

S.F. No. 835, as introduced - 87th Legislative Session (2011-2012) [11-2247]

2.1 Subd. 2. **Authorized possession; use.** (a) A person may possess and use an
2.2 authorized tear gas compound in the exercise of reasonable force in defense of the person
2.3 or the person's property only if it is propelled from an aerosol container, labeled with or
2.4 accompanied by clearly written instructions as to its use and the dangers involved in its
2.5 use, and dated to indicate its anticipated useful life. A person may possess and use an
2.6 authorized tear gas compound employing a nonlethal PAVA (capsaicin II) pepper irritant,
2.7 regardless of its method of propulsion, limited to 15 rounds or less, in the exercise of
2.8 reasonable force in defense of the person or the person's property or in the reasonable
2.9 exercise of crowd control.

2.10 (b) A person may possess and use an electronic incapacitation device in the exercise
2.11 of reasonable force in defense of the person or the person's property only if the electronic
2.12 incapacitation device is labeled with or accompanied by clearly written instructions as to
2.13 its use and the dangers involved in its use.

2.14 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.15 and applies to crimes committed on or after that date.

2.16 Sec. 3. Minnesota Statutes 2010, section 624.731, subdivision 6, is amended to read:

2.17 Subd. 6. **Exceptions.** Nothing in this section shall prohibit the possession or use
2.18 of by, or the sale or furnishing of, tear gas, a tear gas compound, an authorized tear gas
2.19 compound, or electronic incapacitation device to, a law enforcement agency, peace officer,
2.20 a person licensed as a protective agent under sections 326.32 to 326.339 or employed by a
2.21 licensed protective agent to perform services as a protective agent, the National Guard or
2.22 reserves, or a member of the National Guard or reserves for use in their official duties,
2.23 except that counties and municipalities may impose licensing requirements on sellers
2.24 pursuant to subdivision 9.

2.25 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.26 and applies to crimes committed on or after that date.