

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 2228**

(SENATE AUTHORS: COHEN)

DATE	D-PG	OFFICIAL STATUS
03/08/2016	4887	Introduction and first reading Referred to Judiciary

A bill for an act

1.1 relating to public safety; modifying provisions related to the transfer of pistols  
1.2 and semiautomatic military-style assault weapons, eligibility to carry a handgun  
1.3 in public, and eligibility to possess a firearm; modifying the judicial process for  
1.4 restoring firearms eligibility to certain persons who have become ineligible;  
1.5 modifying the judicial challenge process for persons who have been denied a  
1.6 permit to carry a handgun; making it a crime to falsely report the loss or theft of  
1.7 a firearm; expanding the crime of transferring certain firearms to an ineligible  
1.8 person; clarifying the law on aiding and abetting an ineligible person to possess  
1.9 a firearm; amending Minnesota Statutes 2014, sections 609.505, by adding a  
1.10 subdivision; 624.712, subdivision 5; 624.7131, subdivisions 1, 4, 5, by adding  
1.11 a subdivision; 624.7132, subdivisions 1, 3, 4, 5, 6, 12, 13, 15, by adding a  
1.12 subdivision; 624.714, subdivisions 6, 8, 12, 21; 624.7141, subdivisions 1, 2, 3;  
1.13 Minnesota Statutes 2015 Supplement, sections 609.165, subdivision 1d; 624.713,  
1.14 subdivisions 1, 2, 4; 624.714, subdivision 16; repealing Minnesota Statutes 2014,  
1.15 sections 609.66, subdivision 1f; 624.7132, subdivision 14.  
1.16

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

1.18 Section 1. Minnesota Statutes 2015 Supplement, section 609.165, subdivision 1d,  
1.19 is amended to read:

1.20 Subd. 1d. **Judicial restoration of ability to possess firearms and ammunition by**  
1.21 **felon.** (a) A person prohibited by state law from shipping, transporting, possessing, or  
1.22 receiving a firearm or ammunition because of a conviction or a delinquency adjudication  
1.23 for committing a crime of violence may petition a court to restore the person's ability  
1.24 to possess, receive, ship, or transport firearms and otherwise deal with firearms and  
1.25 ammunition.

1.26 (b) A person petitioning the court under paragraph (a) shall serve a copy of the  
1.27 petition by mail on the prosecutorial office that had jurisdiction over the crime of violence  
1.28 and the corrections department, if any, who supervised the person in the community  
1.29 before the person's sentence or disposition was discharged.

2.1 (c) The court may grant the relief sought if the person shows good cause to do so  
2.2 and the person has been released from physical confinement establishes by clear and  
2.3 convincing evidence that: (1) the person is not likely to act in a manner that is dangerous  
2.4 to public safety; and (2) the granting of relief is not contrary to the public interest.

2.5 (d) If a petition is denied, the person may not file another petition until three years  
2.6 have elapsed without the permission of the court.

2.7 (e) A petition under this subdivision must be filed in the county in which the  
2.8 petitioner was convicted or adjudicated delinquent for the underlying crime of violence.

2.9 (f) A petition under this subdivision may be brought only after the discharge of the  
2.10 petitioner's sentence or disposition for the underlying crime of violence.

2.11 (g) A person bringing a petition under this subdivision may be required to disclose  
2.12 any relevant information and, upon request, must agree to release any relevant mental  
2.13 health information to facilitate the court's decision on the petition.

2.14 (h) A judge who grants or denies a petition under this subdivision must report this  
2.15 action along with its underlying justification to the state court administrator.

2.16 (i) By January 15 of each year, the state court administrator shall report to the chairs  
2.17 and ranking minority members of the senate and house of representatives committees  
2.18 having jurisdiction over firearms summary data on the number of petitions brought under  
2.19 this subdivision and the number granted.

2.20 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
2.21 committed on or after that date.

2.22 Sec. 2. Minnesota Statutes 2014, section 609.505, is amended by adding a subdivision  
2.23 to read:

2.24 Subd. 3. **Lost or stolen firearms; false reporting.** (a) As used in this section,  
2.25 "crime of violence" has the meaning given in section 624.712, subdivision 5.

2.26 (b) Whoever informs a law enforcement officer that a firearm has been lost or stolen,  
2.27 knowing that the report is false, is guilty of a gross misdemeanor.

2.28 (c) A person is guilty of a felony and may be sentenced to imprisonment for not more  
2.29 than five years, or to payment of a fine of not more than \$10,000, or both, if the person:

2.30 (1) is convicted a second or subsequent time of violating this subdivision; or

2.31 (2) violates paragraph (b) while knowing, or having reason to know, that the firearm  
2.32 has been transferred to someone who intends to use it in furtherance of a felony crime of  
2.33 violence.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
3.2 committed on or after that date.

3.3 Sec. 3. Minnesota Statutes 2014, section 624.712, subdivision 5, is amended to read:

3.4 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the  
3.5 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the  
3.6 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first  
3.7 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding  
3.8 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second  
3.9 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);  
3.10 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic  
3.11 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235  
3.12 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated  
3.13 robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322 (solicitation,  
3.14 inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual  
3.15 conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);  
3.16 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct  
3.17 in the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or  
3.18 endangerment of a child); 609.486 (commission of crime while wearing or possessing a  
3.19 bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a  
3.20 controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first  
3.21 degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the  
3.22 first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully  
3.23 owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot);  
3.24 609.713 (terroristic threats); 609.749 (stalking); 609.855, subdivision 5 (shooting at a  
3.25 public transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an  
3.26 attempt to commit any of these offenses. Crime of violence also includes a second or  
3.27 subsequent conviction or delinquency adjudication for a violation of section 624.713,  
3.28 subdivision 2, paragraph (a) (certain juveniles not to possess firearms).

3.29 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
3.30 committed on or after that date.

3.31 Sec. 4. Minnesota Statutes 2015 Supplement, section 624.713, subdivision 1, is  
3.32 amended to read:

4.1 Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to  
4.2 possess ammunition or a pistol or semiautomatic military-style assault weapon or, except  
4.3 for clause (1), any other firearm:

4.4 (1) a person under the age of 18 years except that a person under 18 may possess  
4.5 ammunition designed for use in a firearm that the person may lawfully possess and may  
4.6 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual  
4.7 presence or under the direct supervision of the person's parent or guardian, (ii) for the  
4.8 purpose of military drill under the auspices of a legally recognized military organization  
4.9 and under competent supervision, (iii) for the purpose of instruction, competition, or target  
4.10 practice on a firing range approved by the chief of police or county sheriff in whose  
4.11 jurisdiction the range is located and under direct supervision; or (iv) if the person has  
4.12 successfully completed a course designed to teach marksmanship and safety with a pistol  
4.13 or semiautomatic military-style assault weapon and approved by the commissioner of  
4.14 natural resources;

4.15 (2) except as otherwise provided in clause (9), a person who has been convicted of,  
4.16 or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing,  
4.17 in this state or elsewhere, a crime of violence. For purposes of this section, crime of  
4.18 violence includes crimes in other states or jurisdictions which would have been crimes of  
4.19 violence as herein defined if they had been committed in this state;

4.20 (3) a person who is involuntarily confined or has ever been ordered committed in  
4.21 Minnesota or elsewhere ~~by a judicial determination that the person is~~ as being mentally ill,  
4.22 developmentally disabled, or mentally ill and dangerous to the public, as defined in section  
4.23 253B.02, to a treatment facility, whether or not the order was stayed, or who has ever  
4.24 been found incompetent to stand trial or not guilty by reason of mental illness, unless the  
4.25 person's ability to possess a firearm and ammunition has been restored under subdivision 4;

4.26 (4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or  
4.27 gross misdemeanor violation of chapter 152, unless three years have elapsed since the  
4.28 date of conviction and, during that time, the person has not been convicted of any other  
4.29 such violation of chapter 152 or a similar law of another state; or a person who is or  
4.30 has ever been involuntarily hospitalized or committed ~~by a judicial determination~~  
4.31 treatment for the habitual use of a controlled substance or marijuana, as defined in sections  
4.32 152.01 and 152.02, unless the person's ability to possess a firearm and ammunition has  
4.33 been restored under subdivision 4;

4.34 (5) a person who is or has ever been involuntarily confined or committed to a  
4.35 treatment facility in Minnesota or elsewhere ~~by a judicial determination that the person is~~  
4.36 as chemically dependent as defined in section 253B.02, unless the person has completed

5.1 treatment or the person's ability to possess a firearm and ammunition has been restored  
5.2 under subdivision 4. Property rights may not be abated but access may be restricted  
5.3 by the courts;

5.4 (6) a peace officer who is informally admitted to a treatment facility pursuant to  
5.5 section 253B.04 for chemical dependency, unless the officer possesses a certificate from  
5.6 the head of the treatment facility discharging or provisionally discharging the officer from  
5.7 the treatment facility. Property rights may not be abated but access may be restricted  
5.8 by the courts;

5.9 (7) a person, including a person under the jurisdiction of the juvenile court, who  
5.10 has been charged with committing a crime of violence and has been placed in a pretrial  
5.11 diversion program by the court before disposition, until the person has completed the  
5.12 diversion program and the charge of committing the crime of violence has been dismissed;

5.13 (8) except as otherwise provided in clause (9), a person who has been convicted in  
5.14 another state of committing an offense similar to the offense described in section 609.224,  
5.15 subdivision 3, against a family or household member or section 609.2242, subdivision  
5.16 3, unless three years have elapsed since the date of conviction and, during that time, the  
5.17 person has not been convicted of any other violation of section 609.224, subdivision 3, or  
5.18 609.2242, subdivision 3, or a similar law of another state;

5.19 (9) a person who has been convicted in this state or elsewhere of assaulting a family  
5.20 or household member and who was found by the court to have used a firearm in any way  
5.21 during commission of the assault is prohibited from possessing any type of firearm or  
5.22 ammunition for the period determined by the sentencing court;

5.23 (10) a person who:

5.24 (i) has been convicted in any court of a crime punishable by imprisonment for a  
5.25 term exceeding one year;

5.26 (ii) is a fugitive from justice as a result of having fled from any state to avoid  
5.27 prosecution for a crime or to avoid giving testimony in any criminal proceeding;

5.28 (iii) is an unlawful user of any controlled substance as defined in chapter 152;

5.29 (iv) has been judicially committed to a treatment facility in Minnesota or elsewhere  
5.30 as a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to  
5.31 the public, as defined in section 253B.02;

5.32 (v) is an alien who is illegally or unlawfully in the United States;

5.33 (vi) has been discharged from the armed forces of the United States under  
5.34 dishonorable conditions;

5.35 (vii) has renounced the person's citizenship having been a citizen of the United  
5.36 States; or

6.1 (viii) is disqualified from possessing a firearm under United States Code, title 18,  
6.2 section 922(g)(8) or (9), as amended through March 1, 2014;

6.3 (11) a person who has been convicted of the following offenses at the gross  
6.4 misdemeanor level, unless three years have elapsed since the date of conviction and,  
6.5 during that time, the person has not been convicted of any other violation of these sections:  
6.6 section 609.229 (crimes committed for the benefit of a gang); 609.2231, subdivision  
6.7 4 (assaults motivated by bias); 609.255 (false imprisonment); 609.378 (neglect or  
6.8 endangerment of a child); section 609.505, subdivision 3, paragraph (b) (lost or stolen  
6.9 firearms; false reporting); 609.582, subdivision 4 (burglary in the fourth degree); 609.665  
6.10 (setting a spring gun); 609.71 (riot); ~~or~~ 609.749 (stalking); 624.7133 (purchasing firearm  
6.11 on behalf of ineligible person); or 624.7141, subdivision 1 (transfer of firearm to an  
6.12 ineligible person). For purposes of this paragraph, the specified gross misdemeanor  
6.13 convictions include crimes committed in other states or jurisdictions which would have  
6.14 been gross misdemeanors if conviction occurred in this state;

6.15 (12) a person who has been convicted of a violation of section 609.224 if the court  
6.16 determined that the assault was against a family or household member in accordance with  
6.17 section 609.2242, subdivision 8 (domestic assault), unless three years have elapsed since  
6.18 the date of conviction and, during that time, the person has not been convicted of another  
6.19 violation of section 609.224 or a violation of a section listed in clause (11); or

6.20 (13) a person who is subject to an order for protection as described in section  
6.21 260C.201, subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

6.22 A person who issues a certificate pursuant to this section in good faith is not  
6.23 liable for damages resulting or arising from the actions or misconduct with a firearm or  
6.24 ammunition committed by the individual who is the subject of the certificate.

6.25 The prohibition in this subdivision relating to the possession of firearms other than  
6.26 pistols and semiautomatic military-style assault weapons does not apply retroactively  
6.27 to persons who are prohibited from possessing a pistol or semiautomatic military-style  
6.28 assault weapon under this subdivision before August 1, 1994.

6.29 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms  
6.30 and ammunition for persons convicted or adjudicated delinquent of a crime of violence  
6.31 in clause (2), applies only to offenders who are discharged from sentence or court  
6.32 supervision for a crime of violence on or after August 1, 1993.

6.33 ~~For purposes of this section, "judicial determination" means a court proceeding~~  
6.34 ~~pursuant to sections 253B.07 to 253B.09 or a comparable law from another state.~~

6.35 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
6.36 committed on or after that date.

7.1 Sec. 5. Minnesota Statutes 2015 Supplement, section 624.713, subdivision 2, is  
7.2 amended to read:

7.3 Subd. 2. **Penalties.** (a) A person named in subdivision 1, clause (1), who possesses  
7.4 ammunition or a pistol or semiautomatic military-style assault weapon in violation of that  
7.5 clause is guilty of a felony and may be sentenced to imprisonment for not more than five  
7.6 years or to payment of a fine of not more than \$10,000, or both.

7.7 (b) A person named in subdivision 1, clause (2), who possesses any type of firearm  
7.8 or ammunition is guilty of a felony and may be sentenced to imprisonment for not more  
7.9 than 15 years or to payment of a fine of not more than \$30,000, or both. This paragraph  
7.10 does not apply to any person who has received a relief of disability under United States  
7.11 Code, title 18, section 925, or whose ability to possess firearms and ammunition has been  
7.12 restored under section 609.165, subdivision 1d.

7.13 (c) A person named in any other clause of subdivision 1 who possesses any type of  
7.14 firearm or ammunition is guilty of a gross misdemeanor.

7.15 (d) A person is criminally liable for a crime committed by another under this section  
7.16 if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise  
7.17 procures the other to commit the crime.

7.18 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
7.19 committed on or after that date.

7.20 Sec. 6. Minnesota Statutes 2015 Supplement, section 624.713, subdivision 4, is  
7.21 amended to read:

7.22 Subd. 4. **Restoration of firearms and ammunition eligibility to civilly committed**  
7.23 **person; petition authorized.** (a) A person who is prohibited from possessing a firearm  
7.24 or ammunition under subdivision 1, due to commitment ~~resulting from a judicial~~  
7.25 ~~determination that the person is,~~ hospitalization, or confinement based on the person  
7.26 being mentally ill, developmentally disabled, mentally ill and dangerous, or chemically  
7.27 dependent, may petition a court to restore the person's ability to possess a firearm or  
7.28 ammunition.

7.29 (b) A person petitioning the court under paragraph (a) shall serve a copy of the  
7.30 petition by mail on the prosecutorial office responsible for the commitment.

7.31 ~~(b)~~ (c) The court may grant the relief sought in paragraph (a) in accordance with the  
7.32 principles of due process if the person establishes by clear and convincing evidence that  
7.33 the circumstances regarding the person's disqualifying condition and the person's record  
7.34 and reputation are determined to be such that:

7.35 (1) the person is not likely to act in a manner that is dangerous to public safety; and

8.1 (2) the granting of relief would not be contrary to the public interest.

8.2 ~~(e)~~ (d) When determining whether a person has met the requirement of paragraph ~~(b)~~  
8.3 (c), clause (1), the court may consider evidence from a licensed medical doctor or clinical  
8.4 psychologist that the person is no longer suffering from the disease or condition that  
8.5 caused the disability or that the disease or condition has been successfully treated for a  
8.6 period of three consecutive years.

8.7 ~~(d)~~ (e) Review on appeal shall be de novo.

8.8 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
8.9 committed on or after that date.

8.10 Sec. 7. Minnesota Statutes 2014, section 624.7131, subdivision 1, is amended to read:

8.11 Subdivision 1. **Information.** (a) Any person may apply for a transferee permit by  
8.12 providing the following information in writing to the chief of police of an organized full  
8.13 time police department of the municipality in which the person resides or to the county  
8.14 sheriff if there is no such local chief of police:

8.15 (1) the name, residence, telephone number, and driver's license number or  
8.16 nonqualification certificate number, if any, of the proposed transferee;

8.17 (2) the sex, date of birth, height, weight, and color of eyes, and distinguishing  
8.18 physical characteristics, if any, of the proposed transferee;

8.19 (3) a statement that the proposed transferee authorizes the release to the local police  
8.20 authority of commitment information about the proposed transferee maintained by the  
8.21 commissioner of human services, to the extent that the information relates to the proposed  
8.22 transferee's eligibility to possess a pistol or semiautomatic military-style assault weapon  
8.23 under section 624.713, subdivision 1; and

8.24 (4) a statement by the proposed transferee that the proposed transferee is not  
8.25 prohibited by section 624.713 from possessing a pistol or semiautomatic military-style  
8.26 assault weapon and has not been denied a permit under subdivision 4, paragraph (b), or  
8.27 section 624.7132, subdivision 5, paragraph (b), within the past six months.

8.28 (b) In addition to the requirements described in paragraph (a), the proposed  
8.29 transferee shall submit an accurate photocopy of the person's current driver's license, state  
8.30 identification card, or the photo page of the person's passport.

8.31 (c) The statements shall be signed and dated by the person applying for a permit. At  
8.32 the time of application, the local police authority shall provide the applicant with a dated  
8.33 receipt for the application. The statement under paragraph (a), clause (3), must comply  
8.34 with any applicable requirements of Code of Federal Regulations, title 42, sections 2.31 to  
8.35 2.35, with respect to consent to disclosure of alcohol or drug abuse patient records.



9.1 Sec. 8. Minnesota Statutes 2014, section 624.7131, subdivision 4, is amended to read:

9.2 Subd. 4. **Grounds for disqualification.** ~~A determination by~~ (a) The chief of police  
9.3 or sheriff ~~that shall refuse to grant a transferee permit if the applicant is prohibited by~~  
9.4 section 624.713 from possessing a pistol or semiautomatic military-style assault weapon  
9.5 ~~shall be the only basis for refusal to grant a transferee permit or is determined to be a~~  
9.6 ~~danger to self or others under paragraph (b).~~

9.7 (b) A chief or sheriff shall refuse to grant a permit to a person who is a danger to self  
9.8 or others. The decision of the chief or sheriff must be based on documented past contact  
9.9 with law enforcement. A notice of disqualification issued pursuant to this paragraph must  
9.10 describe and document the specific police contact or contacts relied upon to deny the permit.

9.11 (c) A person is not eligible to submit a permit application under this section if the  
9.12 person has had an application denied pursuant to paragraph (b) and less than six months  
9.13 have elapsed since the denial was issued or the person's appeal under subdivision 8 was  
9.14 denied, whichever is later.

9.15 (d) A chief of police or sheriff who denies a permit application pursuant to paragraph  
9.16 (b) must provide a copy of the notice of disqualification to the chief of police or sheriff  
9.17 with joint jurisdiction over the proposed transferee's residence.

9.18 Sec. 9. Minnesota Statutes 2014, section 624.7131, subdivision 5, is amended to read:

9.19 Subd. 5. **Granting of permits.** (a) Except as provided in paragraph (b), the chief  
9.20 of police or sheriff shall issue a transferee permit or deny the application within seven  
9.21 business days of application for the permit. The chief of police or sheriff shall provide an  
9.22 applicant with written notification of a denial and the specific reason for the denial. The  
9.23 permits and their renewal shall be granted free of charge.

9.24 (b) If a chief of police or sheriff is unable to verify a proposed transferee's identity or  
9.25 criminal record within the seven-business-day requirement described in paragraph (a),  
9.26 the chief of police or sheriff may require the transferee to appear in person to present a  
9.27 current driver's license, state identification card, or passport, and, if deemed necessary, to  
9.28 be fingerprinted. If this occurs, the chief of police or sheriff shall notify the transferor of  
9.29 this in writing, and the seven-business-day requirement is extended to 30 days.

9.30 Sec. 10. Minnesota Statutes 2014, section 624.7131, is amended by adding a  
9.31 subdivision to read:

9.32 Subd. 5a. **Emergency permit.** The chief of police or sheriff may limit or expedite  
9.33 the investigation required in subdivision 2 if the chief or sheriff finds that the transferee  
9.34 requires access to a pistol or semiautomatic military-style assault weapon because of a

10.1 threat to the life of the transferee or any member of the transferee's household. Under these  
10.2 circumstances, the chief or sheriff may issue a transferee permit that expires no more than  
10.3 48 hours after issuance and that is valid for the transfer of a single pistol or semiautomatic  
10.4 military-style assault weapon. An emergency transferee permit is not renewable.

10.5 Sec. 11. Minnesota Statutes 2014, section 624.7132, subdivision 1, is amended to read:

10.6 Subdivision 1. **Required information.** (a) Except as provided in this section  
10.7 and section 624.7131, every person who agrees to transfer a pistol or semiautomatic  
10.8 military-style assault weapon shall report the following information in writing to the  
10.9 chief of police of the organized full-time police department of the municipality where the  
10.10 proposed transferee resides or to the appropriate county sheriff if there is no such local  
10.11 chief of police:

10.12 (1) the name, residence, telephone number, and driver's license number or  
10.13 nonqualification certificate number, if any, of the proposed transferee;

10.14 (2) the sex, date of birth, height, weight, and color of eyes, and distinguishing  
10.15 physical characteristics, if any, of the proposed transferee;

10.16 (3) a statement that the proposed transferee authorizes the release to the local police  
10.17 authority of commitment information about the proposed transferee maintained by the  
10.18 commissioner of human services, to the extent that the information relates to the proposed  
10.19 transferee's eligibility to possess a pistol or semiautomatic military-style assault weapon  
10.20 under section 624.713, subdivision 1;

10.21 (4) a statement by the proposed transferee that the transferee is not prohibited by  
10.22 section 624.713 from possessing a pistol or semiautomatic military-style assault weapon  
10.23 and that the person has not been denied a permit under subdivision 5, paragraph (b), or  
10.24 section 624.7131, subdivision 4, paragraph (b), within the past six months; and

10.25 (5) the address of the place of business of the transferor.

10.26 (b) In addition to the requirements described in paragraph (a), the proposed  
10.27 transferee shall submit an accurate photocopy of the person's current driver's license, state  
10.28 identification card, or the photo page of the person's passport.

10.29 (c) The report shall be signed and dated by the transferor and the proposed transferee.  
10.30 The report shall be delivered by the transferor to the chief of police or sheriff no later  
10.31 than three days after the date of the agreement to transfer, excluding weekends and legal  
10.32 holidays. The statement under paragraph (a), clause (3), must comply with any applicable  
10.33 requirements of Code of Federal Regulations, title 42, sections 2.31 to 2.35, with respect  
10.34 to consent to disclosure of alcohol or drug abuse patient records.

11.1 Sec. 12. Minnesota Statutes 2014, section 624.7132, subdivision 3, is amended to read:

11.2 Subd. 3. **Notification.** The chief of police or sheriff shall notify the transferor  
11.3 and proposed transferee in writing as soon as possible if the chief or sheriff determines  
11.4 that the proposed transferee is prohibited by section 624.713 from possessing a pistol or  
11.5 semiautomatic military-style assault weapon or is determined to be a danger to self or  
11.6 others under subdivision 5, paragraph (b). The notification to the transferee shall specify  
11.7 the grounds for the disqualification of the proposed transferee and shall set forth in detail  
11.8 the transferee's right of appeal under subdivision 13.

11.9 Sec. 13. Minnesota Statutes 2014, section 624.7132, subdivision 4, is amended to read:

11.10 Subd. 4. **Delivery.** (a) Except as otherwise provided in this subdivision 7 or  
11.11 subdivision 8, no person shall deliver a pistol or semiautomatic military-style assault  
11.12 weapon to a proposed transferee until ~~five~~ seven business days after the date the  
11.13 agreement to transfer is delivered to a chief of police or sheriff in accordance with  
11.14 subdivision 1 unless the chief of police or sheriff waives all or a portion of the ~~seven-day~~  
11.15 ~~seven-business-day~~ waiting period. The chief of police or sheriff may waive all or a  
11.16 portion of the ~~five-business-day~~ seven-business-day waiting period in writing if the chief  
11.17 of police or sheriff finds that the transferee requires access to a pistol or semiautomatic  
11.18 military-style assault weapon because of a threat to the life of the transferee or of any  
11.19 member of the household of the transferee.

11.20 (b) If a chief of police or sheriff is unable to verify a proposed transferee's identity or  
11.21 criminal record within the seven-business-day requirement described in paragraph (a),  
11.22 the chief of police or sheriff may require the transferee to appear in person to present a  
11.23 current driver's license, state identification card, or passport, and, if deemed necessary, to  
11.24 be fingerprinted. If this occurs, the chief of police or sheriff shall notify the transferor of  
11.25 this in writing, and the seven-business-day requirement is extended to 30 days.

11.26 (c) No person shall deliver a pistol or semiautomatic military-style assault weapon  
11.27 to a proposed transferee after receiving a written notification that the chief of police or  
11.28 sheriff has determined that the proposed transferee is prohibited by section 624.713 from  
11.29 possessing a pistol or semiautomatic military-style assault weapon.

11.30 (d) If the transferor makes a report of transfer and receives no written notification  
11.31 of disqualification of the proposed transferee and no written notification as described  
11.32 in paragraph (b) within ~~five~~ seven business days after delivery of the agreement to  
11.33 transfer, the pistol or semiautomatic military-style assault weapon may be delivered to  
11.34 the transferee. If the transferor receives the written notification described in paragraph  
11.35 (b), the seven-business-day period is extended to 30 days.

12.1 Sec. 14. Minnesota Statutes 2014, section 624.7132, subdivision 5, is amended to read:

12.2 Subd. 5. **Grounds for disqualification.** ~~A determination by~~ (a) The chief of police  
12.3 or sheriff that shall deny an application if the proposed transferee is prohibited by section  
12.4 624.713 from possessing a pistol or semiautomatic military-style assault weapon shall be  
12.5 the sole basis for a notification of disqualification under this section or is determined to be  
12.6 a danger to self or others under paragraph (b).

12.7 (b) A chief or sheriff shall deny a permit to a person who is a danger to self or others.  
12.8 The decision of the chief or sheriff must be based on documented past contact with law  
12.9 enforcement. A notice of disqualification issued pursuant to this paragraph must describe  
12.10 and document the specific police contact or contacts relied upon to deny the permit.

12.11 (c) A person is not eligible to submit a permit application under this section if the  
12.12 person has had an application denied pursuant to paragraph (b) and less than six months  
12.13 have elapsed since the denial was issued or the person's appeal under subdivision 13  
12.14 was denied, whichever is later.

12.15 (d) A chief of police or sheriff who denies a permit application pursuant to paragraph  
12.16 (b) must provide a copy of the notice of disqualification to the chief of police or sheriff  
12.17 with joint jurisdiction over the applicant's residence.

12.18 Sec. 15. Minnesota Statutes 2014, section 624.7132, subdivision 6, is amended to read:

12.19 Subd. 6. **Transferee permit.** If a chief of police or sheriff determines that a  
12.20 transferee is not a person prohibited by section 624.713 from possessing a pistol or  
12.21 semiautomatic military-style assault weapon and is not a danger to self or others, the  
12.22 transferee may, within 30 days after the determination, apply to that chief of police or  
12.23 sheriff for a transferee permit, and the permit shall be issued.

12.24 Sec. 16. Minnesota Statutes 2014, section 624.7132, is amended by adding a  
12.25 subdivision to read:

12.26 Subd. 7a. **Transfer by or to licensed dealers only.** (a) No person shall transfer  
12.27 a pistol or semiautomatic military-style assault weapon unless the transferor or the  
12.28 transferee is a federally licensed firearms dealer. Where neither party to a prospective  
12.29 pistol or semiautomatic military-style assault weapon transfer is a federally licensed  
12.30 firearms dealer, the parties shall complete the transfer through a federally licensed firearms  
12.31 dealer as follows:

12.32 (1) the transferor shall deliver the pistol or semiautomatic military-style assault  
12.33 weapon and a valid transferee permit or report of transfer to a federally licensed firearms

13.1 dealer, who shall retain possession of that pistol or semiautomatic military-style assault  
13.2 weapon until the transaction is completed or as provided in clause (3);

13.3 (2) the federally licensed dealer shall comply with this section and federal law as  
13.4 if the dealer had agreed to directly transfer the pistol or semiautomatic military-style  
13.5 assault weapon to the proposed transferee;

13.6 (3) if the dealer cannot legally deliver the pistol or semiautomatic military-style  
13.7 assault weapon to the proposed transferee or otherwise chooses not to complete the  
13.8 transaction, the dealer shall conduct a background check in accordance with federal law  
13.9 and file a report of transfer to transfer the pistol or semiautomatic military-style assault  
13.10 weapon back to the original transferor. If the original transferor is prohibited by section  
13.11 624.713 from possessing a pistol or semiautomatic military-style assault weapon, the  
13.12 dealer shall transfer the firearm to the chief of police or sheriff within 24 hours;

13.13 (4) a dealer who denies transfer of a pistol or semiautomatic military-style assault  
13.14 weapon shall immediately report the identity of the proposed transferee and the date,  
13.15 time, and place of the attempted transfer to the local law enforcement agency where  
13.16 the dealer is located; and

13.17 (5) the dealer may require the proposed transferee to pay a fee of no more than \$25  
13.18 when assisting with a transfer under this subdivision.

13.19 (b) For purposes of this section and section 624.7131, an auctioneer who is licensed  
13.20 and bonded in accordance with section 330.01 who, while acting in the person's role as  
13.21 an auctioneer, facilitates the sale of a pistol or a semiautomatic military-style assault  
13.22 weapon, is neither the transferor nor transferee in the sale of the firearm, provided that the  
13.23 auctioneer does not transfer physical possession of the firearm to the buyer or buyer's agent  
13.24 or assignee at any time preceding, during, or following the auction other than temporarily  
13.25 prior to the auctioning of the firearm for the purpose of enabling the prospective buyer to  
13.26 inspect the characteristics and quality of the firearm. Upon completion of the auctioning  
13.27 of the firearm, the auctioneer or the auctioneer's agent must physically return the firearm  
13.28 to the possession of the person who owns the firearm and who is the prospective transferor  
13.29 of the firearm, or to that person's agent in the auction. The owner who is the prospective  
13.30 transferor and the prospective transferee who has agreed in the auction to purchase the  
13.31 firearm must then comply in full with the terms of paragraph (a), if applicable, and with  
13.32 the provisions of this chapter, chapter 609, and any other state or federal law to complete  
13.33 the transfer of the firearm.

13.34 Sec. 17. Minnesota Statutes 2014, section 624.7132, subdivision 12, is amended to read:

14.1 Subd. 12. **Exclusions.** (a) For purposes of this subdivision, "relative" means a  
 14.2 spouse, parent, stepparent, child, stepchild, brother, sister, aunt, uncle, grandparent, or  
 14.3 grandchild by blood or marriage.

14.4 ~~Except as otherwise provided in section 609.66, subdivision 1f,~~ (b) This section shall  
 14.5 not apply to ~~transfers of antique firearms as curiosities or for their historical significance~~  
 14.6 ~~or value~~, transfers to or between federally licensed firearms dealers, transfers by order of  
 14.7 court, involuntary transfers, transfers at death or the following transfers:

14.8 (1) a transfer by a person ~~other than a federally licensed firearms dealer~~ to a relative  
 14.9 who is not ineligible to possess a firearm under section 624.713;

14.10 (2) a loan to a prospective transferee if the loan is intended for a period of no more  
 14.11 than one day;

14.12 (3) the delivery of a pistol or semiautomatic military-style assault weapon to a  
 14.13 person for the purpose of repair, reconditioning or remodeling;

14.14 (4) a loan by a teacher to a student in a course designed to teach marksmanship or  
 14.15 safety with a pistol and approved by the commissioner of natural resources;

14.16 (5) a loan between persons at a firearms collectors exhibition;

14.17 (6) a loan between persons lawfully engaged in hunting or target shooting if the  
 14.18 loan is intended for a period of no more than ~~42~~ 72 hours and the person receiving the  
 14.19 pistol or semiautomatic military-style assault weapon is not ineligible to possess a firearm  
 14.20 under section 624.713;

14.21 (7) a loan between law enforcement officers who have the power to make arrests  
 14.22 other than citizen arrests; and

14.23 (8) a loan between employees or between the employer and an employee in a  
 14.24 business if the employee is required to carry a pistol or semiautomatic military-style assault  
 14.25 weapon by reason of employment and is the holder of a valid permit to carry a pistol.

14.26 Sec. 18. Minnesota Statutes 2014, section 624.7132, subdivision 13, is amended to read:

14.27 Subd. 13. **Appeal.** A person aggrieved by the determination of a chief of police  
 14.28 or sheriff ~~that the person is prohibited by section 624.713 from possessing a pistol~~  
 14.29 ~~or semiautomatic military-style assault weapon~~ under subdivision 5 may appeal the  
 14.30 determination as provided in this subdivision. The district court shall have jurisdiction of  
 14.31 proceedings under this subdivision.

14.32 ~~On review pursuant to this subdivision, the court shall be limited to a determination~~  
 14.33 ~~of whether the proposed transferee is a person prohibited from possessing a pistol or~~  
 14.34 ~~semiautomatic military-style assault weapon by section 624.713.~~

15.1 Sec. 19. Minnesota Statutes 2014, section 624.7132, subdivision 15, is amended to read:

15.2 Subd. 15. **Penalties.** (a) Except as otherwise provided in paragraph (b), a person  
15.3 who does any of the following is guilty of a gross misdemeanor:

15.4 (1) transfers a pistol or semiautomatic military-style assault weapon in violation  
15.5 of subdivisions 1 to 13;

15.6 (2) transfers a pistol or semiautomatic military-style assault weapon to a person who  
15.7 has made a false statement in order to become a transferee, if the transferor knows or has  
15.8 reason to know the transferee has made the false statement;

15.9 (3) knowingly becomes a transferee in violation of subdivisions 1 to 13; or

15.10 (4) makes a false statement in order to become a transferee of a pistol or  
15.11 semiautomatic military-style assault weapon knowing or having reason to know the  
15.12 statement is false.

15.13 (b) A person who does ~~either~~ any of the following is guilty of a felony:

15.14 (1) transfers a pistol or semiautomatic military-style assault weapon to a person  
15.15 under the age of 18 in violation of subdivisions 1 to 13; ~~or~~

15.16 (2) transfers a pistol or semiautomatic military-style assault weapon to a person  
15.17 under the age of 18 who has made a false statement in order to become a transferee, if the  
15.18 transferor knows or has reason to know the transferee has made the false statement;

15.19 (3) transfers a pistol or a semiautomatic military-style assault weapon to another in  
15.20 violation of this section if: (i) the person knows or has reason to know that the transferee is  
15.21 prohibited under section 624.713 from possessing a firearm; and (ii) the transferee uses the  
15.22 weapon within one year after the transfer in furtherance of a felony crime of violence; or

15.23 (4) violates paragraph (a), clause (1) or (3), after having been previously convicted  
15.24 or adjudicated delinquent for a violation of this section or section 624.7131.

15.25 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
15.26 committed on or after that date.

15.27 Sec. 20. Minnesota Statutes 2014, section 624.714, subdivision 6, is amended to read:

15.28 Subd. 6. **Granting and denial of permits.** (a) The sheriff must, within 30 days  
15.29 after the date of receipt of the application packet described in subdivision 3:

15.30 (1) issue the permit to carry;

15.31 (2) deny the application for a permit to carry solely on the grounds that the applicant  
15.32 failed to qualify under the criteria described in subdivision 2, paragraph (b); or

15.33 (3) deny the application on the grounds that there exists a ~~substantial~~ likelihood that  
15.34 the applicant is a danger to self or the public if authorized to carry a pistol under a permit.

16.1 (b) Failure of the sheriff to notify the applicant of the denial of the application  
16.2 within 30 days after the date of receipt of the application packet constitutes issuance of the  
16.3 permit to carry and the sheriff must promptly fulfill the requirements under paragraph (c).  
16.4 To deny the application, the sheriff must provide the applicant with written notification  
16.5 and the specific factual basis justifying the denial under paragraph (a), clause (2) or (3),  
16.6 including the source of the factual basis. The sheriff must inform the applicant of the  
16.7 applicant's right to submit, within 20 business days, any additional documentation relating  
16.8 to the propriety of the denial. Upon receiving any additional documentation, the sheriff  
16.9 must reconsider the denial and inform the applicant within 15 business days of the result  
16.10 of the reconsideration. Any denial after reconsideration must be in the same form and  
16.11 substance as the original denial and must specifically address any continued deficiencies  
16.12 in light of the additional documentation submitted by the applicant. The applicant must be  
16.13 informed of the right to seek de novo review of the denial as provided in subdivision 12.

16.14 (c) Upon issuing a permit to carry, the sheriff must provide a laminated permit  
16.15 card to the applicant by first class mail unless personal delivery has been made. Within  
16.16 five business days, the sheriff must submit the information specified in subdivision 7,  
16.17 paragraph (a), to the commissioner for inclusion solely in the database required under  
16.18 subdivision 15, paragraph (a). The sheriff must transmit the information in a manner and  
16.19 format prescribed by the commissioner.

16.20 (d) Within five business days of learning that a permit to carry has been suspended  
16.21 or revoked, the sheriff must submit information to the commissioner regarding the  
16.22 suspension or revocation for inclusion solely in the databases required or permitted under  
16.23 subdivision 15.

16.24 (e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application  
16.25 process if a charge is pending against the applicant that, if resulting in conviction, will  
16.26 prohibit the applicant from possessing a firearm.

16.27 Sec. 21. Minnesota Statutes 2014, section 624.714, subdivision 8, is amended to read:

16.28 Subd. 8. **Permit to carry voided.** (a) The permit to carry is void at the time that the  
16.29 holder becomes prohibited by law from possessing a firearm, in which event the holder  
16.30 must return the permit card to the issuing sheriff within five business days after the holder  
16.31 knows or should know that the holder is a prohibited person. If the sheriff has knowledge  
16.32 that a permit is void under this paragraph, the sheriff must give notice to the permit holder  
16.33 in writing in the same manner as a denial. Failure of the holder to return the permit within  
16.34 the five days is a gross misdemeanor unless the court finds that the circumstances or the



17.1 physical or mental condition of the permit holder prevented the holder from complying  
17.2 with the return requirement.

17.3 (b) When a permit holder is convicted of an offense that prohibits the permit holder  
17.4 from possessing a firearm, the court must take possession of the permit, if it is available,  
17.5 and send it to the issuing sheriff.

17.6 (c) The sheriff of the county where the application was submitted, or of the county  
17.7 of the permit holder's current residence, may file a petition with the district court therein,  
17.8 for an order revoking a permit to carry on the grounds set forth in subdivision 6, paragraph  
17.9 (a), clause (3). An order shall be issued only if the sheriff meets the burden of proof and  
17.10 criteria set forth in subdivision 12. ~~If the court denies the petition, the court must award~~  
17.11 ~~the permit holder reasonable costs and expenses, including attorney fees.~~

17.12 (d) A permit revocation must be promptly reported to the issuing sheriff.

17.13 Sec. 22. Minnesota Statutes 2014, section 624.714, subdivision 12, is amended to read:

17.14 Subd. 12. **Hearing upon denial or revocation.** (a) Any person aggrieved by denial  
17.15 or revocation of a permit to carry may appeal by petition to the district court having  
17.16 jurisdiction over the county or municipality where the application was submitted. The  
17.17 petition must list the sheriff as the respondent. The district court must hold a hearing at  
17.18 the earliest practicable date and in any event no later than 60 days following the filing of  
17.19 the petition for review. The court may not grant or deny any relief before the completion  
17.20 of the hearing. The record of the hearing must be sealed. The matter must be heard de  
17.21 novo without a jury.

17.22 (b) The court must issue written findings of fact and conclusions of law regarding  
17.23 the issues submitted by the parties. The court must issue its writ of mandamus directing  
17.24 that the permit be issued and order other appropriate relief unless the sheriff establishes  
17.25 by ~~clear and convincing~~ a preponderance of the evidence:

17.26 (1) that the applicant is disqualified under the criteria described in subdivision 2,  
17.27 paragraph (b); or

17.28 (2) that there exists a ~~substantial~~ likelihood that the applicant is a danger to self or  
17.29 the public if authorized to carry a pistol under a permit. Incidents of alleged criminal  
17.30 misconduct that are not ~~investigated and~~ documented may not be considered.

17.31 (c) If an applicant is denied a permit on the grounds that the applicant is listed in  
17.32 the criminal gang investigative data system under section 299C.091, the person may  
17.33 challenge the denial, after disclosure under court supervision of the reason for that listing,  
17.34 based on grounds that the person:

17.35 (1) was erroneously identified as a person in the data system;

18.1 (2) was improperly included in the data system according to the criteria outlined in  
18.2 section 299C.091, subdivision 2, paragraph (b); or

18.3 (3) has demonstrably withdrawn from the activities and associations that led to  
18.4 inclusion in the data system.

18.5 ~~(d) If the court grants a petition brought under paragraph (a), the court must award~~  
18.6 ~~the applicant or permit holder reasonable costs and expenses including attorney fees.~~

18.7 Sec. 23. Minnesota Statutes 2015 Supplement, section 624.714, subdivision 16,  
18.8 is amended to read:

18.9 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
18.10 annually establish and publish a list of other states that have laws governing the issuance of  
18.11 permits to carry weapons that are not similar to this section. The list must be available on  
18.12 the Internet. A person holding a carry permit from a state not on the list may use the license  
18.13 or permit in this state subject to the rights, privileges, and requirements of this section.

18.14 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in  
18.15 this state if the holder is or becomes prohibited by law from possessing a firearm.

18.16 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an  
18.17 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in  
18.18 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall  
18.19 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision  
18.20 12. ~~If the court denies the petition, the court must award the permit holder reasonable~~  
18.21 ~~costs and expenses including attorney fees.~~ The petition may be filed in any county in the  
18.22 state where a person holding a license or permit from another state can be found.

18.23 (d) The commissioner must, when necessary, execute reciprocity agreements  
18.24 regarding carry permits with jurisdictions whose carry permits are recognized under  
18.25 paragraph (a).

18.26 Sec. 24. Minnesota Statutes 2014, section 624.714, subdivision 21, is amended to read:

18.27 Subd. 21. **Use of fees.** Fees collected by sheriffs under this section and not forwarded  
18.28 to the commissioner must be used only to pay the direct costs of administering this section.  
18.29 Fee money may be used to pay the costs of appeals of ~~prevailing applicants or permit~~  
18.30 ~~holders under subdivision 8, paragraph (c); subdivision 12, paragraph (c); and subdivision~~  
18.31 ~~16, paragraph (c).~~ Fee money may also be used to pay and the reasonable costs of the county  
18.32 attorney to represent the sheriff in proceedings under this section. The revenues must be  
18.33 maintained in a segregated fund. Fund balances must be carried over from year to year and  
18.34 do not revert to any other fund. As part of the information supplied under subdivision 20,

19.1 paragraph (b), by January 31 of each year, a sheriff must report to the commissioner on the  
19.2 sheriff's segregated fund for the preceding calendar year, including information regarding:

- 19.3 (1) nature and amount of revenues;  
19.4 (2) nature and amount of expenditures; and  
19.5 (3) nature and amount of balances.

19.6 Sec. 25. Minnesota Statutes 2014, section 624.7141, subdivision 1, is amended to read:

19.7 Subdivision 1. **Transfer prohibited.** A person is guilty of a gross misdemeanor who  
19.8 intentionally transfers a pistol or semiautomatic military-style assault weapon to another if  
19.9 the person knows, or has reason to know, that the transferee:

19.10 (1) has been denied a permit to carry under section 624.714 because the transferee  
19.11 is not eligible under section 624.713 to possess a pistol or semiautomatic military-style  
19.12 assault weapon;

19.13 (2) has been found ineligible to possess a pistol or semiautomatic military-style  
19.14 assault weapon by a chief of police or sheriff as a result of an application for a transferee  
19.15 permit or a transfer report; or

19.16 (3) is disqualified under section 624.713 from possessing a pistol or semiautomatic  
19.17 military-style assault weapon.

19.18 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
19.19 committed on or after that date.

19.20 Sec. 26. Minnesota Statutes 2014, section 624.7141, subdivision 2, is amended to read:

19.21 Subd. 2. **Felony.** A violation of this section is a felony:

19.22 (1) if the transferee possesses or uses the weapon within one year after the transfer in  
19.23 furtherance of a felony crime of violence; or

19.24 (2) if the transferor knows, or has reason to know, the transferee intends to use the  
19.25 weapon in the furtherance of a felony crime of violence.

19.26 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
19.27 committed on or after that date.

19.28 Sec. 27. Minnesota Statutes 2014, section 624.7141, subdivision 3, is amended to read:

19.29 Subd. 3. **Subsequent eligibility.** ~~This section~~ Subdivision 2, clause (1), is not  
19.30 applicable to a transfer to a person who became eligible to possess a pistol or semiautomatic  
19.31 military-style assault weapon under section 624.713 after the transfer occurred but before  
19.32 the transferee used or possessed the weapon in furtherance of any crime.

20.1 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes  
20.2 committed on or after that date.

20.3 Sec. 28. **REPEALER.**

20.4 Minnesota Statutes 2014, sections 609.66, subdivision 1f; and 624.7132, subdivision  
20.5 14, are repealed.

**609.66 DANGEROUS WEAPONS.**

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, 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.

**624.7132 REPORT OF TRANSFER.**

Subd. 14. **Transfer to unknown party.** (a) No person shall transfer a pistol or semiautomatic military-style assault weapon to another who is not personally known to the transferor unless the proposed transferee presents evidence of identity to the transferor.

(b) No person who is not personally known to the transferor shall become a transferee of a pistol or semiautomatic military-style assault weapon unless the person presents evidence of identity to the transferor.

(c) The evidence of identity shall contain the name, residence address, date of birth, and photograph of the proposed transferee; must be made or issued by or under the authority of the United States government, a state, a political subdivision of a state, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization; and must be of a type commonly accepted for the purpose of identification of individuals.

(d) A person who becomes a transferee of a pistol or semiautomatic military-style assault weapon in violation of this subdivision is guilty of a misdemeanor.