

This Document can be made available  
in alternative formats upon request

State of Minnesota  
**HOUSE OF REPRESENTATIVES**  
NINETIETH SESSION

**H. F. No. 1726**

02/27/2017 Authored by Dehn, R., and Lee  
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act  
1.2 relating to public safety; establishing a statewide policy for use of force and deadly  
1.3 force by state and local law enforcement agencies; amending Minnesota Statutes  
1.4 2016, sections 624.714, subdivision 2a; 626.8452, subdivisions 1, 2, 3.

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

1.6 Section 1. Minnesota Statutes 2016, section 624.714, subdivision 2a, is amended to read:

1.7 Subd. 2a. **Training in safe use of a pistol.** (a) An applicant must present evidence that  
1.8 the applicant received training in the safe use of a pistol within one year of the date of an  
1.9 original or renewal application. Training may be demonstrated by:

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

1.11 (2) completion of a firearms safety or training course providing basic training in the safe  
1.12 use of a pistol and conducted by a certified instructor.

1.13 (b) Basic training must include:

1.14 (1) instruction in the fundamentals of pistol use;

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

1.16 (3) instruction in the fundamental legal aspects of pistol possession, carry, and use,  
1.17 including self-defense and the restrictions on the use of deadly force; and

1.18 (4) instruction on the use of force and deadly force by peace officers.

1.19 (c) The certified instructor must issue a certificate to a person who has completed a  
1.20 firearms safety or training course described in paragraph (b). The certificate must be signed  
1.21 by the instructor and attest that the person attended and completed the course.

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

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

2.7 Sec. 2. Minnesota Statutes 2016, section 626.8452, subdivision 1, is amended to read:

2.8 Subdivision 1. **Deadly force policy.** By January 1, ~~1992~~ 2018, the ~~head of every local~~  
 2.9 ~~and state law enforcement agency~~ Department of Public Safety shall establish and enforce  
 2.10 a statewide written policy governing the use of force, including deadly force, as defined in  
 2.11 section 609.066, by ~~peace officers and part-time peace~~ law enforcement officers employed  
 2.12 by ~~the agency~~ state and local law enforcement agencies. The policy must be consistent with  
 2.13 the provisions of section 609.066, subdivision 2, and may not prohibit the use of deadly  
 2.14 force under circumstances in which that force is justified under section 609.066, subdivision  
 2.15 2.

2.16 Sec. 3. Minnesota Statutes 2016, section 626.8452, subdivision 2, is amended to read:

2.17 Subd. 2. **Deadly force and firearms use; initial instruction.** Beginning January 1,  
 2.18 ~~1992~~, 2018, the Department of Public Safety shall provide instruction on the use of force  
 2.19 and deadly force and the head of every local and state law enforcement agency shall provide  
 2.20 instruction on ~~the use of force, deadly force, and~~ the use of firearms to every ~~peace officer~~  
 2.21 ~~and part-time peace officer~~ law enforcement officer newly appointed by or beginning  
 2.22 employment with the ~~agency~~ state or local law enforcement agency. This instruction must  
 2.23 occur before the agency head issues a firearm to the officer or otherwise authorizes the  
 2.24 officer to carry a firearm in the course of employment. The instruction must be based on  
 2.25 the ~~agency's~~ statewide written policy required in subdivision 1 and on the instructional  
 2.26 materials required by the board for ~~peace officer and part-time peace~~ state and local law  
 2.27 enforcement officer licensure.

2.28 Sec. 4. Minnesota Statutes 2016, section 626.8452, subdivision 3, is amended to read:

2.29 Subd. 3. **Deadly force and firearms use; continuing instruction.** Beginning January  
 2.30 1, ~~1992~~ 2018, the Department of Public Safety shall provide instruction on the use of force  
 2.31 and deadly force and the head of every local and state law enforcement agency shall provide  
 2.32 the instruction described in subdivision 2 to every ~~peace officer and part-time peace~~ state

- 3.1 and local law enforcement officer currently employed by the agency. This instruction must
- 3.2 be provided at least once a year.