

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 98

(SENATE AUTHORS: REST, Laine, Dziejcz, Eaton and Pappas)

DATE	D-PG	OFFICIAL STATUS
01/14/2019	75	Introduction and first reading
		Referred to Judiciary and Public Safety Finance and Policy
01/17/2019	119	Author added Pappas

1.1 A bill for an act

1.2 relating to elections; establishing a prohibition on the presence of certain weapons

1.3 at a polling place; providing criminal penalties; amending Minnesota Statutes

1.4 2018, sections 203B.03, by adding a subdivision; 204C.06, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 203B.03, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 1a. **Weapons at absentee balloting locations.** Section 204C.06, subdivision 9,

1.9 applies to the possession of certain weapons in polling places where absentee ballots are

1.10 cast.

1.11 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes

1.12 committed on or after that date.

1.13 Sec. 2. Minnesota Statutes 2018, section 204C.06, is amended by adding a subdivision to

1.14 read:

1.15 Subd. 9. **Prohibition on certain weapons at a polling place; penalty.** (a) Whoever

1.16 possesses, stores, or keeps a firearm in a location the person knows is a polling place is

1.17 guilty of a felony and may be sentenced to imprisonment for not more than five years or to

1.18 payment of a fine of not more than \$10,000, or both.

1.19 (b) Whoever uses or brandishes a replica firearm or a BB gun in a location the person

1.20 knows is a polling place is guilty of a gross misdemeanor.

1.21 (c) Whoever possesses, stores, or keeps a replica firearm or a BB gun in a location the

1.22 person knows is a polling place is guilty of a misdemeanor.

2.1 (d) Notwithstanding paragraph (a), (b), or (c), it is a misdemeanor for a person authorized
2.2 to carry a firearm under the provisions of a permit or otherwise to carry a firearm on or
2.3 about the person's clothes or person in a location the person knows is a polling place.
2.4 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not
2.5 subject to forfeiture.

2.6 (e) As used in this subdivision:

2.7 (1) "BB gun" means a device that fires or ejects a shot measuring 0.18 inches or less in
2.8 diameter;

2.9 (2) "polling place" means the room in which voting occurs;

2.10 (3) "replica firearm" has the meaning given in section 609.713; and

2.11 (4) "voting" includes absentee voting under chapter 203B.

2.12 (f) This subdivision does not apply to:

2.13 (1) active licensed peace officers; and

2.14 (2) military personnel or students participating in military training who are on-duty and
2.15 performing official duties.

2.16 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
2.17 committed on or after that date.