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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3628

02/13/2024 Authored by Pérez-Vega, Hussein, Clardy, Hornstein, Sencer-Mura and others
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; banning possession of large-capacity ammunition
1.3 magazines, semiautomatic military-style assault weapons, .50 caliber or larger
1.4 firearms, undetectable firearms, and other weapons; amending Minnesota Statutes
1.5 2022, section 624.712, subdivision 7, by adding subdivisions; proposing coding
1.6 for new law in Minnesota Statutes, chapter 624.

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

1.8 Section 1. Minnesota Statutes 2022, section 624.712, subdivision 7, is amended to read:

1.9 Subd. 7. Semiautomatic military-style assault weapon. (a) "Semiautomatic
1.10 military-style assault weapon" means:

1.11 (1) any of the following firearms:

1.12 (i) Avtomat Kalashnikov (AK-47) semiautomatic rifle type;

1.13 (ii) Beretta AR-70 and BM-59 semiautomatic rifle types;

1.14 (iii) Colt AR-15 semiautomatic rifle type;

1.15 (iv) Daewoo Max-1 and Max-2 semiautomatic rifle types;

1.16 (v) Famas MAS semiautomatic rifle type;

1.17 (vi) Fabrique Nationale FN-LAR and FN-FNC semiautomatic rifle types;

1.18 (vii) Galil semiautomatic rifle type;

1.19 (viii) Heckler & Koch HK-91, HK-93, and HK-94 semiautomatic rifle types;

1.20 (ix) Ingram MAC-10 and MAC-11 semiautomatic pistol and carbine types;

1.21 (x) Intratec TEC-9 semiautomatic pistol type;

2.1 (xi) Sigarms SIG 550SP and SIG 551SP semiautomatic rifle types;

2.2 (xii) SKS with detachable magazine semiautomatic rifle type;

2.3 (xiii) Steyr AUG semiautomatic rifle type;

2.4 (xiv) Street Sweeper and Striker-12 revolving-cylinder shotgun types;

2.5 (xv) USAS-12 semiautomatic shotgun type;

2.6 (xvi) Uzi semiautomatic pistol and carbine types; or

2.7 (xvii) Valmet M76 and M78 semiautomatic rifle types;

2.8 (2) any firearm that is another model made by the same manufacturer as one of the
2.9 firearms listed in clause (1), and has the same action design as one of the listed firearms,
2.10 and is a redesigned, renamed, or renumbered version of one of the firearms listed in clause
2.11 (1), or has a slight modification or enhancement, including but not limited to a folding or
2.12 retractable stock; adjustable sight; case deflector for left-handed shooters; shorter barrel;
2.13 wooden, plastic, or metal stock; larger clip size; different caliber; or a bayonet mount; and

2.14 (3) any firearm that has been manufactured or sold by another company under a licensing
2.15 agreement with a manufacturer of one of the firearms listed in clause (1) entered into after
2.16 the effective date of Laws 1993, chapter 326, to manufacture or sell firearms that are identical
2.17 or nearly identical to those listed in clause (1), or described in clause (2), regardless of the
2.18 company of production or country of origin.

2.19 The weapons listed in clause (1), except those listed in items (iii), (ix), (x), (xiv), and
2.20 (xv), are the weapons the importation of which was barred by the Bureau of Alcohol,
2.21 Tobacco, and Firearms of the United States Department of the Treasury in July 1989.

2.22 ~~Except as otherwise specifically provided in paragraph (d), a firearm is not a~~
2.23 ~~"semiautomatic military-style assault weapon" if it is generally recognized as particularly~~
2.24 ~~suitable for or readily adaptable to sporting purposes under United States Code, title 18,~~
2.25 ~~section 925, paragraph (d)(3), or any regulations adopted pursuant to that law.~~

2.26 (b) Semiautomatic military-style assault weapon also includes any:

2.27 (1) semiautomatic rifle that has the capacity to accept a detachable magazine and has
2.28 one or more of the following:

2.29 (i) a pistol grip or thumbhole stock;

2.30 (ii) any feature capable of functioning as a protruding grip that can be held by the
2.31 nontrigger hand;

- 3.1 (iii) a folding or telescoping stock; or
- 3.2 (iv) a shroud attached to the barrel, or that partially or completely encircles the barrel,
3.3 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but
3.4 excluding a slide that encloses the barrel;
- 3.5 (2) semiautomatic pistol, or any semiautomatic, centerfire, or rimfire rifle with a fixed
3.6 magazine that has the capacity to accept more than ten rounds of ammunition;
- 3.7 (3) semiautomatic pistol that has the capacity to accept a detachable magazine and has
3.8 one or more of the following:
- 3.9 (i) any feature capable of functioning as a protruding grip that can be held by the
3.10 nontrigger hand;
- 3.11 (ii) a folding, telescoping, or thumbhole stock;
- 3.12 (iii) a shroud attached to the barrel, or that partially or completely encircles the barrel,
3.13 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but
3.14 excluding a slide that encloses the barrel; or
- 3.15 (iv) the capacity to accept a detachable magazine at any location outside of the pistol
3.16 grip;
- 3.17 (4) semiautomatic shotgun that has one or more of the following:
- 3.18 (i) a pistol grip or thumbhole stock;
- 3.19 (ii) any feature capable of functioning as a protruding grip that can be held by the
3.20 nontrigger hand;
- 3.21 (iii) a folding or telescoping stock;
- 3.22 (iv) a fixed magazine capacity in excess of ten rounds; or
- 3.23 (v) an ability to accept a detachable magazine;
- 3.24 (5) shotgun with a revolving cylinder; or
- 3.25 (6) conversion kit, part, or combination of parts, from which an assault weapon can be
3.26 assembled if those parts are in the possession or under the control of the same person.
- 3.27 Semiautomatic military-style assault weapon does not mean any firearm described in this
3.28 paragraph that has been made permanently inoperable.

4.1 Sec. 2. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision to
4.2 read:

4.3 Subd. 22. **Firearm.** "Firearm" has the meaning given in section 609.666, subdivision
4.4 1.

4.5 Sec. 3. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision to
4.6 read:

4.7 Subd. 23. **Large-capacity magazine.** "Large-capacity magazine" means any ammunition
4.8 feeding device with the capacity to accept more than ten rounds, or any conversion kit, part,
4.9 or combination of parts from which this type of device can be assembled if those parts are
4.10 in the possession or under the control of the same person. Large-capacity magazine does
4.11 not mean any of the following:

4.12 (1) a feeding device that has been permanently altered so that it cannot accommodate
4.13 more than ten rounds;

4.14 (2) a .22 caliber tube ammunition feeding device; or

4.15 (3) a tubular magazine that is contained in a lever-action firearm.

4.16 **EFFECTIVE DATE.** This section is effective August 1, 2024.

4.17 Sec. 4. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision to
4.18 read:

4.19 Subd. 24. **.50 caliber or larger firearm.** ".50 caliber or larger firearm" means a firearm
4.20 that is capable of expelling a metal projectile that measures one-half inch or larger in diameter
4.21 but does not include an antique or replica firearm that uses black powder.

4.22 Sec. 5. **[624.7145] LARGE-CAPACITY MAGAZINES; .50 CALIBER OR LARGER**
4.23 **FIREARMS; SEMIAUTOMATIC MILITARY-STYLE ASSAULT WEAPONS;**
4.24 **UNDETECTABLE FIREARMS; PROHIBITION.**

4.25 Subdivision 1. **Definitions.** As used in this section:

4.26 (1) "appropriate law enforcement agency" means the organized full-time police
4.27 department of the municipality where the person resides or the county sheriff if there is no
4.28 municipal police department where the person resides;

4.29 (2) "transfer" means a sale, gift, loan, assignment, or other delivery to another, whether
4.30 or not for consideration; and

5.1 (3) "undetectable firearm" means a firearm that is not detectable by a metal detector
5.2 under United States Code, title 18, section 922(p), or a firearm that can be readily modified
5.3 to become undetectable.

5.4 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, own,
5.5 or possess large-capacity magazines, .50 caliber or larger firearms, semiautomatic
5.6 military-style assault weapons, or undetectable firearms.

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

5.8 (1) any government officer, agent, or employee; member of the armed forces of the
5.9 United States; or peace officer, to the extent that the person is otherwise authorized to acquire
5.10 or possess a large-capacity magazine, .50 caliber or larger firearm, or semiautomatic
5.11 military-style assault weapon and does so while acting within the scope of the person's
5.12 duties;

5.13 (2) the manufacture of a large-capacity magazine, .50 caliber or larger firearm, or
5.14 semiautomatic military-style assault weapon by a firearms manufacturer for the purpose of
5.15 sale to any branch of the armed forces of the United States or to a law enforcement agency
5.16 within Minnesota for use by that agency or its employees, provided the manufacturer is
5.17 properly licensed under applicable laws; or

5.18 (3) the transfer of a large-capacity magazine, .50 caliber or larger firearm, or
5.19 semiautomatic military-style assault weapon by a dealer that is properly licensed under
5.20 applicable laws to any branch of the armed forces of the United States or to a law enforcement
5.21 agency within Minnesota for use by that agency or its employees for law enforcement,
5.22 provided that the dealer does not have the large-capacity magazine, .50 caliber or larger
5.23 firearm, or semiautomatic military-style assault weapon in possession for more than 120
5.24 days from the date of acquisition to the date of delivery to the armed forces or law
5.25 enforcement purchaser.

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

5.29 Subd. 5. **Current owners; registration of large-capacity magazines, .50 caliber**
5.30 **firearms, and semiautomatic military-style assault weapons.** (a) A person who legally
5.31 owned or possessed a large-capacity magazine, .50 caliber or larger firearm, or semiautomatic
5.32 military-style assault weapon before January 1, 2024, and who desires to keep ownership
5.33 or possession of the device shall register it before January 1, 2025, with the Bureau of

6.1 Criminal Apprehension and provide notice of the registration to the person's local law
6.2 enforcement agency.

6.3 (b) A person described in paragraph (a) shall comply with all of the following:

6.4 (1) safely and securely store the device pursuant to rules adopted by the bureau;

6.5 (2) renew the registration every three years;

6.6 (3) possess the device only on property owned or immediately controlled by the person,
6.7 or while engaged in the legal use of the device at a duly licensed firing range, or while
6.8 transporting the item in compliance with applicable law; and

6.9 (4) report the loss or theft of the device to the appropriate law enforcement agency within
6.10 48 hours of the time the discovery of the loss or theft was made or should have been made.

6.11 (c) Registered large-capacity magazines, .50 caliber or larger firearms, or semiautomatic
6.12 military-style assault weapons may not be transferred, except for transfer to the bureau for
6.13 the purpose of surrendering the item for destruction.

6.14 (d) The registered owner or possessor of a large-capacity magazine, .50 caliber or larger
6.15 firearm, or semiautomatic military-style assault weapon may not purchase or receive
6.16 additional large-capacity magazines, .50 caliber or larger firearms, or semiautomatic
6.17 military-style assault weapons.

6.18 (e) The bureau may charge a fee for each registration and registration renewal pursuant
6.19 to this subdivision.

6.20 (f) A person acquiring a large-capacity magazine, .50 caliber or larger firearm, or
6.21 semiautomatic military-style assault weapon by inheritance, bequest, or succession shall,
6.22 within 120 days of acquiring title, do one of the following:

6.23 (1) surrender the device to the bureau for destruction;

6.24 (2) modify the device to render it permanently inoperable;

6.25 (3) for a large-capacity magazine, permanently alter the device so it cannot accommodate
6.26 more than ten rounds; or

6.27 (4) remove the device from the state.

6.28 (g) A person who owned or possessed a large-capacity magazine, .50 caliber or larger
6.29 firearm, or semiautomatic military-style assault weapon before January 1, 2024, who does
6.30 not wish to register the device as required in this subdivision shall do one of the following
6.31 before January 1, 2025:

- 7.1 (1) surrender the device to the bureau for destruction;
- 7.2 (2) modify the device to render it permanently inoperable;
- 7.3 (3) for a large-capacity magazine, permanently alter the device so it cannot accommodate
- 7.4 more than ten rounds; or
- 7.5 (4) remove the device from the state.
- 7.6 (h) The bureau shall do the following regarding large-capacity magazines, .50 caliber
- 7.7 or larger firearms, or semiautomatic military-style assault weapons registered under this
- 7.8 subdivision:
- 7.9 (1) adopt rules specifying how a person who registers a large-capacity magazine, .50
- 7.10 caliber or larger firearm, or semiautomatic military-style assault weapon shall safely and
- 7.11 securely store it when it is not being used; and
- 7.12 (2) implement a registration system.
- 7.13 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
- 7.14 committed on or after that date.