and an employee in a business  
 14.2 if the employee is required to carry a pistol or ~~semiautomatic military-style assault weapon~~  
 14.3 firearm by reason of employment and is the holder of a valid permit to carry a pistol.

14.4 Sec. 27. Minnesota Statutes 2016, section 624.7132, subdivision 15, is amended to read:

14.5 Subd. 15. **Penalties.** (a) Except as otherwise provided in paragraph (b), a person who  
 14.6 does any of the following is guilty of a gross misdemeanor:

14.7 (1) transfers a ~~pistol or semiautomatic military-style assault weapon~~ firearm in violation  
 14.8 of subdivisions 1 to 13;

14.9 (2) transfers a ~~pistol or semiautomatic military-style assault weapon~~ firearm to a person  
 14.10 who has made a false statement in order to become a transferee, if the transferor knows or  
 14.11 has reason to know the transferee has made the false statement;

14.12 (3) knowingly becomes a transferee in violation of subdivisions 1 to 13; or

14.13 (4) makes a false statement in order to become a transferee of a ~~pistol or semiautomatic~~  
 14.14 ~~military-style assault weapon~~ firearm knowing or having reason to know the statement is  
 14.15 false.

14.16 (b) A person who does ~~either~~ any of the following is guilty of a felony:

14.17 (1) transfers a ~~pistol or semiautomatic military-style assault weapon~~ firearm to a person  
 14.18 under the age of 18 in violation of subdivisions 1 to 13; or

14.19 (2) transfers a ~~pistol or semiautomatic military-style assault weapon~~ firearm to a person  
 14.20 under the age of 18 who has made a false statement in order to become a transferee, if the  
 14.21 transferor knows or has reason to know the transferee has made the false statement.

14.22 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes  
 14.23 committed on or after that date.

14.24 Sec. 28. **[624.7134] ASSAULT WEAPONS PROHIBITED.**

14.25 Subdivision 1. **Definition.** As used in this section, "transfer" means a sale, gift, loan,  
 14.26 assignment, or other delivery of an assault weapon to another, whether or not for  
 14.27 consideration.

14.28 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, or  
 14.29 possess an assault weapon.

14.30 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

15.1 (1) the possession of an assault weapon that was lawfully possessed under both state  
15.2 and federal law before September 1, 2018, if the weapon is properly registered as provided  
15.3 in subdivision 5;

15.4 (2) any government officer, agent, or employee; member of the armed forces of the  
15.5 United States; or peace officer, to the extent that the person is otherwise authorized to acquire  
15.6 or possess an assault weapon, and does so while acting within the scope of the person's  
15.7 duties;

15.8 (3) the manufacture of an assault weapon by a firearms manufacturer for the purpose of  
15.9 sale to any branch of the armed forces of the United States, or to a law enforcement agency  
15.10 within Minnesota for use by that agency or its employees, provided the manufacturer is  
15.11 properly licensed under applicable laws; or

15.12 (4) the transfer of an assault weapon by a dealer that is properly licensed under applicable  
15.13 laws to any branch of the armed forces of the United States, or to a law enforcement agency  
15.14 within Minnesota for use by that agency or its employees for law enforcement purposes.

15.15 Subd. 4. **Penalty.** (a) A person who violates subdivision 2 is guilty of a felony and may  
15.16 be sentenced to imprisonment for not more than five years or to payment of a fine of not  
15.17 more than \$25,000, or both.

15.18 (b) A person listed in section 624.713, subdivision 1, clauses (3) to (11), who violates  
15.19 subdivision 2 is guilty of a felony and may be sentenced to imprisonment for not more than  
15.20 ten years or to payment of a fine of not more than \$50,000, or both.

15.21 (c) A person listed in section 624.713, subdivision 1, clause (2), who violates subdivision  
15.22 2 is guilty of a felony and may be sentenced to imprisonment for not more than 20 years or  
15.23 to payment of a fine of not more than \$100,000, or both.

15.24 (d) The penalties described in this subdivision do not apply to persons who possess  
15.25 assault weapons and who are in full compliance with subdivision 5.

15.26 Subd. 5. **Registration of assault weapons.** (a) A person who legally owned or possessed  
15.27 an assault weapon before September 1, 2018, and who desires to keep ownership or  
15.28 possession of the weapon shall comply with the following requirements:

15.29 (1) submit to a background check conducted by the chief of police of the municipality  
15.30 in which the person resides, or if there is no police department the sheriff of the county in  
15.31 which the person resides, to confirm the person is not prohibited from possessing a firearm  
15.32 under state or federal law; and

16.1 (2) unless the person is currently prohibited by law from possessing a firearm,  
16.2 immediately register the weapon with the appropriate law enforcement agency.

16.3 (b) A person described in paragraph (a) shall comply with all of the following:

16.4 (1) safely and securely store the assault weapon pursuant to the regulations adopted by  
16.5 the appropriate law enforcement agency;

16.6 (2) agree to allow the agency to inspect the storage of the weapon to ensure compliance  
16.7 with this subdivision;

16.8 (3) annually renew the registration, subject to the completion of a new background check;

16.9 (4) possess the weapon only on property owned or immediately controlled by the person,  
16.10 or while engaged in the legal use of the weapon at a duly licensed firing range, or while  
16.11 transporting the weapon in compliance with United States Code, title 18, section 926A; and

16.12 (5) report the loss or theft of the weapon to the appropriate law enforcement agency  
16.13 within 48 hours of the time the discovery of the loss or theft was made or should have been  
16.14 made.

16.15 (c) Registered assault weapons may not be purchased or transferred, except for transfer  
16.16 to the appropriate law enforcement agency for the purpose of surrendering the weapon for  
16.17 destruction.

16.18 (d) The registered owner or possessor of an assault weapon may not purchase additional  
16.19 assault weapons.

16.20 (e) The appropriate law enforcement agency may charge a fee for each registration and  
16.21 registration renewal pursuant to this subdivision.

16.22 (f) Persons acquiring an assault weapon by inheritance, bequest, or succession shall,  
16.23 within 120 days of acquiring title, do one of the following:

16.24 (1) surrender the weapon to a law enforcement agency for destruction; or

16.25 (2) modify the weapon to render it permanently inoperable.

16.26 (g) Each chief of police and sheriff shall do the following regarding assault weapons  
16.27 registered under this subdivision:

16.28 (1) adopt regulations specifying how a person who registers a weapon shall safely and  
16.29 securely store it when it is not being used;

16.30 (2) implement a policy of inspecting the storage of weapons; and

16.31 (3) conduct background checks and implement a registration system.



17.1 **EFFECTIVE DATE.** This section is effective September 1, 2018, and applies to crimes  
17.2 committed on or after that date.

17.3 Sec. 29. **[624.7135] LARGE-CAPACITY MAGAZINES PROHIBITED.**

17.4 Subdivision 1. **Definition.** As used in this section, "transfer" means a sale, gift, loan,  
17.5 assignment, or other delivery of a large-capacity magazine to another, whether or not for  
17.6 consideration.

17.7 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, or  
17.8 possess a large-capacity magazine.

17.9 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

17.10 (1) any government officer, agent, or employee; member of the armed forces of the  
17.11 United States; or peace officer, to the extent that the person is otherwise authorized to acquire  
17.12 or possess a large-capacity magazine and does so while acting within the scope of the  
17.13 person's duties;

17.14 (2) the manufacture of a large-capacity magazine by a firearms manufacturer for the  
17.15 purpose of sale to any branch of the armed forces of the United States, or to a law  
17.16 enforcement agency within Minnesota for use by that agency or its employees, provided  
17.17 the manufacturer is properly licensed under applicable laws; or

17.18 (3) the transfer of a large-capacity magazine by a dealer that is properly licensed under  
17.19 applicable laws to any branch of the armed forces of the United States, or to a law  
17.20 enforcement agency within Minnesota for use by that agency or its employees for law  
17.21 enforcement purposes.

17.22 Subd. 4. **Penalty.** (a) A person who violates subdivision 2 is guilty of a felony and may  
17.23 be sentenced to imprisonment for not more than five years or to payment of a fine of not  
17.24 more than \$25,000, or both.

17.25 (b) A person listed in section 624.713, subdivision 1, clauses (3) to (11), who violates  
17.26 subdivision 2 is guilty of a felony and may be sentenced to imprisonment for not more than  
17.27 ten years or to payment of a fine of not more than \$50,000, or both.

17.28 (c) A person listed in section 624.713, subdivision 1, clause (2), who violates subdivision  
17.29 2 is guilty of a felony and may be sentenced to imprisonment for not more than 20 years or  
17.30 to payment of a fine of not more than \$100,000, or both.

17.31 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes  
17.32 committed on or after that date.

18.1 Sec. 30. Minnesota Statutes 2016, section 624.7141, is amended to read:

18.2 **624.7141 TRANSFER TO INELIGIBLE PERSON.**

18.3 Subdivision 1. **Transfer prohibited.** A person is guilty of a gross misdemeanor who  
18.4 intentionally transfers a ~~pistol or semiautomatic military-style assault weapon~~ firearm to  
18.5 another if the person knows that the transferee:

18.6 (1) has been denied a permit to carry under section 624.714 because the transferee is  
18.7 not eligible under section 624.713 to possess a ~~pistol or semiautomatic military-style assault~~  
18.8 ~~weapon~~ firearm;

18.9 (2) has been found ineligible to possess a ~~pistol or semiautomatic military-style assault~~  
18.10 ~~weapon~~ firearm by a chief of police or sheriff as a result of an application for a transferee  
18.11 permit or a transfer report; or

18.12 (3) is disqualified under section 624.713 from possessing a ~~pistol or semiautomatic~~  
18.13 ~~military-style assault weapon~~ firearm.

18.14 Subd. 2. **Felony.** A violation of this section is a felony if the transferee possesses or uses  
18.15 the weapon within one year after the transfer in furtherance of a felony crime of violence.

18.16 Subd. 3. **Subsequent eligibility.** This section is not applicable to a transfer to a person  
18.17 who became eligible to possess a ~~pistol or semiautomatic military-style assault weapon~~  
18.18 firearm under section 624.713 after the transfer occurred but before the transferee used or  
18.19 possessed the ~~weapon~~ firearm in furtherance of any crime.

18.20 Sec. 31. Minnesota Statutes 2016, section 624.7161, is amended by adding a subdivision  
18.21 to read:

18.22 Subd. 4. **Ammunition sales.** (a) A firearms dealer shall ensure that all ammunition is  
18.23 displayed behind a checkout counter where the public is not permitted and is offered for  
18.24 sale only by an employee who is at least 21 years of age and not prohibited by state or  
18.25 federal law from possessing a firearm. The firearms dealer shall ensure that the person  
18.26 making the sale requires the buyer:

18.27 (1) to provide photographic identification showing the buyer's date of birth; and

18.28 (2) to sign a written or electronic document detailing the date of the sale, the name of  
18.29 the buyer, and the amount of ammunition sold.

18.30 (b) A document described under paragraph (a), clause (2), must be retained by the  
18.31 firearms dealer for at least three years and must at all reasonable times be open to inspection  
18.32 by any authorized law enforcement agency.

19.1 Sec. 32. **PERSONS POSSESSING ASSAULT WEAPONS ON EFFECTIVE DATE**  
19.2 **OF ACT; REQUIRED ACTIONS.**

19.3 Any person who, on or before the day following final enactment of this section, legally  
19.4 owns or is in possession of an assault weapon has until November 1, 2019, to do any of the  
19.5 following without being subject to prosecution under Minnesota Statutes, section 624.7134:

19.6 (1) remove the weapon from the state;

19.7 (2) surrender the weapon to a law enforcement agency for destruction;

19.8 (3) render the weapon permanently inoperable; or

19.9 (4) if eligible, register the weapon as provided in Minnesota Statutes, section 624.7134,  
19.10 subdivision 5.

19.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

19.12 Sec. 33. **PERSONS POSSESSING LARGE-CAPACITY MAGAZINES ON**  
19.13 **EFFECTIVE DATE OF ACT; REQUIRED ACTIONS.**

19.14 Any person who, on August 1, 2018, is in possession of a large-capacity magazine has  
19.15 120 days to do either of the following without being subject to prosecution under Minnesota  
19.16 Statutes, section 624.7134:

19.17 (1) permanently alter the magazine so it cannot accommodate more than ten rounds;

19.18 (2) remove the large-capacity magazine from the state; or

19.19 (3) surrender the large-capacity magazine to a law enforcement agency for destruction.

19.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

19.21 Sec. 34. **REVISOR'S INSTRUCTION.**

19.22 (a) The revisor of statutes shall strike references to "semiautomatic military-style assault  
19.23 weapons" in Minnesota Statutes, section 624.7181, subdivision 2. The revisor shall replace  
19.24 all other references to "semiautomatic military-style assault weapons" in statute with "assault  
19.25 weapons."

19.26 (b) The revisor of statutes, in consultation with the House Research Department and the  
19.27 Office of Senate Counsel, Research, and Fiscal Analysis, shall make necessary  
19.28 cross-reference changes and remove statutory cross-references in Minnesota Statutes to  
19.29 conform with the repealer in this act. The revisor may make technical and other necessary  
19.30 changes to sentence structure to preserve the meaning of the text.

20.1 **EFFECTIVE DATE.** This section is effective September 1, 2018.

20.2 Sec. 35. **REPEALER.**

20.3 Minnesota Statutes 2016, sections 609.66, subdivision 1f; 624.711; 624.7131, subdivision

20.4 10; and 624.7132, subdivisions 10 and 14, are repealed.

**609.66 DANGEROUS WEAPONS.**

Subd. 1f. **Gross misdemeanor; transferring firearm without background check.** A person, other than a federally licensed firearms dealer, who transfers a pistol or semiautomatic military-style assault weapon to another without complying with the transfer requirements of section 624.7132, is guilty of a gross misdemeanor if the transferee possesses or uses the weapon within one year after the transfer in furtherance of a felony crime of violence, and if:

(1) the transferee was prohibited from possessing the weapon under section 624.713 at the time of the transfer; or

(2) it was reasonably foreseeable at the time of the transfer that the transferee was likely to use or possess the weapon in furtherance of a felony crime of violence.

**624.711 DECLARATION OF POLICY.**

It is not the intent of the legislature to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as pistols or semiautomatic military-style assault weapons, or to place costs of administration upon those citizens who wish to possess or carry pistols or semiautomatic military-style assault weapons lawfully, or to confiscate or otherwise restrict the use of pistols or semiautomatic military-style assault weapons by law-abiding citizens.

**624.7131 TRANSFEREE PERMIT; PENALTY.**

Subd. 10. **Transfer report not required.** A person who transfers a pistol or semiautomatic military-style assault weapon to a person exhibiting a valid transferee permit issued pursuant to this section or a valid permit to carry issued pursuant to section 624.714 is not required to file a transfer report pursuant to section 624.7132, subdivision 1.

**624.7132 REPORT OF TRANSFER.**

Subd. 10. **Restriction on records.** If, after a determination that the transferee is not a person prohibited by section 624.713 from possessing a pistol or semiautomatic military-style assault weapon, a transferee requests that no record be maintained of the fact of who is the transferee of a pistol or semiautomatic military-style assault weapon, the chief of police or sheriff shall sign the transfer report and return it to the transferee as soon as possible. Thereafter, no government employee or agency shall maintain a record of the transfer that identifies the transferee, and the transferee shall retain the report of transfer.

Subd. 14. **Transfer to unknown party.** (a) No person shall transfer a pistol or semiautomatic military-style assault weapon to another who is not personally known to the transferor unless the proposed transferee presents evidence of identity to the transferor.

(b) No person who is not personally known to the transferor shall become a transferee of a pistol or semiautomatic military-style assault weapon unless the person presents evidence of identity to the transferor.

(c) The evidence of identity shall contain the name, residence address, date of birth, and photograph of the proposed transferee; must be made or issued by or under the authority of the United States government, a state, a political subdivision of a state, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization; and must be of a type commonly accepted for the purpose of identification of individuals.

(d) A person who becomes a transferee of a pistol or semiautomatic military-style assault weapon in violation of this subdivision is guilty of a misdemeanor.