

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 1016

(SENATE AUTHORS: JENSEN, Lang and Anderson, P.)

DATE
02/07/2019

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Introduction and first reading
 Referred to Judiciary and Public Safety Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to public safety; modifying various firearms laws; appropriating money;
 1.3 amending Minnesota Statutes 2018, sections 609.66, subdivision 1f; 624.7131,
 1.4 subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 299A;
 1.5 624.

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

1.7 Section 1. **[299A.625] FIREARMS SAFETY TRAINING; REIMBURSEMENTS.**

1.8 Subdivision 1. **Program established.** The commissioner of public safety may award
 1.9 reimbursements to individuals who complete firearms safety training courses as provided
 1.10 in subdivision 2. The commissioner shall develop standards addressing the procedures that
 1.11 must be followed and the eligibility criteria to obtain a reimbursement. The commissioner
 1.12 shall attempt to make the reimbursement process as simple as possible. In providing
 1.13 reimbursements under this section, the commissioner may prioritize reimbursements to
 1.14 individuals who demonstrate that they were previously inexperienced with or
 1.15 unknowledgeable about firearms.

1.16 Subd. 2. **Reimbursements.** A person who completes a firearms safety training course
 1.17 of the type described in section 624.714, subdivision 2a, may apply to the commissioner of
 1.18 public safety in the manner directed by the commissioner for reimbursement of up to 50
 1.19 percent of the cost of the course.

1.20 **EFFECTIVE DATE.** This section is effective August 1, 2019.

Sec. 2. Minnesota Statutes 2018, section 609.66, subdivision 1f, is amended to read:

Subd. 1f. **Gross misdemeanor; transferring firearm without background check.** A person, other than a federally licensed firearms dealer, who transfers a pistol or semiautomatic military-style assault weapon to another without complying with the transfer requirements of section 624.7132 or 624.7134, is guilty of a gross misdemeanor if the transferee possesses or uses the weapon within one year after the transfer in furtherance of a felony crime of violence, and if:

(1) the transferee was prohibited from possessing the weapon under section 624.713 at the time of the transfer; or

(2) it was reasonably foreseeable at the time of the transfer that the transferee was likely to use or possess the weapon in furtherance of a felony crime of violence.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2018, section 624.7131, subdivision 6, is amended to read:

Subd. 6. **Permits valid statewide.** Transferee permits issued pursuant to this section are valid statewide and shall expire after ~~one year~~ five years. A transferee permit may be renewed in the same manner and subject to the same provisions by which the original permit was obtained, except that all renewed permits must comply with the standards adopted by the commissioner under section 624.7151. Permits issued pursuant to this section are not transferable. A person who transfers a permit in violation of this subdivision is guilty of a misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to permits issued on or after that date.

Sec. 4. **[624.7134] PERMISSIVE BACKGROUND CHECKS; TRANSFERS BETWEEN UNLICENSED PERSONS.**

Subdivision 1. **Definition.** As used in this section, "unlicensed person" means a person who does not hold a license under United States Code, title 18, section 923(a).

Subd. 2. **Background check.** When an unlicensed person wishes to transfer a firearm to another unlicensed person, the person who is transferring the firearm may require as a condition of the transfer that the transferee appear before a sheriff and submit to a background check under this section. If the transferee agrees, the transferee shall appear before a sheriff and submit the information described in section 624.7132, subdivision 1, in the manner

described in that subdivision. The sheriff shall conduct an investigation of the type described in section 624.7132, subdivision 2. Upon completion of the investigation, the sheriff shall inform the transferor and the transferee whether the transferee is prohibited by section 624.713 or any other law from possessing a firearm.

Subd. 3. Restriction on records. The sheriff may not require any additional information from the transferee to conduct the background check, including but not limited to information on the firearm being transferred, and may not maintain any record of the background check or the transaction. Any information submitted to the sheriff to authorize or facilitate the background check must be returned to the party or destroyed.

Subd. 4. Costs. The sheriff may not charge a fee to conduct a background check or comply with the sheriff's duties under this section.

EFFECTIVE DATE. This section is effective August 1, 2020.

Sec. 5. PUBLIC AWARENESS CAMPAIGN.

The commissioner of public safety shall conduct a public awareness campaign to increase knowledge about Minnesota Statutes, section 609.66, subdivision 1f. The campaign must inform the public of potential criminal liability under that section for transferring a pistol or a semiautomatic military-style assault weapon without having conducted a background check.

EFFECTIVE DATE. This section is effective August 1, 2020.

Sec. 6. APPROPRIATION.

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of public safety for reimbursements under Minnesota Statutes, section 299A.625.