A bill for an act

relating to civil liability; providing immunity for certain firearms safety instructors, course providers, sponsoring organizations, and participants; amending Minnesota Statutes 2008, section 87A.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 87A; 604A.

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

Section 1. Minnesota Statutes 2008, section 87A.01, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** The definitions in this section apply to ~~sections 87A.01 to 87A.08~~ this chapter.

Sec. 2. **[87A.09] PUBLIC SHOOTING RANGE; SAFETY INSTRUCTION FEE.**

Any unit of state or local government that permits firearm safety training to be conducted within its shooting range facility may charge a fee for the actual shooting range maintenance costs imposed by the training, not to exceed $5 per participant per range use day and, at its discretion, may accept volunteer labor and materials from course participants or their sponsoring organization in lieu of the fee. "Range use day" means a day on which a participant in an authorized firearm safety training program shoots at the range.

EFFECTIVE DATE. This section is effective July 1, 2009.

Sec. 3. **[604A.36] FIREARMS SAFETY INSTRUCTION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Certifying organization" means a public department, agency, or office with responsibility for or oversight of firearms and firearms-related issues, or an established not-for-profit organization with expertise and experience with firearms safety issues.

(c) "Qualified firearms safety instructor" means the instructor, assistant instructor, or acting instructor of a firearms education and safety course or program who has been certified by a certifying organization as a trained, knowledgeable, and responsible adult qualified to provide firearms education and safety instruction to youth or adults.

(d) "Reasonable and accepted firearms safety principles and techniques" include, but are not limited to, treating a firearm as if it is always loaded, safe handling and transport of a firearm, and proper use of the firearm within diverse environmental surroundings.

Subd. 2. **Qualified firearms safety instructor.** (a) A qualified firearms safety instructor is immune from liability resulting from (1) any death, injury, or damage that occurs during the course of instruction as a result of the reasonable inherent risks of firearms use, and (2) any firearms-related death, injury, or damage caused by a course participant after completion of the course.

(b) This subdivision does not apply if the acts or omissions of the qualified firearms safety instructor during the course of instruction demonstrate a willful or reckless disregard for reasonable and accepted firearms safety principles and techniques. This subdivision also does not apply if a claim against the qualified firearms safety instructor is unrelated to the conduction of the firearms safety course.

Subd. 3. **Certifying organization; course sponsor.** (a) A certifying organization or course sponsor, including an organization that permits a course to be conducted within its facility, is immune from liability resulting from (1) any death, injury, or damage that occurs during the course of instruction as a result of the reasonable inherent risks of firearms use, and (2) any firearms-related death, injury, or damage caused by a course participant after completion of the course.

(b) This subdivision does not apply if a claim against the certifying organization or course sponsor resulting from the actions of a participant after completion of a course is unrelated to the conduction of the firearms safety course.

Subd. 4. **Course participant.** (a) A registered course participant in a firearms safety course taught by a qualified firearms safety instructor is immune from liability resulting from any death, injury, or damage that occurs during the course of instruction as a result of the reasonable inherent risks of firearms use.

(b) This subdivision does not apply if the acts or omissions of the course participant demonstrate a willful or reckless disregard for reasonable and accepted firearms safety

principles and techniques, or a willful reckless disregard for the directions of the course instructor.

EFFECTIVE DATE. This section applies to causes of action accruing on or after July 1, 2009.