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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4013

03/07/2022

Authored by Hausman

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; providing for the reasonable regulation of firearms;

1.3 providing for rulemaking; amending Minnesota Statutes 2020, sections 97B.015,

1.4 subdivision 1; 97B.021, subdivisions 1, 1a; 609.666; 624.712, subdivisions 6, 7,

1.5 by adding subdivisions; 624.714, subdivision 2a, by adding a subdivision; 624.7151;

1.6 proposing coding for new law in Minnesota Statutes, chapters 299A; 624.

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

1.8 Section 1. LEGISLATIVE INTENT AND PURPOSE.

1.9 To protect the life and liberty of Minnesotans from gun violence by people who would

1.10 deny them those rights, it is necessary to implement a rational regulatory system for firearms

1.11 similar to Minnesota's long-standing system for licensing drivers and registering motor

1.12 vehicles. Motor vehicles have lawful purposes but they can be deadly, likewise for firearms.

1.13 Motor vehicle ownership and use has been responsibly regulated resulting in reductions in

1.14 motor vehicle fatalities. A similar system of rational and responsible regulation of firearms

1.15 would result in reductions in firearms-related fatalities as well.

1.16 The United States Supreme Court has held that the Second Amendment guarantees an

1.17 individual right to bear arms in self-defense. However, the court acknowledged that

1.18 reasonable restrictions may be placed on firearms, some of which have long been effectively

1.19 banned from private ownership. This legislation is consistent with the court's holdings and

1.20 strikes a proper balance between an individual's right to bear arms and the compelling

1.21 interests of the state both in ensuring that dangerous persons do not get access to firearms

1.22 and protecting its citizens from gun violence.

2.1 Nothing in this legislation infringes on the constitutional right to keep and bear arms.  
 2.2 The legislation is narrowly tailored to achieve a compelling state interest while placing  
 2.3 minimal burdens on individuals who wish to own and possess a firearm.

2.4 Sec. 2. Minnesota Statutes 2020, section 97B.015, subdivision 1, is amended to read:

2.5 Subdivision 1. **Establishment.** (a) The commissioner shall establish a statewide course  
 2.6 in the safe use of firearms and identification of wild mammals and birds. A course may be  
 2.7 held in a school district. The courses must be conducted by the commissioner in cooperation  
 2.8 with other organizations. The courses must instruct youths in commonly accepted principles  
 2.9 of safety in hunting and handling common hunting firearms and identification of various  
 2.10 species of wild mammals and birds by sight and other unique characteristics.

2.11 (b) All firearm safety courses established by the commissioner of natural resources must  
 2.12 include the standards developed under section 624.714, subdivision 2b, paragraph (a). The  
 2.13 commissioner of natural resources shall consult with the commissioner of public safety in  
 2.14 the development of these courses.

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 2.16 applies to firearm safety courses held on or after January 1, 2023.

2.17 Sec. 3. Minnesota Statutes 2020, section 97B.021, subdivision 1, is amended to read:

2.18 Subdivision 1. **Restrictions.** (a) A person at least age 18 but under age 21 may possess  
 2.19 a firearm except for a pistol as defined in section 624.712, subdivision 2; semiautomatic  
 2.20 military-style assault weapon as defined in section 624.712, subdivision 7; .50 caliber or  
 2.21 larger firearm as defined in section 624.712, subdivision 15; or large-capacity magazine if  
 2.22 the person possesses a license to possess a firearm under section 624.7135.

2.23 ~~(a) (b) Except as provided in this subdivision paragraph (c), a person under the age of~~  
 2.24 ~~16 18 may not possess a firearm, unless accompanied by a parent or guardian.~~

2.25 ~~(b) (c) A person under age 16 18 may possess a firearm without~~ except for a pistol as  
 2.26 defined in section 624.712, subdivision 2; semiautomatic military-style assault weapon as  
 2.27 defined in section 624.712, subdivision 7; .50 caliber or larger firearm as defined in section  
 2.28 624.712, subdivision 15; or large-capacity magazine if the person is being accompanied by  
 2.29 a parent or guardian. The requirement for accompaniment by a parent or guardian is waived  
 2.30 if the person is at least 14 years, has a license to possess a firearm under section 624.7135,  
 2.31 and written permission from the parent or guardian and is:

3.1 (1) on land owned by, or occupied as the principal residence of, the person or the person's  
 3.2 parent or guardian or on land where the person has explicit permission from the owner of  
 3.3 the land; or

3.4 (2) while participating in an organized target shooting program with adult supervision;

3.5 (d) The requirement for possessing a license and the requirement for accompaniment  
 3.6 by a parent or guardian is waived

3.7 ~~(3) while the person under age 18 is participating in a firearms safety program or traveling~~  
 3.8 ~~to and from class; or.~~

3.9 ~~(4) if the person is age 14 or 15 and has a firearms safety certificate.~~

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

3.11 Sec. 4. Minnesota Statutes 2020, section 97B.021, subdivision 1a, is amended to read:

3.12 Subd. 1a. **Parent or guardian duties.** A parent or guardian may not knowingly direct,  
 3.13 allow, or permit a person under the age of ~~16~~ 18 to possess a firearm in violation of this  
 3.14 section.

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

3.16 Sec. 5. **[299A.07] DATABASE OF FIREARM REGISTRATIONS AND TRANSFERS;**  
 3.17 **RULES REQUIRED.**

3.18 Subdivision 1. **Database.** The commissioner of public safety shall establish a  
 3.19 computerized central reporting system and maintain a database of firearm registrations and  
 3.20 transfers. The commissioner shall adopt rules to establish a procedure that must be followed  
 3.21 by transferors and transferees when checking on the number and dates of prior firearm sales  
 3.22 or transfers prior to a sale or transfer. Information in the database must be readily available  
 3.23 on a 24-hour basis to requesting law enforcement agencies and must quickly indicate whether  
 3.24 the transferee has purchased a firearm within a 30-day period.

3.25 Subd. 2. **Private data.** All data pertaining to transfers under this section are classified  
 3.26 as private data as provided in section 13.87, subdivision 2.

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

4.1 Sec. 6. Minnesota Statutes 2020, section 609.666, is amended to read:

4.2 **609.666 NEGLIGENT STORAGE OF FIREARMS.**

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

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

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

4.8 ~~(c) "Loaded" means the firearm has ammunition in the chamber or magazine, if the  
4.9 magazine is in the firearm, unless the firearm is incapable of being fired by a child who is  
4.10 likely to gain access to the firearm.~~

4.11 (c) "Ineligible person" means a resident or household guest who is not licensed under  
4.12 section 624.7135 to possess a firearm.

4.13 (d) "Safely store" means:

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

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

4.18 Subd. 2. **Access to firearms.** Unless reasonable action is taken to safely store a firearm,  
4.19 a person is guilty of a gross misdemeanor who negligently stores, keeps, or leaves a loaded  
4.20 firearm in a location where the person knows, or reasonably should know, that an ineligible  
4.21 person is able to gain access or a child without the permission of the person is likely able  
4.22 to gain access, unless reasonable action is taken to secure the firearm against access by the  
4.23 child. is guilty of a:

4.24 (1) misdemeanor;

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

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

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

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

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

5.3 Sec. 7. Minnesota Statutes 2020, section 624.712, subdivision 6, is amended to read:

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

5.8 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to transfers  
 5.9 of firearms on or after that date.

5.10 Sec. 8. Minnesota Statutes 2020, section 624.712, subdivision 7, is amended to read:

5.11 Subd. 7. **Semiautomatic military-style assault weapon.** (a) "Semiautomatic  
 5.12 military-style assault weapon" means:

5.13 (1) any of the following firearms:

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

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

5.16 (iii) Colt AR-15 semiautomatic rifle type;

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

5.18 (v) Famas MAS semiautomatic rifle type;

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

5.20 (vii) Galil semiautomatic rifle type;

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

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

5.23 (x) Intratec TEC-9 semiautomatic pistol type;

5.24 (xi) Sigarms SIG 550SP and SIG 551SP semiautomatic rifle types;

5.25 (xii) SKS with detachable magazine semiautomatic rifle type;

5.26 (xiii) Steyr AUG semiautomatic rifle type;

5.27 (xiv) Street Sweeper and Striker-12 revolving-cylinder shotgun types;

5.28 (xv) USAS-12 semiautomatic shotgun type;

6.1 (xvi) Uzi semiautomatic pistol and carbine types; or

6.2 (xvii) Valmet M76 and M78 semiautomatic rifle types;

6.3 (2) any firearm that is another model made by the same manufacturer as one of the  
6.4 firearms listed in clause (1), and has the same action design as one of the listed firearms,  
6.5 and is a redesigned, renamed, or renumbered version of one of the firearms listed in clause  
6.6 (1), or has a slight modification or enhancement, including but not limited to a folding or  
6.7 retractable stock; adjustable sight; case deflector for left-handed shooters; shorter barrel;  
6.8 wooden, plastic, or metal stock; larger clip size; different caliber; or a bayonet mount; and

6.9 (3) any firearm that has been manufactured or sold by another company under a licensing  
6.10 agreement with a manufacturer of one of the firearms listed in clause (1) entered into after  
6.11 the effective date of Laws 1993, chapter 326, to manufacture or sell firearms that are identical  
6.12 or nearly identical to those listed in clause (1), or described in clause (2), regardless of the  
6.13 company of production or country of origin.

6.14 The weapons listed in clause (1), except those listed in items (iii), (ix), (x), (xiv), and  
6.15 (xv), are the weapons the importation of which was barred by the Bureau of Alcohol,  
6.16 Tobacco, and Firearms of the United States Department of the Treasury in July 1989.

6.17 ~~Except as otherwise specifically provided in paragraph (d), a firearm is not a~~  
6.18 ~~"semiautomatic military-style assault weapon" if it is generally recognized as particularly~~  
6.19 ~~suitable for or readily adaptable to sporting purposes under United States Code, title 18,~~  
6.20 ~~section 925, paragraph (d)(3), or any regulations adopted pursuant to that law.~~

6.21 (b) Semiautomatic military-style assault weapon also includes any:

6.22 (1) semiautomatic rifle that has the capacity to accept a detachable magazine and has  
6.23 one or more of the following:

6.24 (i) a pistol grip or thumbhole stock;

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

6.27 (iii) a folding or telescoping stock; or

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

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

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

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

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

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

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

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

7.12 (i) a pistol grip or thumbhole stock;

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

7.15 (iii) a folding or telescoping stock;

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

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

7.18 (5) shotgun with a revolving cylinder; or

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

7.21 Semiautomatic military-style assault weapon does not mean any firearm described in this  
7.22 paragraph that has been made permanently inoperable.

7.23 Sec. 9. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision to  
7.24 read:

7.25 Subd. 13. **Firearm.** "Firearm" has the meaning given in section 609.666, subdivision  
7.26 1.

8.1 Sec. 10. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision  
8.2 to read:

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

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

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

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

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

8.13 Sec. 11. Minnesota Statutes 2020, section 624.712, is amended by adding a subdivision  
8.14 to read:

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

8.18 Sec. 12. **[624.7134] LIABILITY INSURANCE REQUIRED FOR FIREARM**  
8.19 **OWNERS.**

8.20 (a) A person who intends to own a firearm shall, prior to the ownership of the firearm,  
8.21 obtain, and during ownership continuously maintain, a policy of liability insurance  
8.22 specifically covering any damages resulting from any negligent or willful acts involving  
8.23 the use of the firearm while it is owned by the person. No firearm shall be transferred in  
8.24 this state unless the transferee at the time of the transfer provides proof that the transferee  
8.25 has complied with the provisions of this section.

8.26 (b) For purposes of this section, a person is considered to own a firearm if the firearm  
8.27 is lost or stolen until the loss or theft is reported to the chief of police or sheriff that has  
8.28 jurisdiction in the municipality or county where the firearm owner resides.

8.29 (c) A person who owns a firearm on the effective date of this section shall obtain the  
8.30 insurance required by this section by January 15, 2023.



9.1 (d) The commissioner of commerce shall set a minimum amount of coverage satisfactory  
9.2 to the commissioner.

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

9.4 Sec. 13. **[624.7135] OWNERSHIP AND POSSESSION OF FIREARMS; LICENSE**  
9.5 **REQUIRED.**

9.6 Subdivision 1. **License requirement.** No person may own or possess a firearm in this  
9.7 state unless the person has a valid, current license issued by the commissioner of public  
9.8 safety under this section.

9.9 Subd. 2. **Application process.** A person may apply for a license to own or possess a  
9.10 firearm by providing, in person, the following information to the commissioner of public  
9.11 safety or the commissioner's designee:

9.12 (1) a background check certificate issued within the past 30 days by the chief of police  
9.13 of the municipality in which the person resides or, if there is no chief of police, by the sheriff  
9.14 of the county in which the person resides stating that a background check conducted under  
9.15 subdivision 3 shows that the person is not prohibited from possessing a firearm;

9.16 (2) a firearms safety certificate accepted by the Department of Public Safety that shows  
9.17 proof of the ability to safely own, store, transport, and use a firearm; and

9.18 (3) proof of liability insurance under section 624.7134.

9.19 The commissioner or the commissioner's designee shall take a color photograph of the  
9.20 applicant at the time the application is submitted. The commissioner may charge the applicant  
9.21 a reasonable fee to cover the cost of the licensing process.

9.22 Subd. 3. **Background check.** (a) A person may apply for a background check certificate  
9.23 by providing the following information in writing to the chief of police of the municipality  
9.24 in which the person resides or to the county sheriff if there is no local chief of police:

9.25 (1) the applicant's name, residence, telephone number, and driver's license number or  
9.26 nonqualification certificate number, if any;

9.27 (2) the applicant's gender, date of birth, height, weight, color of eyes, and distinguishing  
9.28 physical characteristics, if any;

9.29 (3) a statement that the applicant authorizes the release to the local police authority of  
9.30 commitment information about the applicant maintained by the commissioner of human  
9.31 services to the extent that the information relates to the applicant's eligibility to possess a  
9.32 firearm under section 624.713, subdivision 1; and

10.1 (4) a statement by the applicant that the applicant is not prohibited by section 624.713  
10.2 or other state or federal law from possessing a firearm.

10.3 The statements shall be signed and dated by the applicant. The statement under clause  
10.4 (3) must comply with any applicable requirements of Code of Federal Regulations, title 42,  
10.5 sections 2.31 to 2.35, with respect to consent to disclosure of alcohol or drug patient records.  
10.6 At the time of application, the chief of police or county sheriff may charge the applicant a  
10.7 reasonable fee to cover the cost of conducting the background check and shall provide the  
10.8 applicant with a dated receipt for the application.

10.9 (b) The chief of police or sheriff shall check criminal histories, records, and warrant  
10.10 information relating to the applicant through the Minnesota Crime Information System and  
10.11 the National Criminal Record Repository and shall make a reasonable effort to check other  
10.12 available state and local record-keeping systems. The chief of police or sheriff shall obtain  
10.13 commitment information from the commissioner of human services as provided in section  
10.14 245.041.

10.15 (c) The chief of police or sheriff may issue a certificate to the applicant. The certificate  
10.16 shall be based on the results of the background check and shall state the date on which the  
10.17 background check was performed. The certificate shall state whether the applicant is or is  
10.18 not prohibited from possessing a firearm.

10.19 (d) The chief of police or sheriff may deny the application for a certificate on the grounds  
10.20 that there exists a substantial likelihood that the applicant is a danger to self or the public  
10.21 if allowed to possess firearms.

10.22 Subd. 4. **Grant or denial of license.** If the applicant meets the requirements under  
10.23 subdivisions 2 and 3, the commissioner shall issue a license to own or possess a firearm  
10.24 within five business days of the submission of the application to the commissioner or the  
10.25 commissioner's designee. The commissioner shall provide the applicant with written  
10.26 notification of a denial and the specific reason for it. Any person aggrieved by the denial  
10.27 of a license application may seek review as provided in sections 14.57 to 14.69.

10.28 Subd. 5. **Contents; validity.** (a) A license granted under this section shall contain the  
10.29 following information:

10.30 (1) the date of issuance and a unique license number;

10.31 (2) the license holder's name, current address, date of birth, sex, height, weight, and eye  
10.32 color; and

10.33 (3) the color photograph of the license holder that was taken at the time of the application.

11.1 (b) The license is valid statewide for four years from the date of issuance and is not  
11.2 transferable. The license becomes invalid and must be returned to the commissioner if the  
11.3 person becomes ineligible to possess a firearm under section 624.713 or other state or federal  
11.4 law at any time within this four-year period. A court shall notify the commissioner when a  
11.5 person who possesses a license under this section is convicted of an offense described in  
11.6 section 624.713. The commissioner shall revoke a person's license to own or possess a  
11.7 firearm if the person becomes ineligible to possess a firearm under section 624.713 or other  
11.8 state or federal law during the period that the person possesses a license. The license may  
11.9 be renewed in the same manner and subject to the same restrictions under which the original  
11.10 license was obtained.

11.11 Subd. 6. **Requirement to carry license.** A person, other than a peace officer, as defined  
11.12 in section 626.84, must carry the license to own or possess the firearm whenever the person  
11.13 possesses a firearm in a place other than the person's dwelling or premises.

11.14 Subd. 7. **Places where pistol possession is lawful.** A license to own or possess a pistol  
11.15 authorizes the license holder to carry the pistol only in the locations and for the purposes  
11.16 described in section 624.714, subdivision 9. A person must obtain a permit to carry under  
11.17 section 624.714 in order to carry the pistol in any other location.

11.18 Subd. 8. **Statewide record system of license holders.** The commissioner shall maintain  
11.19 a statewide, computerized record system containing identifying information on and the  
11.20 license numbers of persons who have been granted a license under this section. Information  
11.21 in the record system shall be readily available on a 24-hour basis to requesting law  
11.22 enforcement agencies.

11.23 Subd. 9. **Penalties.** (a) A person who fails to carry a license in violation of this section  
11.24 is guilty of a petty misdemeanor.

11.25 (b) A person who does either of the following is guilty of a misdemeanor:

11.26 (1) owns a firearm without having registered it; or

11.27 (2) owns or possesses a firearm after a license issued under this section has expired.

11.28 (c) A person who does any of the following is guilty of a gross misdemeanor:

11.29 (1) owns or possesses a firearm without having first obtained a license under this section;

11.30 (2) owns or possesses a firearm after a license issued under this section has become  
11.31 invalid except through expiration;

11.32 (3) makes a false statement in order to obtain a license; or

12.1 (4) transfers a license in violation of this section.

12.2 (d) The court shall notify the commissioner when a person is convicted of a violation  
12.3 under this section except for a petty misdemeanor violation under paragraph (a). Upon  
12.4 receipt of the court's notification, the commissioner shall revoke or deny issuance of the  
12.5 person's license to own or possess a firearm for a period of three years for a misdemeanor  
12.6 violation under paragraph (b) and ten years for a gross misdemeanor violation under  
12.7 paragraph (c).

12.8 Subd. 10. **Private data.** All data pertaining to licenses under this section are classified  
12.9 as private data as provided in section 13.87, subdivision 2.

12.10 Subd. 11. **Persons who own or possess firearms before January 1, 2023.** All persons  
12.11 who own or possess firearms on or after January 1, 2023, must comply with the license  
12.12 requirements of this section. However, notwithstanding subdivision 2, a person who owns  
12.13 or possesses a firearm on or after January 1, 2023, who lawfully owned or possessed the  
12.14 firearm before that date is not required to provide a background check certificate or show  
12.15 competence in firearm safety as required by subdivision 2, clause (2), when applying for  
12.16 or renewing a license if the person applies for a license on or before July 1, 2023. The person  
12.17 shall provide a signed statement that the person is not prohibited by section 624.713 from  
12.18 possessing a firearm.

12.19 Subd. 12. **Temporary licenses for nonresident aliens.** The commissioner may issue a  
12.20 temporary license to own or possess a rifle or shotgun to a nonresident alien who is lawfully  
12.21 in the United States and present in the state to lawfully take game as a nonresident under  
12.22 the game and fish laws. The commissioner shall determine the period of the license's validity  
12.23 based on the circumstances of the case. The application for the temporary license must be  
12.24 on a form prescribed by the commissioner. The commissioner may charge the applicant a  
12.25 reasonable fee to cover the cost of the temporary licensing process.

12.26 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to persons  
12.27 who own or possess a firearm, and for crimes committed on or after that date; except that  
12.28 a person who owns or possesses a firearm before January 1, 2023, may continue to own or  
12.29 possess the firearm without obtaining a license until January 1, 2024.

12.30 Sec. 14. **[624.7136] FIREARM TRANSFERS; REQUIREMENTS.**

12.31 Subdivision 1. **Definition.** As used in this section, "transfer" has the meaning given in  
12.32 section 624.712, subdivision 6, but does not include:

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

13.3 (2) a loan by a teacher to a student in a course designed to teach marksmanship or firearms  
 13.4 safety, in the presence of the instructor, if the course is approved by the commissioner of  
 13.5 public safety;

13.6 (3) a loan between persons lawfully engaged in hunting or target shooting if the loan is  
 13.7 intended for a period of no more than 30 days and both persons are licensed to possess  
 13.8 firearms;

13.9 (4) while hunting or trapping if the hunting or trapping is legal in all places where the  
 13.10 transferee possesses the firearm and the transferee holds a license to possess firearms and  
 13.11 all licenses or permits required for hunting or trapping;

13.12 (5) while in the actual presence of the transferor; provided that any transfer under this  
 13.13 clause is permitted only if the transferor has no reason to believe that the transferee is  
 13.14 prohibited by federal law from buying or possessing firearms or not entitled under state law  
 13.15 to possess firearms. If the transferee is under 18 years of age, it must be under direct  
 13.16 supervision and control of the transferor;

13.17 (6) a loan between peace officers, as defined in section 626.84; and

13.18 (7) a loan between employees or between the employer and an employee in a business  
 13.19 if the employee is required to carry a firearm by reason of employment and is the holder of  
 13.20 a valid permit to carry a pistol.

13.21 Subd. 2. **Record.** At the time of a delivery of a firearm under subdivision 1, clause (1)  
 13.22 or a loan of a firearm under clauses (2) to (4), (6), and (7), the transferor and the transferee  
 13.23 each shall retain a document signed by both parties. The document shall contain the names  
 13.24 and license numbers of the transferor and transferee, serial number of the firearm or firearms,  
 13.25 and the dates of the temporary transfer, not to exceed 30 days. The commissioner shall  
 13.26 develop and provide a standardized form for temporary transfers.

13.27 Subd. 3. **Firearm license required.** No person may transfer a firearm to another unless  
 13.28 the transferee presents a valid, current license to own and possess the firearm issued under  
 13.29 section 624.7135.

13.30 Subd. 4. **Information.** Every person who agrees to transfer a firearm shall report the  
 13.31 following information in writing to the commissioner of public safety within three days of  
 13.32 the transfer:

14.1 (1) the name and address of the transferee and the number of the license presented by  
14.2 the transferee authorizing the transferee to own or possess a firearm; and

14.3 (2) the serial number of the firearm that was transferred.

14.4 Subd. 5. **Records; registration card.** (a) At the time of the transfer, the transferor shall  
14.5 give the transferee a temporary registration card. The temporary registration card shall  
14.6 contain the information described in paragraph (c) and shall be valid for 30 days following  
14.7 the date of the transfer. The expiration date of the temporary registration card shall be clearly  
14.8 displayed on the card.

14.9 (b) Upon receipt of the information required under subdivision 3, the commissioner shall  
14.10 record the transferee's name, license number, and firearm serial number in the database  
14.11 under section 299A.07 and shall issue a permanent registration card to the transferee within  
14.12 30 days. The commissioner may charge the transferee a reasonable fee to cover the cost of  
14.13 the registration process.

14.14 (c) The temporary and permanent registration cards shall contain the transferee's name,  
14.15 license number, and firearm serial number and shall identify the transferee as the person  
14.16 entitled to own and possess the firearm.

14.17 Subd. 6. **Fee; exception.** Notwithstanding subdivision 4, paragraph (b), the commissioner  
14.18 may not charge a fee when the transferee is a federally licensed firearms dealer.

14.19 Subd. 7. **Validity; subsequent transfers.** The registration card is valid until the person  
14.20 transfers the firearm to another. The registration card becomes invalid whenever the person  
14.21 becomes ineligible to possess a firearm under section 624.713 or other state or federal law.

14.22 Subd. 8. **Penalties.** (a) Except as otherwise provided in paragraph (b), a person who  
14.23 transfers a firearm to another in violation of this section is guilty of a gross misdemeanor.

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

14.25 (1) transfers a firearm to a transferee whom the transferor knows is ineligible to possess  
14.26 the weapon if the transferee possesses or uses the weapon within one year after the transfer  
14.27 in furtherance of a crime of violence;

14.28 (2) transfers a firearm to a person who has made a false statement in order to become a  
14.29 transferee, if the transferor knows or has reason to know the transferee has made the false  
14.30 statement;

14.31 (3) knowingly becomes a transferee in violation of this section; or

15.1 (4) makes a false statement in order to become a transferee of a firearm knowing or  
 15.2 having reason to know the statement is false.

15.3 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to transfers  
 15.4 of firearms and crimes committed on or after that date.

15.5 Sec. 15. **[624.7137] PURCHASE OR TRANSFER OF MORE THAN ONE FIREARM**  
 15.6 **PER 30 DAYS PROHIBITED.**

15.7 Subdivision 1. **Gross misdemeanor.** (a) A person who purchases or accepts the transfer  
 15.8 of more than one firearm within a 30-day period is guilty of a gross misdemeanor.

15.9 (b) A person who transfers a firearm to an individual knowing that the individual has  
 15.10 purchased or accepted the transfer of a firearm within the preceding 30 days is guilty of a  
 15.11 gross misdemeanor.

15.12 Subd. 2. **Exceptions.** Subdivision 1 does not apply to:

15.13 (1) firearms dealers as defined in section 624.7161, subdivision 1;

15.14 (2) law enforcement agencies;

15.15 (3) private security companies;

15.16 (4) the purchase of antique firearms; and

15.17 (5) persons who have been exempted from this section under subdivision 3.

15.18 Subd. 3. **Stolen or lost firearms.** A person whose firearm was stolen or irretrievably  
 15.19 lost and who because of an occupational or personal safety hazard wishes to purchase or  
 15.20 accept the transfer of a pistol, but who is prohibited from doing so because of this section,  
 15.21 may apply to the chief of police of an organized full-time police department of the  
 15.22 municipality where the person resides or to the county sheriff if there is no local chief of  
 15.23 police where the person resides for an exception to this section. The police chief or sheriff  
 15.24 shall respond to an application within three business days of the application by either  
 15.25 approving or denying the request.

15.26 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to transfers  
 15.27 of firearms and crimes committed on or after that date.

16.1 Sec. 16. **[624.7138] GUN TRAFFICKING PROHIBITED.**

16.2 A person who crosses a state or international border to transport firearms into the state  
 16.3 of Minnesota with the intent to transfer the firearms to a person who is ineligible to possess  
 16.4 a firearm under section 624.713 or other state or federal law is guilty of a felony.

16.5 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to transfers  
 16.6 of firearms and crimes committed on or after that date.

16.7 Sec. 17. **[624.7139] LOST OR STOLEN FIREARMS.**

16.8 Subdivision 1. **Failure to report; gross misdemeanor.** A person who fails to report a  
 16.9 stolen or lost firearm within two days of discovery of the loss is guilty of a gross  
 16.10 misdemeanor.

16.11 Subd. 2. **Duty to report.** A person shall report a stolen or lost firearm to the chief of  
 16.12 police of an organized full-time police department of the municipality where the person  
 16.13 resides or to the county sheriff if there is no local chief of police where the person resides.

16.14 Subd. 3. **Report to commissioner of public safety.** A chief of police or sheriff shall  
 16.15 report a stolen or lost firearm to the commissioner of public safety within two days of  
 16.16 receiving notification of the theft or loss under this section.

16.17 Subd. 4. **Rebuttable presumption.** If a person whose firearm was stolen or lost fails to  
 16.18 report it under subdivision 1 or 2, and it is used in the commission of a crime or seized from  
 16.19 a person ineligible to possess it, there is a rebuttable presumption that the original gun owner  
 16.20 transferred the weapon in violation of this chapter.

16.21 **EFFECTIVE DATE.** This section is effective January 1, 2023, and applies to transfers  
 16.22 of firearms and crimes committed on or after that date.

16.23 Sec. 18. Minnesota Statutes 2020, section 624.714, subdivision 2a, is amended to read:

16.24 Subd. 2a. **Training in safe use of a ~~pistol~~ pistols and other firearms.** (a) An applicant  
 16.25 must present evidence that the applicant received training in the safe use of a ~~pistol~~ firearm  
 16.26 within one year of the date of an original or renewal application. Training may be  
 16.27 demonstrated by:

16.28 (1) employment as a peace officer in the state of Minnesota within the past year; or

16.29 (2) completion of a firearms safety or training course approved by the commissioner  
 16.30 providing basic training in the safe ownership, handling, and use of a pistol and other firearms  
 16.31 and conducted by a certified instructor.



- 17.1 (b) Basic training must include:
- 17.2 (1) at least ..... hours of training;
- 17.3 ~~(1)~~ (2) instruction in the fundamentals of pistol and other firearm use;
- 17.4 (3) strategies for safely retreating and not escalating a potentially lethal encounter;
- 17.5 ~~(2)~~ (4) successful completion of an actual shooting qualification exercise; and
- 17.6 ~~(3)~~ (5) instruction in the fundamental legal aspects of:
- 17.7 (i) pistol and other firearm possession, carry, transport, and use, ~~including;~~
- 17.8 (ii) self-defense and the restrictions on the use of deadly force;
- 17.9 (iii) safe storage of firearms; and
- 17.10 (iv) reporting a theft or loss of a firearm; and
- 17.11 (6) all of the standards developed under subdivision 2b, paragraph (a).
- 17.12 (c) The certified instructor ~~must~~ may issue a firearms safety certificate on a form approved
- 17.13 by the commissioner to a person who has completed a firearms safety or training course
- 17.14 described in paragraph (b) and passed an exam approved by the commissioner. The certificate
- 17.15 must be signed by the instructor and attest that the person attended and completed the course.
- 17.16 (d) A person qualifies as a certified instructor if the person is certified as a firearms
- 17.17 instructor within the past ~~five~~ three years ~~by an organization or government entity that has~~
- 17.18 ~~been approved~~ by the Department of Public Safety in accordance with the department's
- 17.19 standards.
- 17.20 ~~(e) A sheriff must accept the training described in this subdivision as meeting the~~
- 17.21 ~~requirement in subdivision 2, paragraph (b), for training in the safe use of a pistol. A sheriff~~
- 17.22 ~~may also accept other satisfactory evidence of training in the safe use of a pistol.~~
- 17.23 Sec. 19. Minnesota Statutes 2020, section 624.714, is amended by adding a subdivision
- 17.24 to read:
- 17.25 Subd. 2b. **Firearm safety and training classes; testing; rules.** (a) The commissioner
- 17.26 of public safety shall adopt rules establishing safety and training standards for firearm safety
- 17.27 and training courses. These standards shall cover all aspects of safety regarding firearms.
- 17.28 The commissioner shall consult with public safety and firearms safety experts in developing
- 17.29 the standards. The rules must be adopted under chapter 14.

18.1 (b) The commissioner shall develop a written firearm safety test for all applicants for a  
 18.2 license to own a firearm and a separate test for all applicants for a permit to carry. Each test  
 18.3 shall cover the safety and training standards developed under paragraph (a). The  
 18.4 commissioner shall provide for giving a test under this subdivision either in the county  
 18.5 where the applicant resides or at a place adjacent thereto and reasonably convenient to the  
 18.6 applicant.

18.7 (c) Each test shall include at a minimum:

18.8 (1) the applicant's knowledge of:

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

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

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

18.16 (iv) firearm transfer laws; and

18.17 (v) for applicants for permits to carry:

18.18 (A) permit to carry laws; and

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

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

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

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

18.25 Sec. 20. Minnesota Statutes 2020, section 624.7151, is amended to read:

18.26 **624.7151 STANDARDIZED FORMS.**

18.27 (a) By December 1, ~~1992~~ 2022, the commissioner shall adopt statewide standards  
 18.28 governing the form and contents, as for all transactions required by sections 624.7131 to  
 18.29 624.714, on or after January 1, 2023, of every application for a ~~pistol~~ firearm transferee  
 18.30 permit, ~~pistol transferee permit~~, report of transfer of a pistol, application for a permit to

19.1 carry a pistol, and permit to carry a pistol that is granted or renewed ~~on or after January 1,~~  
 19.2 ~~1993.~~

19.3 (b) On or after January 1, 2023, every application for a ~~pistol~~ firearm transferee permit,  
 19.4 ~~pistol transferee permit,~~ report of transfer of a ~~pistol~~ firearm, application for a permit to  
 19.5 carry a ~~pistol~~ firearm, and permit to carry a ~~pistol~~ firearm that is received, granted, or renewed  
 19.6 by a ~~police~~ chief of police or county sheriff ~~on or after January 1, 1993,~~ must meet the  
 19.7 statewide standards adopted by the commissioner. Notwithstanding the previous sentence,  
 19.8 neither failure of the Department of Public Safety to adopt standards nor failure of the chief  
 19.9 of ~~police~~ chief or county sheriff to meet them shall delay the timely processing of applications  
 19.10 nor invalidate permits issued on other forms meeting the requirements of sections 624.7131  
 19.11 to 624.714.

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

19.13 Sec. 21. **FIREARM REGISTRATION REQUIRED.**

19.14 Subdivision 1. **Registration required.** By January 1, 2023, every person who owns a  
 19.15 firearm must register the firearm with the commissioner of public safety. The registration  
 19.16 must be in writing and contain:

19.17 (1) the name and address of the owner;

19.18 (2) the number of the license authorizing the owner to own or possess a firearm; and

19.19 (3) the serial number of the firearm being registered.

19.20 Upon receipt of this information, the commissioner shall record the owner's name, license  
 19.21 number, and firearm serial number in the database under Minnesota Statutes, section 299A.07,  
 19.22 and issue a registration card to the owner within 30 days. The registration card must conform  
 19.23 with the requirements of Minnesota Statutes, section 624.7136.

19.24 Subd. 2. **Private data.** All data pertaining to registrations under this section are classified  
 19.25 as private data as provided in Minnesota Statutes, section 13.87, subdivision 2.

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

19.27 Sec. 22. **CONFORMING STATUTORY CHANGES.**

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