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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2416

01/29/2016 Authored by Norton, Hausman, Selcer and Davnie

The bill was referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; requiring federal licensure of persons who regularly
1.3 transfer firearms; proposing coding for new law in Minnesota Statutes, chapter
1.4 624.

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

1.6 Section 1. **[624.7163] FIREARMS DEALERS; LICENSURE.**

1.7 Subdivision 1. **Federal firearms license required.** A person may not transfer more
1.8 than three firearms in a calendar year unless that person is a federally licensed firearms
1.9 dealer or the person transfers the firearms through a federally licensed firearms dealer as
1.10 provided in subdivision 2.

1.11 Subd. 2. **Transfers through a federally licensed firearms dealer.** A person who
1.12 seeks to transfer more than three firearms in a calendar year but does not hold a valid
1.13 federal firearms dealer license shall complete the transfer through a federally licensed
1.14 firearms dealer as follows:

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

1.18 (2) the federally licensed dealer shall comply with this section and federal law as if
1.19 the dealer had agreed to directly transfer the firearm to the proposed transferee;

1.20 (3) if the dealer cannot legally deliver the firearm to the proposed transferee or
1.21 otherwise chooses not to complete the transaction, the dealer shall conduct a background
1.22 check in accordance with federal law and file a report of transfer to transfer the firearm
1.23 back to the original transferor. If the original transferor is prohibited by any state or

2.1 federal law from possessing a firearm, the dealer shall transfer the firearm to the chief of
2.2 police or sheriff within 24 hours;

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

2.6 (5) the dealer may require the proposed transferee to pay a fee not to exceed \$5
2.7 above the expenses incurred by the dealer.

2.8 Subd. 3. **Exclusions.** This section shall not apply to transfers of antique firearms as
2.9 curiosities or for their historical significance or value, transfers to or between federally
2.10 licensed firearms dealers, transfers by order of court, involuntary transfers, transfers at
2.11 death, or the following transfers:

2.12 (1) the delivery of a firearm to a person for the purpose of repair, reconditioning,
2.13 or remodeling;

2.14 (2) a loan by a teacher to a student in a course designed to teach firearms
2.15 marksmanship or safety and approved by the commissioner of natural resources;

2.16 (3) a loan between persons at a firearms collectors exhibition;

2.17 (4) a loan between persons lawfully engaged in hunting or target shooting if the loan
2.18 is intended for a period of no more than 12 hours;

2.19 (5) a loan between law enforcement officers who have the power to make arrests
2.20 other than citizen arrests; and

2.21 (6) a loan between employees or between the employer and an employee in a
2.22 business if the employee is required to carry a firearm by reason of employment and is the
2.23 holder of a valid permit to carry a pistol.