

A bill for an act

relating to game and fish; eliminating magnification restriction for scopes on muzzleloaders used by visually impaired hunters; amending Minnesota Statutes 2010, section 97B.031, subdivision 5.

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

Section 1. Minnesota Statutes 2010, section 97B.031, subdivision 5, is amended to read:

Subd. 5. **Scopes; visually impaired hunters.** (a) Notwithstanding any other law to the contrary, the commissioner may issue a special permit, without a fee, to use a muzzleloader with a scope to take deer during the muzzleloader season to a person who obtains the required licenses and who has a visual impairment. ~~The scope may not have magnification capabilities.~~

(b) The visual impairment must be to the extent that the applicant is unable to identify targets and the rifle sights at the same time without a scope. The visual impairment and specific conditions must be established by medical evidence verified in writing by a licensed physician, ophthalmologist, or optometrist. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility for the permit.

(c) A permit issued under this subdivision may be valid for up to five years, based on the permanence of the visual impairment as determined by the licensed physician, ophthalmologist, or optometrist.

(d) The permit must be in the immediate possession of the permittee when hunting under the special permit.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this subdivision for cause, including a violation of the game and fish laws or rules.

H.F. No. 431, as introduced - 87th Legislative Session (2011-2012) [11-0846]

2.1 (f) A person who knowingly makes a false application or assists another in making
2.2 a false application for a permit under this subdivision is guilty of a misdemeanor. A
2.3 physician, ophthalmologist, or optometrist who fraudulently certifies to the commissioner
2.4 that a person is visually impaired as described in this subdivision is guilty of a
2.5 misdemeanor.