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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 242

01/31/2013 Authored by Hausman, Slocum, Hornstein and Davnie
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; establishing a crime for manufacturing, transferring,
1.3 or possessing large-capacity magazines; defining terms; providing criminal
1.4 penalties; amending Minnesota Statutes 2012 sections 624.712, by adding a
1.5 subdivision; proposing coding for new law in Minnesota Statutes, chapter 624.

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

1.7 Section 1. Minnesota Statutes 2012, section 624.712, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 12. Large-capacity magazine. "Large-capacity magazine" means any
1.10 ammunition feeding device with the capacity to accept more than ten rounds, or any
1.11 conversion kit, part, or combination of parts, from which this type of device can be
1.12 assembled if those parts are in the possession or under the control of the same person. The
1.13 term does not include any of the following:

- 1.14 (1) a feeding device that has been permanently altered so that it cannot accommodate
1.15 more than ten rounds;
- 1.16 (2) a .22 caliber tube ammunition feeding device; or
- 1.17 (3) a tubular magazine that is contained in a lever-action firearm.

1.18 EFFECTIVE DATE. This section is effective August 1, 2013, and applies to crimes
1.19 committed on or after that date.

1.20 Sec. 2. [624.7133] LARGE-CAPACITY MAGAZINES PROHIBITED.

1.21 Subdivision 1. Definition. As used in this section, "transfer" means a sale, gift,
1.22 loan, assignment, or other delivery to another, whether or not for consideration, of a
1.23 large-capacity magazine.

2.1 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, or
 2.2 possess a large-capacity magazine.

2.3 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

2.4 (1) any government officer, agent, or employee; member of the armed forces of the
 2.5 United States; or peace officer, to the extent that the person is otherwise authorized to
 2.6 acquire or possess a large-capacity magazine and does so while acting within the scope of
 2.7 the person's duties;

2.8 (2) the manufacture of a large-capacity magazine by a firearms manufacturer for
 2.9 the purpose of sale to any branch of the armed forces of the United States, or to a law
 2.10 enforcement agency within Minnesota for use by that agency or its employees, provided
 2.11 the manufacturer is properly licensed under applicable laws; or

2.12 (3) the transfer of a large-capacity magazine by a dealer that is properly licensed
 2.13 under applicable laws to any branch of the armed forces of the United States, or to a
 2.14 law enforcement agency within Minnesota for use by that agency or its employees for
 2.15 law enforcement purposes.

2.16 Subd. 4. **Penalty.** (a) A person who violates subdivision 2 is guilty of a felony and
 2.17 may be sentenced to imprisonment for not more than five years or to payment of a fine of
 2.18 not more than \$25,000, or both.

2.19 (b) A person listed in section 624.713, subdivision 1, clauses (3) to (11), who
 2.20 violates subdivision 2, is guilty of a felony and may be sentenced to imprisonment for not
 2.21 more than ten years or to payment of a fine of not more than \$50,000, or both.

2.22 (c) A person listed in section 624.713, subdivision 1, clause (2), who violates
 2.23 subdivision 2, is guilty of a felony and may be sentenced to imprisonment for not more
 2.24 than 20 years or to payment of a fine of not more than \$100,000, or both.

2.25 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to crimes
 2.26 committed on or after that date.

2.27 Sec. 3. **PERSONS POSSESSING LARGE-CAPACITY MAGAZINES ON**
 2.28 **EFFECTIVE DATE OF ACT; REQUIRED ACTIONS.**

2.29 Any person who, on August 1, 2013, is in possession of a large-capacity magazine
 2.30 has 120 days to do either of the following without being subject to prosecution under
 2.31 Minnesota Statutes, section 624.7133:

2.32 (1) permanently alter the magazine so it cannot accommodate more than ten rounds;

2.33 (2) remove the large-capacity magazine from the state; or

2.34 (3) surrender the large-capacity magazine to a law enforcement agency for
 2.35 destruction.

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