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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4014

03/07/2022

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The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; modifying the concealed carry of firearms; banning

1.3 possession of large capacity ammunition magazines, ghost guns, and other weapons;

1.4 prohibiting the open carry of firearms; amending Minnesota Statutes 2020, sections

1.5 609.66, subdivision 1g; 609.666; 624.712, by adding subdivisions; 624.714,

1.6 subdivisions 2, 2a, 3, 4, 6, 7, 7a, 8, 8a, 11a, 12, 12a, 14, 16, 17, 18, 21, by adding

1.7 a subdivision; 624.7181, subdivision 1; proposing coding for new law in Minnesota

1.8 Statutes, chapter 624.

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

1.10 ARTICLE 1

1.11 POSSESSION AND TRANSFER OF FIREARMS

1.12 Section 1. Minnesota Statutes 2020, section 609.66, subdivision 1g, is amended to read:

1.13 Subd. 1g. **Felony; possession in ~~courthouse or certain~~ state and local public**

1.14 **buildings.** (a) A person who commits either of the following acts is guilty of a felony and

1.15 may be sentenced to imprisonment for not more than five years or to payment of a fine of

1.16 not more than \$10,000, or both:

1.17 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse

1.18 complex; or

1.19 (2) possesses a dangerous weapon, ammunition, or explosives in any state building

1.20 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

1.21 (b) A person who possesses a dangerous weapon, ammunition, or explosives in or on

1.22 public property owned by a local government without permission from the county, city, or

1.23 town acting through its governing body is guilty of a gross misdemeanor.

2.1 ~~(b)~~ (c) Unless a person is otherwise prohibited or restricted by other law to possess a
 2.2 dangerous weapon, this subdivision does not apply to:

2.3 (1) licensed peace officers or military personnel who are performing official duties;

2.4 ~~(2) persons who carry pistols according to the terms of a permit issued under section~~
 2.5 ~~624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;~~

2.6 ~~(3)~~ (2) persons who possess dangerous weapons for the purpose of display as
 2.7 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance
 2.8 with advance notice and safety guidelines set by the sheriff ~~or~~ the commissioner of public
 2.9 safety, or the political subdivision's chief law enforcement officer, executive or administrative
 2.10 officer, or governing board; ~~or~~

2.11 ~~(4)~~ (3) persons who possess dangerous weapons in a courthouse complex with the express
 2.12 consent of the county sheriff ~~or~~ ;

2.13 (4) who possess dangerous weapons in a state building with the express consent of the
 2.14 commissioner of public safety~~;~~ ;

2.15 (5) persons who possess firearms on state or local property where hunting or target, trap,
 2.16 or skeet shooting is allowed; or

2.17 (6) persons who possess firearms on public property other than a courthouse complex
 2.18 if the property is expressly identified in an ordinance of the county, city, or town acting
 2.19 through its governing body or with the express consent of the political subdivision's chief
 2.20 law enforcement officer, executive or administrative officer, or governing board.

2.21 ~~(e) For purposes of this subdivision, the issuance of a permit to carry under section~~
 2.22 ~~624.714 constitutes notification of the commissioner of public safety as required under~~
 2.23 ~~paragraph (b), clause (2).~~

2.24 (c) Unless a person is otherwise prohibited or restricted by other law to possess a firearm,
 2.25 the prohibition in paragraph (a), clause (2), does not apply to persons authorized to carry a
 2.26 pistol under section 624.714, while the person is: (1) in a motor vehicle, or (2) outside of a
 2.27 motor vehicle to directly place a firearm in, or retrieve it from, the trunk or rear area of the
 2.28 vehicle.

2.29 (d) For the purposes of this subdivision, "public property" has the meaning given in
 2.30 section 624.72, subdivision 2.

2.31 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
 2.32 committed on or after that date.

3.1 Sec. 2. Minnesota Statutes 2020, section 609.666, is amended to read:

3.2 **609.666 NEGLIGENT STORAGE OF FIREARMS.**

3.3 Subdivision 1. **Definitions.** For purposes of this section, the following words have the
3.4 meanings given.

3.5 (a) "Firearm" means a device designed to be used as a weapon, from which is expelled
3.6 a projectile by the force of any explosion or force of combustion.

3.7 (b) "Child" means a person under the age of 18 years.

3.8 (c) "Ineligible person" means a resident or household guest who is prohibited from
3.9 possessing a firearm under section 624.713.

3.10 ~~(e) "Loaded" means the firearm has ammunition in the chamber or magazine, if the~~
3.11 ~~magazine is in the firearm, unless the firearm is incapable of being fired by a child who is~~
3.12 ~~likely to gain access to the firearm.~~

3.13 (d) "Safely store" means:

3.14 (1) the firearm is placed in a secure storage container that is specifically designed for
3.15 the safe storage of firearms and fully enclosed and locked; or

3.16 (2) locked with a safety device installed or incorporated into the design of the firearm
3.17 that prevents the firearm from being operated without first deactivating the device.

3.18 Subd. 2. **Access to firearms.** ~~A~~ Unless reasonable action is taken to safely store a firearm,
3.19 a person is guilty of a gross misdemeanor who negligently stores, keeps, or leaves a loaded
3.20 firearm in a location where the person knows, or reasonably should know, that an ineligible
3.21 person is able to gain access or a child without the permission of the person is likely able
3.22 to gain access, unless reasonable action is taken to secure the firearm against access by the
3.23 child. is guilty of a:

3.24 (1) misdemeanor;

3.25 (2) gross misdemeanor if the ineligible person or child takes and uses the firearm; or

3.26 (3) felony if the ineligible person or child takes and uses the firearm resulting in the
3.27 injury or death of that person or child or another person.

3.28 Subd. 3. **Limitations.** Subdivision 2 does not apply to:

3.29 (1) an ineligible person's or a child's access to firearms that was obtained as a result of
3.30 an unlawful entry; ; or

4.1 (2) a person who is carrying the firearm or when it is within close proximity that the
4.2 person can readily retrieve and use the firearm as if the person was carrying the firearm.

4.3 Sec. 3. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision to
4.4 read:

4.5 Subd. 13. **Carry.** "Carry" means to carry a pistol on or about a person in a public place,
4.6 as defined in section 624.7181, subdivision 1, in a manner that completely or mostly conceals
4.7 the firearm from the ordinary sight of another person and view of the public.

4.8 Sec. 4. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision to
4.9 read:

4.10 Subd. 14. **Large-capacity magazine.** "Large-capacity magazine" means any ammunition
4.11 feeding device with the capacity to accept more than ten rounds, or any conversion kit, part,
4.12 or combination of parts from which this type of device can be assembled if those parts are
4.13 in the possession or under the control of the same person. Large-capacity magazine does
4.14 not mean any of the following:

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

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

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

4.19 **EFFECTIVE DATE.** This section is effective August 1, 2022.

4.20 Sec. 5. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision to
4.21 read:

4.22 Subd. 15. **.50 caliber or larger firearm.** ".50 caliber or larger firearm" means a firearm
4.23 that is capable of expelling a metal projectile that measures one-half inch or larger in diameter
4.24 but does not include an antique or replica firearm that uses black powder.

4.25 Sec. 6. **[624.7134] LIABILITY INSURANCE REQUIRED FOR CARRYING A**
4.26 **PISTOL.**

4.27 (a) A person who is applying for a permit to carry a pistol shall obtain, and during
4.28 ownership continuously maintain, a policy of liability insurance specifically covering any
4.29 damages resulting from any negligent or willful acts involving the carrying of the firearm.
4.30 No permit to carry shall be issued unless the applicant provides proof of insurance.

5.1 (b) A person with an existing permit to carry on the effective date of this section shall
 5.2 obtain the insurance required by this section by January 15, 2023.

5.3 (c) The commissioner of commerce shall set a minimum amount of coverage satisfactory
 5.4 to the commissioner.

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

5.6 **Sec. 7. [624.7139] PISTOLS; OPEN DISPLAY; PENALTY.**

5.7 (a) Except as otherwise provided by law and paragraph (b) or (c), it is a misdemeanor
 5.8 for a person to openly carry a pistol on or about the person's self in a public place, as defined
 5.9 in section 624.7181, subdivision 1.

5.10 (b) It is not a crime for a person with a permit to carry under section 624.714, and who
 5.11 is lawfully concealing the pistol, to briefly and openly display the pistol to the ordinary
 5.12 sight of another person, unless the firearm is intentionally displayed in an angry or threatening
 5.13 manner, and not in necessary self-defense.

5.14 (c) It is not a crime for a licensed peace officer or an on-duty licensed security guard
 5.15 with a permit to carry under section 624.714 to openly carry the pistol.

5.16 Sec. 8. Minnesota Statutes 2020, section 624.714, subdivision 2, is amended to read:

5.17 **Subd. 2. Where application made; authority to issue permit; criteria; scope.** (a)
 5.18 Applications by Minnesota residents for permits to carry shall be made to the chief of police
 5.19 of an organized full-time police department of the municipality in which the applicant resides
 5.20 or to the county sheriff ~~where the applicant resides~~ if there is no local chief of police.

5.21 Nonresidents, as defined in section 171.01, subdivision 42, may apply to any sheriff.

5.22 (b) ~~Unless a sheriff denies a permit under the exception set forth in subdivision 6,~~
 5.23 ~~paragraph (a), clause (3),~~ A chief of police or sheriff must not issue a permit to an applicant
 5.24 ~~if~~ unless the person:

5.25 (1) has training in the safe ownership, storage, transport, and use of a pistol firearm,
 5.26 including at a minimum responsibility and strategies for retreating or deescalating a
 5.27 potentially lethal encounter and legal restrictions on the use of deadly force in a course that
 5.28 meets the standards in subdivision 2a, paragraph (b);

5.29 (2) has passed the firearm safety test under subdivision 2b, paragraph (b);

5.30 (3) has proof of liability insurance under section 624.7134 for the carrying of a pistol;

5.31 ~~(2)~~ (4) is at least 21 years old and a citizen or a permanent resident of the United States;

- 6.1 ~~(3)~~ (5) completes an application for a permit;
- 6.2 ~~(4)~~ (6) is not prohibited from possessing a firearm under the following sections:
- 6.3 (i) 518B.01, subdivision 14;
- 6.4 (ii) 609.224, subdivision 3;
- 6.5 (iii) 609.2242, subdivision 3;
- 6.6 (iv) 609.749, subdivision 8;
- 6.7 (v) 624.713;
- 6.8 (vi) 624.719;
- 6.9 (vii) 629.715, subdivision 2;
- 6.10 (viii) 629.72, subdivision 2; or
- 6.11 (ix) any federal law; and
- 6.12 ~~(5)~~ (7) is not listed in the criminal gang investigative data system under section 299C.091.
- 6.13 (c) A permit to carry a pistol issued or recognized under this section is a state permit
- 6.14 and is effective throughout the state.
- 6.15 ~~(d) A sheriff may contract with a police chief to process permit applications under this~~
- 6.16 ~~section. If a sheriff contracts with a police chief, the sheriff remains the issuing authority~~
- 6.17 ~~and the police chief acts as the sheriff's agent. If a sheriff contracts with a police chief, all~~
- 6.18 ~~of the provisions of this section will apply.~~
- 6.19 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to permit
- 6.20 to carry applications on or after that date.
- 6.21 Sec. 9. Minnesota Statutes 2020, section 624.714, subdivision 2a, is amended to read:
- 6.22 Subd. 2a. **Training in safe use of ~~a pistol~~ pistols and other firearms.** (a) An applicant
- 6.23 must present evidence that the applicant received training in the safe use of a pistol within
- 6.24 one year of the date of an original or renewal application. Training may be demonstrated
- 6.25 by:
- 6.26 (1) employment as a peace officer in the state of Minnesota within the past year; or
- 6.27 (2) completion of a firearms safety ~~or training~~ course approved by the commissioner
- 6.28 providing basic training in the safe ownership, handling, and use of a pistol and other firearms
- 6.29 and conducted by a certified instructor.

7.1 (b) Basic training must include:

7.2 (1) at least hours of training;

7.3 ~~(1)~~ (2) instruction in the fundamentals of pistol and other firearm use;

7.4 (3) strategies for safely retreating and not escalating a potentially lethal encounter;

7.5 ~~(2)~~ (4) successful completion of an actual shooting qualification exercise; and

7.6 ~~(3)~~ (5) instruction in the fundamental legal aspects of:

7.7 (i) pistol and other firearm possession, carry, transport, and use, ~~including;~~

7.8 (ii) self-defense and the restrictions on the use of deadly force;

7.9 (iii) safe storage of firearms;

7.10 (iv) legal requirements for carrying a pistol including the requirement for liability

7.11 insurance; and

7.12 (v) reporting a theft or loss of a firearm; and

7.13 (6) all of the standards developed under subdivision 2b, paragraph (a).

7.14 (c) The certified instructor ~~must~~ may issue a firearms safety certificate on a form approved
7.15 by the commissioner to a person who has completed a firearms safety or training course
7.16 described in paragraph (b) and passed an exam approved by the commissioner. The certificate
7.17 must be signed by the instructor and attest that the person attended and completed the course.

7.18 (d) A person qualifies as a certified instructor if the person is certified as a firearms
7.19 instructor within the past ~~five~~ three years ~~by an organization or government entity that has~~
7.20 ~~been approved~~ by the Department of Public Safety in accordance with the department's
7.21 standards.

7.22 ~~(e) A sheriff must accept the training described in this subdivision as meeting the~~
7.23 ~~requirement in subdivision 2, paragraph (b), for training in the safe use of a pistol. A sheriff~~
7.24 ~~may also accept other satisfactory evidence of training in the safe use of a pistol.~~

7.25 Sec. 10. Minnesota Statutes 2020, section 624.714, is amended by adding a subdivision
7.26 to read:

7.27 Subd. 2b. **Firearm safety and training classes; testing; rules.** (a) The commissioner
7.28 of public safety shall adopt rules establishing safety and training standards for firearm safety
7.29 and training courses. These standards shall cover all aspects of safety regarding firearms.

8.1 The commissioner shall consult with public safety and firearms safety experts in developing
 8.2 the standards. The rules must be adopted under chapter 14.

8.3 (b) The commissioner shall develop a written firearm safety test for all applicants for a
 8.4 permit to carry. Each test shall cover the safety and training standards developed under
 8.5 paragraph (a). The commissioner shall provide for giving a test under this subdivision either
 8.6 in the county where the applicant resides or at a place adjacent thereto and reasonably
 8.7 convenient to the applicant.

8.8 Each test shall include at a minimum:

8.9 (1) the applicant's knowledge of:

8.10 (i) safety and training standards developed under paragraph (a);

8.11 (ii) the effects of alcohol and drugs on a person's ability to use, possess, carry, and
 8.12 transport a firearm safely and legally, and the legal penalties and financial consequences
 8.13 resulting from violations of laws prohibiting the use, possession, carrying, and transporting
 8.14 of a firearm while under the influence of alcohol or drugs;

8.15 (iii) the civil and criminal legal consequences of causing the harm or death of a person
 8.16 with a firearm;

8.17 (iv) knowledge of:

8.18 (A) permit to carry laws; and

8.19 (B) the obligation to safely retreat and not escalate a potentially lethal encounter; and

8.20 (v) knowledge of firearm ownership and transfer laws;

8.21 (2) an actual demonstration of the ability to exercise ordinary and reasonable control in
 8.22 the use, possession, carrying, and transporting of a firearm; and

8.23 (3) other physical and mental testing as the commissioner of public safety finds necessary
 8.24 to determine the applicant's fitness to use, possess, carry, and transport a firearm safely.

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

8.26 Sec. 11. Minnesota Statutes 2020, section 624.714, subdivision 3, is amended to read:

8.27 Subd. 3. **Form and contents of application.** (a) Applications for permits to carry must
 8.28 be an official, standardized application form, adopted under section 624.7151, and must set
 8.29 forth in writing ~~only~~ the following information:

9.1 (1) the applicant's name, residence, telephone number, if any, and driver's license number
 9.2 or state identification card number;

9.3 (2) the applicant's ~~sex~~ gender, date of birth, height, weight, and color of eyes and hair,
 9.4 and distinguishing physical characteristics, if any;

9.5 (3) the township or statutory city or home rule charter city, and county, of all Minnesota
 9.6 residences of the applicant in the last five years, though not including specific addresses;

9.7 (4) the township or city, county, and state of all non-Minnesota residences of the applicant
 9.8 in the last five years, though not including specific addresses;

9.9 (5) a statement that the applicant authorizes the release to the chief of police or sheriff
 9.10 of commitment information about the applicant maintained by the commissioner of human
 9.11 services or any similar agency or department of another state where the applicant has resided,
 9.12 to the extent that the information relates to the applicant's eligibility to possess a firearm;

9.13 ~~and~~

9.14 (6) a statement by the applicant that, to the best of the applicant's knowledge and belief,
 9.15 the applicant is not prohibited by law from possessing a firearm-

9.16 (7) proof of liability insurance under section 624.7134; and

9.17 (8) evidence that the applicant completed the training and passed the exam under
 9.18 subdivision 2b.

9.19 (b) The statement under paragraph (a), clause (5), must comply with any applicable
 9.20 requirements of Code of Federal Regulations, title 42, sections 2.31 to 2.35, with respect
 9.21 to consent to disclosure of alcohol or drug abuse patient records.

9.22 (c) An applicant must submit to the chief of police or sheriff an application packet
 9.23 consisting ~~only~~ of the following items:

9.24 (1) a completed application form, signed and dated by the applicant;

9.25 (2) ~~an accurate photocopy~~ of the certificate described in subdivision 2a, paragraph (c),
 9.26 that is submitted as the applicant's evidence of training in the safe use of a pistol; ~~and~~

9.27 (3) ~~an accurate photocopy~~ of the applicant's current driver's license, state identification
 9.28 card, or the photo page of the applicant's passport; and

9.29 (4) evidence that the applicant completed the training and passed the exam under
 9.30 subdivision 2b.

10.1 (d) In addition to the other application materials, a person who is otherwise ineligible
 10.2 for a permit due to a criminal conviction but who has obtained a pardon or expungement
 10.3 setting aside the conviction, sealing the conviction, or otherwise restoring applicable rights,
 10.4 must submit a copy of the relevant order.

10.5 (e) Applications must be submitted in person.

10.6 (f) The chief of police or sheriff may charge a new application processing fee in an
 10.7 amount not to exceed the actual and reasonable direct cost of processing the application ~~or~~
 10.8 ~~\$100, whichever is less. Of this amount, \$10 must be submitted to the commissioner and~~
 10.9 ~~deposited into the general fund.~~

10.10 ~~(g) This subdivision prescribes the complete and exclusive set of items an applicant is~~
 10.11 ~~required to submit in order to apply for a new or renewal permit to carry. The applicant~~
 10.12 ~~must not be asked or required to submit, voluntarily or involuntarily, any information, fees,~~
 10.13 ~~or documentation beyond that specifically required by this subdivision. This paragraph does~~
 10.14 ~~not apply to alternate training evidence accepted by the sheriff under subdivision 2a,~~
 10.15 ~~paragraph (d).~~

10.16 ~~(h)~~ (g) Forms for new and renewal applications must be available at all ~~sheriffs'~~ chief
 10.17 of police and sheriff offices and the commissioner must make the forms available on the
 10.18 Internet.

10.19 ~~(i)~~ (h) Application forms must clearly display a notice that a permit, if granted, is void
 10.20 and must be immediately returned to the sheriff if the permit holder is or becomes prohibited
 10.21 by law from possessing a firearm. The notice must list the applicable state criminal offenses
 10.22 and civil categories that prohibit a person from possessing a firearm.

10.23 ~~(j)~~ (i) Upon receipt of an application packet and any required fee, the chief of police or
 10.24 sheriff must provide a signed receipt indicating the date of submission.

10.25 (j) The chief of police or sheriff may not issue a permit to carry to the applicant without
 10.26 first conducting an investigation under subdivision 4, and determining that the person is not
 10.27 a person prohibited by section 624.713 or other state or federal law from possessing a pistol.

10.28 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to permit
 10.29 to carry applications on or after that date.

10.30 Sec. 12. Minnesota Statutes 2020, section 624.714, subdivision 8, is amended to read:

10.31 Subd. 8. **Permit to carry voided.** (a) The permit to carry is void at the time that the
 10.32 holder becomes prohibited by law from possessing a firearm, in which event the holder

11.1 must return the permit card to the issuing chief of police or sheriff within five business days
 11.2 after the holder knows or should know that the holder is a prohibited person. If the chief of
 11.3 police or sheriff has knowledge that a permit is void under this paragraph, the chief of police
 11.4 or sheriff must give notice to the permit holder in writing in the same manner as a denial.
 11.5 Failure of the holder to return the permit within the five days is a gross misdemeanor unless
 11.6 the court finds that the circumstances or the physical or mental condition of the permit
 11.7 holder prevented the holder from complying with the return requirement.

11.8 (b) When a permit holder is convicted of an offense that prohibits the permit holder from
 11.9 possessing a firearm, the court must take possession of the permit, if it is available, and
 11.10 send it to the issuing chief of police or sheriff.

11.11 (c) The chief of police or sheriff of the county where the application was submitted, or
 11.12 of the county of the permit holder's current residence, may file a petition with the district
 11.13 court therein, for an order revoking a permit to carry on the grounds set forth in subdivision
 11.14 6, paragraph (a), clause (3). ~~An order shall be issued only if the sheriff meets the burden of~~
 11.15 ~~proof and criteria set forth in subdivision 12. If the court denies the petition, the court must~~
 11.16 ~~award the permit holder reasonable costs and expenses, including attorney fees.~~

11.17 (d) A permit revocation must be promptly reported to the issuing sheriff.

11.18 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to permit
 11.19 to carry applications on or after that date.

11.20 Sec. 13. Minnesota Statutes 2020, section 624.714, subdivision 12, is amended to read:

11.21 Subd. 12. **Hearing upon denial or revocation.** ~~(a)~~ Any person aggrieved by denial or
 11.22 ~~revocation~~ of a permit to carry may appeal by petition to the district court having jurisdiction
 11.23 over the county or municipality where the application was submitted denial occurred. The
 11.24 ~~petition must list the sheriff as the respondent. The district court must hold a hearing at the~~
 11.25 ~~earliest practicable date and in any event no later than 60 days following the filing of the~~
 11.26 ~~petition for review. The court may not grant or deny any relief before the completion of the~~
 11.27 ~~hearing. The record of the hearing must be sealed. The matter must be heard de novo without~~
 11.28 ~~a jury.~~

11.29 ~~(b) The court must issue written findings of fact and conclusions of law regarding the~~
 11.30 ~~issues submitted by the parties. The court must issue its writ of mandamus directing that~~
 11.31 ~~the permit be issued and order other appropriate relief unless the sheriff establishes by clear~~
 11.32 ~~and convincing evidence:~~

12.1 ~~(1) that the applicant is disqualified under the criteria described in subdivision 2,~~
 12.2 ~~paragraph (b); or~~

12.3 ~~(2) that there exists a substantial likelihood that the applicant is a danger to self or the~~
 12.4 ~~public if authorized to carry a pistol under a permit. Incidents of alleged criminal misconduct~~
 12.5 ~~that are not investigated and documented may not be considered.~~

12.6 ~~(c) If an applicant is denied a permit on the grounds that the applicant is listed in the~~
 12.7 ~~criminal gang investigative data system under section 299C.091, the person may challenge~~
 12.8 ~~the denial, after disclosure under court supervision of the reason for that listing, based on~~
 12.9 ~~grounds that the person:~~

12.10 ~~(1) was erroneously identified as a person in the data system;~~

12.11 ~~(2) was improperly included in the data system according to the criteria outlined in~~
 12.12 ~~section 299C.091, subdivision 2, paragraph (b); or~~

12.13 ~~(3) has demonstrably withdrawn from the activities and associations that led to inclusion~~
 12.14 ~~in the data system.~~

12.15 ~~(d) If the court grants a petition brought under paragraph (a), the court must award the~~
 12.16 ~~applicant or permit holder reasonable costs and expenses including attorney fees.~~

12.17 **EFFECTIVE DATE.** This section is effective January 1, 2023.

12.18 Sec. 14. Minnesota Statutes 2020, section 624.714, subdivision 16, is amended to read:

12.19 Subd. 16. **Recognition of Permits from other states.** ~~(a) The commissioner must~~
 12.20 ~~annually establish and publish a list of other states that have laws governing the issuance~~
 12.21 ~~of permits to carry weapons that are not similar to this section. The list must be available~~
 12.22 ~~on the Internet. A person holding a carry permit from a state not on the list may use the~~
 12.23 ~~license or permit in this state subject to the rights, privileges, and requirements of this~~
 12.24 ~~section.~~

12.25 ~~(b) Notwithstanding paragraph (a), no~~ A license or permit from another state to carry a
 12.26 firearm is not valid in this state if the holder is or becomes prohibited by law from possessing
 12.27 a firearm.

12.28 ~~(c) Any sheriff or police chief may file a petition under subdivision 12 seeking an order~~
 12.29 ~~suspending or revoking an out-of-state permit holder's authority to carry a pistol in this state~~
 12.30 ~~on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall only be~~
 12.31 ~~issued if the petitioner meets the burden of proof and criteria set forth in subdivision 12. If~~
 12.32 ~~the court denies the petition, the court must award the permit holder reasonable costs and~~

13.1 expenses including attorney fees. The petition may be filed in any county in the state where
 13.2 a person holding a license or permit from another state can be found.

13.3 ~~(d) The commissioner must, when necessary, execute reciprocity agreements regarding~~
 13.4 ~~carry permits with jurisdictions whose carry permits are recognized under paragraph (a).~~

13.5 **EFFECTIVE DATE.** This section is effective January 1, 2023.

13.6 Sec. 15. Minnesota Statutes 2020, section 624.714, subdivision 17, is amended to read:

13.7 Subd. 17. ~~Posting; Trespass.~~ (a) A person carrying a firearm on or about ~~his or her~~
 13.8 ~~person~~ the person's self or clothes under a permit or otherwise who remains at a private
 13.9 establishment knowing that the ~~operator~~ owner of the establishment or its agent has ~~made~~
 13.10 ~~a reasonable request that firearms not be brought into the establishment may be ordered to~~
 13.11 ~~leave the premises. A person who fails to leave when so requested~~ provided public notice,
 13.12 including at a minimum posted signs, that firearms are not allowed in the establishment is
 13.13 guilty of a petty misdemeanor. The fine for a first offense must not exceed \$25.

13.14 ~~Notwithstanding section 609.531, A firearm carried in violation of this subdivision is not~~
 13.15 ~~subject to forfeiture.~~

13.16 (b) A person carrying a firearm on or about the person's self or clothes under a permit
 13.17 or otherwise who remains at a private establishment after the owner of the establishment
 13.18 or its agent has made a request that they leave the premises and who fails to leave when so
 13.19 requested is guilty of a gross misdemeanor. A firearm carried in violation of this paragraph
 13.20 is subject to forfeiture under section 609.531.

13.21 ~~(b)~~ (c) As used in this subdivision, the terms in this paragraph have the meanings given.

13.22 (1) "Reasonable Request" means ~~a request made under the following circumstances: the~~
 13.23 requester has notified the person carrying a firearm that firearms are prohibited and the
 13.24 person is asked to leave.

13.25 ~~(i) the requester has prominently posted a conspicuous sign at every entrance to the~~
 13.26 ~~establishment containing the following language: "(INDICATE IDENTITY OF OPERATOR)~~
 13.27 ~~BANS GUNS IN THESE PREMISES."; or~~

13.28 ~~(ii) the requester or the requester's agent personally informs the person that guns are~~
 13.29 ~~prohibited in the premises and demands compliance.~~

13.30 (2) "Prominently" means ~~readily visible and within four feet laterally of the entrance~~
 13.31 ~~with the bottom of the sign at a height of four to six feet above the floor.~~

14.1 ~~(3) "Conspicuous" means lettering in black arial typeface at least 1-1/2 inches in height~~
 14.2 ~~against a bright contrasting background that is at least 187 square inches in area.~~

14.3 ~~(4)~~ (2) "Private establishment" means a building, structure, or portion thereof that is
 14.4 owned, leased, controlled, or operated by a nongovernmental entity for a nongovernmental
 14.5 purpose.

14.6 (3) "Premises" has the meaning given in section 609.605, subdivision 1, paragraph (a),
 14.7 clause (1).

14.8 ~~(e) The owner or operator of a private establishment may not prohibit the lawful carry~~
 14.9 ~~or possession of firearms in a parking facility or parking area.~~

14.10 (d) The owner or operator of a private establishment may not prohibit the lawful carry
 14.11 or possession of firearms by a peace officer, as defined in section 626.84, subdivision 1,
 14.12 paragraph (c), within the private establishment or deny the officer access thereto, except
 14.13 when specifically authorized by statute. The owner or operator of the private establishment
 14.14 may require the display of official credentials issued by the agency that employs the peace
 14.15 officer prior to granting the officer entry into the private establishment.

14.16 (e) This subdivision does not apply to private residences. The lawful possessor of a
 14.17 private residence may prohibit firearms, and provide notice thereof, in any lawful manner.

14.18 ~~(f) A landlord may not restrict the lawful carry or possession of firearms by tenants or~~
 14.19 ~~their guests.~~

14.20 ~~(g) Notwithstanding any inconsistent provisions in section 609.605, this subdivision sets~~
 14.21 ~~forth the exclusive criteria to notify a permit holder when otherwise lawful firearm possession~~
 14.22 ~~is not allowed in a private establishment and sets forth the exclusive penalty for such activity.~~

14.23 ~~(h)~~ (f) This subdivision does not apply to:

14.24 (1) an active licensed peace officer; or

14.25 (2) a security guard acting in the course and scope of employment. The owner or operator
 14.26 of a private establishment may require the display of official credentials issued by the
 14.27 company, which must be licensed by the Private Detective and Protective Agent Services
 14.28 Board, that employs the security guard and the guard's permit card prior to granting the
 14.29 guard entrance into the private establishment.

14.30 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to crimes
 14.31 committed on or after that date.

15.1 Sec. 16. Minnesota Statutes 2020, section 624.714, subdivision 18, is amended to read:

15.2 Subd. 18. **Employers; public colleges and universities.** (a) An employer, whether
15.3 public or private, may establish policies that restrict the carry or possession of firearms by
15.4 its employees while acting in the course and scope of employment. Employment related
15.5 civil sanctions may be invoked for a violation.

15.6 (b) A public postsecondary institution regulated under chapter 136F or 137 may establish
15.7 policies that restrict the carry or possession of firearms by its students while on the
15.8 institution's property. Academic sanctions may be invoked for a violation.

15.9 ~~(c) Notwithstanding paragraphs (a) and (b), an employer or a postsecondary institution~~
15.10 ~~may not prohibit the lawful carry or possession of firearms in a parking facility or parking~~
15.11 ~~area.~~

15.12 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to a violation
15.13 of this section on or after that date.

15.14 Sec. 17. **[624.7145] LARGE-CAPACITY MAGAZINES; .50 CALIBER OR LARGER**
15.15 **FIREARMS; GHOST GUNS; PROHIBITION.**

15.16 Subdivision 1. **Definitions.** As used in this section:

15.17 (1) "appropriate law enforcement agency" means the organized full-time police
15.18 department of the municipality where the person resides or the county sheriff if there is no
15.19 municipal police department where the person resides; and

15.20 (2) "transfer" means a sale, gift, loan, assignment, or other delivery to another, whether
15.21 or not for consideration.

15.22 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, own,
15.23 or possess large-capacity magazines, .50 caliber or larger firearms, or ghost guns.

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

15.25 (1) any government officer, agent, or employee; member of the armed forces of the
15.26 United States; or peace officer, to the extent that the person is otherwise authorized to acquire
15.27 or possess a large-capacity magazine or .50 caliber or larger firearm and does so while
15.28 acting within the scope of the person's duties;

15.29 (2) the manufacture of a large-capacity magazine or .50 caliber or larger firearm by a
15.30 firearms manufacturer for the purpose of sale to any branch of the armed forces of the United
15.31 States or to a law enforcement agency within Minnesota for use by that agency or its
15.32 employees, provided the manufacturer is properly licensed under applicable laws; or

16.1 (3) the transfer of a large-capacity magazine or .50 caliber or larger firearm by a dealer
16.2 that is properly licensed under applicable laws to any branch of the armed forces of the
16.3 United States or to a law enforcement agency within Minnesota for use by that agency or
16.4 its employees for law enforcement, provided that the dealer does not have the large-capacity
16.5 magazines or .50 caliber or larger firearm in possession for more than 120 days from the
16.6 date of acquisition to the date of delivery to the armed forces or law enforcement purchaser.

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

16.10 Subd. 5. **Current owners; registration of large-capacity magazines and .50 caliber**
16.11 **firearms.** (a) A person who legally owned or possessed a large-capacity magazine or .50
16.12 caliber or larger firearm before January 1, 2023, and who desires to keep ownership or
16.13 possession of the device shall immediately register it with the appropriate law enforcement
16.14 agency.

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

16.16 (1) safely and securely store the device pursuant to the regulations adopted by the
16.17 appropriate law enforcement agency;

16.18 (2) agree to allow the appropriate law enforcement agency to inspect the storage of the
16.19 device to ensure compliance with this subdivision;

16.20 (3) renew the registration every three years;

16.21 (4) possess the device only on property owned or immediately controlled by the person,
16.22 or while engaged in the legal use of the device at a duly licensed firing range, or while
16.23 transporting the item in compliance with applicable law; and

16.24 (5) report the loss or theft of the device to the appropriate law enforcement agency within
16.25 48 hours of the time the discovery of the loss or theft was made or should have been made.

16.26 (c) Registered large-capacity magazines or .50 caliber or larger firearms may not be
16.27 transferred, except for transfer to the appropriate law enforcement agency for the purpose
16.28 of surrendering the item for destruction.

16.29 (d) The registered owner or possessor of a large-capacity magazine or .50 caliber or
16.30 larger firearms may not purchase or receive additional large-capacity magazines or .50
16.31 caliber or larger firearms.

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

17.3 (f) Persons acquiring a large-capacity magazine or .50 caliber or larger firearms by
 17.4 inheritance, bequest, or succession shall, within 120 days of acquiring title, do one of the
 17.5 following:

17.6 (1) surrender the device to the appropriate law enforcement agency for destruction;

17.7 (2) modify the device to render it permanently inoperable;

17.8 (3) for a large-capacity magazine, permanently alter the device so it cannot accommodate
 17.9 more than ten rounds; or

17.10 (4) remove the device from the state.

17.11 (g) A person who owned or possessed a large-capacity magazine or .50 caliber or larger
 17.12 firearm before January 1, 2023, who does not wish to register the device as required in this
 17.13 subdivision shall immediately do one of the following:

17.14 (1) surrender the device to the appropriate law enforcement agency for destruction;

17.15 (2) modify the device to render it permanently inoperable;

17.16 (3) for a large-capacity magazine, permanently alter the device so it cannot accommodate
 17.17 more than ten rounds; or

17.18 (4) remove the device from the state.

17.19 (h) Each chief of police and sheriff shall do the following regarding large-capacity
 17.20 magazines or .50 caliber or larger firearms registered under this subdivision:

17.21 (1) adopt regulations specifying how a person who registers a large-capacity magazine
 17.22 or .50 caliber or larger firearm shall safely and securely store it when it is not being used;

17.23 (2) inspect the storage of large-capacity magazines or .50 caliber or larger firearms or
 17.24 both as applicable; and

17.25 (3) implement a registration system.

17.26 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
 17.27 committed on or after that date.

17.28 **Sec. 18. [624.7159] GHOST GUNS; UNDETECTABLE GUNS.**

17.29 Subdivision 1. **Definitions.** For the purposes of this section the following terms have
 17.30 the meanings given them:

18.1 (1) "ghost gun" means a firearm, or a frame or receiver, that lacks a unique serial number
18.2 engraved or cased in metal or metal alloy on the frame or receiver by a licensed manufacturer
18.3 or importer under federal law. It does not include a firearm that has been rendered
18.4 permanently inoperable;

18.5 (2) "ghost gun kit" means a firearm parts kit containing any combination of parts from
18.6 which a firearm may be readily assembled, completed, converted, or restored with the
18.7 purpose to construct a ghost gun; and

18.8 (3) "undetectable firearm" means a firearm that is not detectable by a metal detector
18.9 under the terms of United States Code, title 18, section 922(p) and cannot be readily modified
18.10 to become undetectable.

18.11 Subd. 2. **Acts.** A person who manufactures, sells, offers to sell, transfers, purchases,
18.12 receives, or possesses, or has under that person's control a ghost gun or an undetectable
18.13 firearm is guilty of a felony.

18.14 Subd. 3. **Penalty.** A person convicted under subdivision 2 may be sentenced to
18.15 imprisonment of not more than five years, or to payment of a fine of not more than \$25,000.

18.16 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
18.17 committed on or after that date.

18.18 Sec. 19. Minnesota Statutes 2020, section 624.7181, subdivision 1, is amended to read:

18.19 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
18.20 meanings given them.

18.21 (a) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less
18.22 in diameter.

18.23 (b) "Carry" does not include:

18.24 (1) the carrying of a BB gun, rifle, or shotgun to, from, or at a place where firearms are
18.25 repaired, bought, sold, traded, or displayed, or where hunting, target shooting, or other
18.26 lawful activity involving firearms occurs, or at funerals, parades, or other lawful ceremonies;

18.27 (2) the carrying by a person of a BB gun, rifle, or shotgun that is unloaded and in a gun
18.28 case expressly made to contain a firearm, if the case fully encloses the firearm by being
18.29 zipped, snapped, buckled, tied, or otherwise fastened, and no portion of the firearm is
18.30 exposed;

18.31 ~~(3) the carrying of a BB gun, rifle, or shotgun by a person who has a permit under section~~
18.32 ~~624.714;~~

19.1 ~~(4)~~ the carrying of an antique firearm as a curiosity or for its historical significance or
 19.2 value; or

19.3 ~~(5)~~ (4) the transporting of a BB gun, rifle, or shotgun in compliance with section 97B.045.

19.4 (c) "Public place" means property owned, leased, or controlled by a governmental unit
 19.5 and private property that is regularly and frequently open to or made available for use by
 19.6 the public in sufficient numbers to give clear notice of the property's current dedication to
 19.7 public use but does not include: a person's dwelling house or premises, the place of business
 19.8 owned or managed by the person, or land possessed by the person; a gun show, gun shop,
 19.9 or hunting or target shooting facility; or the woods, fields, or waters of this state where the
 19.10 person is present lawfully for the purpose of hunting or target shooting or other lawful
 19.11 activity involving firearms.

19.12 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
 19.13 committed on or after that date.

19.14 **ARTICLE 2**

19.15 **CONFORMING AMENDMENTS**

19.16 Section 1. Minnesota Statutes 2020, section 624.714, subdivision 4, is amended to read:

19.17 Subd. 4. **Investigation.** (a) The chief of police or sheriff must check, by means of
 19.18 electronic data transfer, criminal records, histories, and warrant information on each applicant
 19.19 through the Minnesota Crime Information System and the National Instant Criminal
 19.20 Background Check System. The sheriff shall also make a reasonable effort to check other
 19.21 available and relevant federal, state, or local record-keeping systems. The chief of police
 19.22 or sheriff must obtain commitment information from the commissioner of human services
 19.23 as provided in section 245.041 or, if the information is reasonably available, as provided
 19.24 by a similar statute from another state.

19.25 ~~(b) When an application for a permit is filed under this section, the sheriff must notify~~
 19.26 ~~the chief of police, if any, of the municipality where the applicant resides. The police chief~~
 19.27 ~~may provide the sheriff with any information relevant to the issuance of the permit.~~

19.28 ~~(c)~~ (b) The chief of police or sheriff must conduct a background check by means of
 19.29 electronic data transfer on a permit holder through the Minnesota Crime Information System
 19.30 and the National Instant Criminal Background Check System at least yearly to ensure
 19.31 continuing eligibility. The sheriff may also conduct additional background checks by means
 19.32 of electronic data transfer on a permit holder at any time during the period that a permit is
 19.33 in effect.

20.1 Sec. 2. Minnesota Statutes 2020, section 624.714, subdivision 6, is amended to read:

20.2 Subd. 6. **Granting and denial of permits.** (a) The chief of police or sheriff must, within
20.3 30 days after the date of receipt of the application packet described in subdivision 3:

20.4 (1) issue the permit to carry;

20.5 (2) deny the application for a permit to carry solely on the grounds that the applicant
20.6 failed to qualify ~~under the criteria described in subdivision 2, paragraph (b);~~ or

20.7 (3) deny the application on the grounds that there exists a substantial likelihood that the
20.8 applicant is a danger to self or the public if authorized to carry a pistol under a permit.

20.9 ~~(b) Failure of the sheriff to notify the applicant of the denial of the application within~~
20.10 ~~30 days after the date of receipt of the application packet constitutes issuance of the permit~~
20.11 ~~to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny~~
20.12 ~~the application, the sheriff must provide the applicant with written notification and the~~
20.13 ~~specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including~~
20.14 ~~the source of the factual basis. The chief of police or sheriff must inform the applicant of~~
20.15 ~~the applicant's right to submit, within 20 business days, any additional documentation~~
20.16 ~~relating to the propriety of the denial. Upon receiving any additional documentation, the~~
20.17 ~~chief of police or sheriff must may reconsider the denial and inform the applicant within~~
20.18 ~~15 business days of the result of the reconsideration. Any denial after reconsideration must~~
20.19 ~~be in the same form and substance as the original denial and must specifically address any~~
20.20 ~~continued deficiencies in light of the additional documentation submitted by the applicant.~~
20.21 ~~The applicant must be informed of the right to seek de novo review of the denial as provided~~
20.22 ~~in subdivision 12.~~

20.23 (c) Upon issuing a permit to carry, the chief of police or sheriff must provide a laminated
20.24 permit card to the applicant by first class mail unless personal delivery has been made.
20.25 Within five business days, the chief of police or sheriff must submit the information specified
20.26 in subdivision 7, paragraph (a), to the commissioner for inclusion solely in the database
20.27 required under subdivision 15, paragraph (a). The chief of police or sheriff must transmit
20.28 the information in a manner and format prescribed by the commissioner.

20.29 (d) Within five business days of learning that a permit to carry has been suspended or
20.30 revoked, the chief of police or sheriff must submit information to the commissioner regarding
20.31 the suspension or revocation for inclusion solely in the databases required or permitted
20.32 under subdivision 15.

21.1 (e) Notwithstanding paragraphs (a) and (b), the chief of police or sheriff may suspend
21.2 the application process if a charge is pending against the applicant that, if resulting in
21.3 conviction, will prohibit the applicant from possessing a firearm.

21.4 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to permit
21.5 to carry applications on or after that date.

21.6 Sec. 3. Minnesota Statutes 2020, section 624.714, subdivision 7, is amended to read:

21.7 Subd. 7. **Permit card contents; expiration; renewal.** (a) Permits to carry must be on
21.8 an official, standardized permit card adopted by the commissioner, containing only the
21.9 name, residence, and driver's license number or state identification card number of the
21.10 permit holder, if any.

21.11 (b) The permit card must also identify the issuing chief of police or sheriff and state the
21.12 expiration date of the permit. The permit card must clearly display a notice that a permit,
21.13 if granted, is void and must be immediately returned to the chief of police or sheriff if the
21.14 permit holder becomes prohibited by law from possessing a firearm.

21.15 (c) A permit to carry a pistol issued under this section expires five years after the date
21.16 of issue. It may be renewed in the same manner and under the same criteria which the
21.17 original permit was obtained, subject to the following procedures:

21.18 (1) no earlier than 90 days prior to the expiration date on the permit, the permit holder
21.19 may renew the permit by submitting to the appropriate chief of police or sheriff the
21.20 application packet described in subdivision 3 and a renewal processing fee not to exceed
21.21 the actual and reasonable direct cost of processing the application or \$75, whichever is less.
21.22 Of this amount, \$5 must be submitted to the commissioner and deposited into the general
21.23 fund. The chief of police or sheriff must process the renewal application in accordance with
21.24 subdivisions 4 and 6; and

21.25 (2) a permit holder who submits a renewal application packet after the expiration date
21.26 of the permit, but within 30 days after expiration, may renew the permit as provided in
21.27 clause (1) by paying an additional late fee of \$10.

21.28 (d) The renewal permit is effective beginning on the expiration date of the prior permit
21.29 to carry.

21.30 Sec. 4. Minnesota Statutes 2020, section 624.714, subdivision 7a, is amended to read:

21.31 Subd. 7a. **Change of address; loss or destruction of permit.** (a) Within 30 days after
21.32 changing permanent address, or within 30 days of having lost or destroyed the permit card,

22.1 the permit holder must notify the issuing chief of police or sheriff of the change, loss, or
 22.2 destruction. Failure to provide notification as required by this subdivision is a petty
 22.3 misdemeanor. ~~The fine for a first offense must not exceed \$25. Notwithstanding section~~
 22.4 ~~609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.~~

22.5 (b) After notice is given under paragraph (a), a permit holder may obtain a replacement
 22.6 permit card by paying \$10 to the chief of police or sheriff. The request for a replacement
 22.7 permit card must be made on an official, standardized application adopted for this purpose
 22.8 under section 624.7151, and, except in the case of an address change, must include a notarized
 22.9 statement that the permit card has been lost or destroyed.

22.10 Sec. 5. Minnesota Statutes 2020, section 624.714, subdivision 8a, is amended to read:

22.11 Subd. 8a. **Prosecutor's duty.** Whenever a person is charged with an offense that would,
 22.12 upon conviction, prohibit the person from possessing a firearm, the prosecuting attorney
 22.13 must ascertain whether the person is a permit holder under this section. If the person is a
 22.14 permit holder, the prosecutor must notify the issuing chief of police or sheriff that the person
 22.15 has been charged with a prohibiting offense. The prosecutor must also notify the sheriff of
 22.16 the final disposition of the case.

22.17 Sec. 6. Minnesota Statutes 2020, section 624.714, subdivision 11a, is amended to read:

22.18 Subd. 11a. **Emergency issuance of permits.** A sheriff may immediately issue an
 22.19 emergency permit to a person if the chief of police or sheriff determines that the person is
 22.20 in an emergency situation that may constitute an immediate risk to the safety of the person
 22.21 or someone residing in the person's household. A person seeking an emergency permit must
 22.22 complete an application form and must sign an affidavit describing the emergency situation.
 22.23 ~~An emergency permit applicant does not need to provide evidence of training.~~ An emergency
 22.24 permit is valid for 30 days, may not be renewed, and may be revoked without a hearing.
 22.25 ~~No fee may be charged for an emergency permit.~~ An emergency permit holder may seek a
 22.26 regular permit under subdivision 3 and is subject to the other applicable provisions of this
 22.27 section.

22.28 Sec. 7. Minnesota Statutes 2020, section 624.714, subdivision 12a, is amended to read:

22.29 Subd. 12a. **Suspension as condition of release.** The district court may order suspension
 22.30 of the application process for a permit or suspend the permit of a permit holder as a condition
 22.31 of release pursuant to the same criteria as the surrender of firearms under section 629.715.
 22.32 A permit suspension must be promptly reported to the issuing chief of police or sheriff. If

23.1 the permit holder has an out-of-state permit recognized under subdivision 16, the court must
23.2 promptly report the suspension to the commissioner for inclusion solely in the database
23.3 under subdivision 15, paragraph (a).

23.4 Sec. 8. Minnesota Statutes 2020, section 624.714, subdivision 14, is amended to read:

23.5 Subd. 14. **Records.** (a) A chief of police or sheriff must not maintain records or data
23.6 collected, made, or held under this section concerning any applicant or permit holder that
23.7 are not necessary under this section to support a permit that is outstanding or eligible for
23.8 renewal under subdivision 7, paragraph (b). Notwithstanding section 138.163, chiefs of
23.9 police or sheriffs must completely purge all files and databases by March 1 of each year to
23.10 delete all information collected under this section concerning all persons who are no longer
23.11 current permit holders or currently eligible to renew their permit.

23.12 (b) Paragraph (a) does not apply to records or data concerning an applicant or permit
23.13 holder who has had a permit denied or revoked under the criteria established in subdivision
23.14 2, paragraph (b), clause (1), or subdivision 6, paragraph (a), clause (3), for a period of six
23.15 years from the date of the denial or revocation.

23.16 Sec. 9. Minnesota Statutes 2020, section 624.714, subdivision 21, is amended to read:

23.17 Subd. 21. **Use of fees.** Fees collected by chiefs of police or sheriffs under this section
23.18 and not forwarded to the commissioner must be used only to pay the direct costs of
23.19 administering this section. Fee money may be used to pay the costs of appeals of prevailing
23.20 applicants or permit holders under subdivision 8, paragraph (c); subdivision 12, paragraph
23.21 (e); and subdivision 16, paragraph (c). Fee money may also be used to pay the reasonable
23.22 costs of the county attorney to represent the chief of police or sheriff in proceedings under
23.23 this section. The revenues must be maintained in a segregated fund. Fund balances must be
23.24 carried over from year to year and do not revert to any other fund. As part of the information
23.25 supplied under subdivision 20, paragraph (b), by January 31 of each year, a chief of police
23.26 or sheriff must report to the commissioner on the chief of police's or sheriff's segregated
23.27 fund for the preceding calendar year, including information regarding:

23.28 (1) nature and amount of revenues;

23.29 (2) nature and amount of expenditures; and

23.30 (3) nature and amount of balances.

24.1 Sec. 10. CONFORMING STATUTORY CHANGES.

24.2 The revisor of statutes in consultation with House Research and Senate Counsel shall
24.3 make necessary statutory corrections to reflect the changes made in this act. Any changes
24.4 that are beyond the scope of the revisor's editorial authority must be reflected in a bill
24.5 prepared by the revisor for introduction in the 2023 legislative session.