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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4300

- 02/26/2024 Authored by Becker-Finn, Moller, Curran, Kotyza-Witthuhn, Kraft and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
- 03/04/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/25/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 04/29/2024 Calendar for the Day
Bill was laid on the Table

1.1 A bill for an act

1.2 relating to firearms; establishing standards for the safe storage of firearms and

1.3 criminal penalties for failing to meet those standards; appropriating money;

1.4 amending Minnesota Statutes 2022, section 609.666.

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

1.6 Section 1. Minnesota Statutes 2022, section 609.666, is amended to read:

1.7 **609.666 ~~NEGLIGENT~~ SAFE AND SECURE STORAGE OF FIREARMS.**

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following words have

1.9 the meanings given.

1.10 ~~(a)~~ (b) "Firearm" means a device designed to be used as a weapon, from which is expelled

1.11 a projectile by the force of any explosion or force of combustion. The term does not include

1.12 firearms that are inoperable.

1.13 ~~(b)~~ (c) "Authorized user" means a person who is eligible under state and federal law to

1.14 possess a firearm and to whom the owner of a firearm has expressly granted permission to

1.15 use the firearm.

1.16 (d) "Child" means a person under the age of 18 years.

1.17 ~~(e)~~ (e) "Firearm storage unit" means a secure, tamper-resistant container that is only

1.18 accessible to the owner or authorized users of the firearm or firearms stored in the container.

1.19 (f) "Gun room" means an area within a building enclosed by walls, a floor, and a ceiling,

1.20 including a closet, that has all entrances secured by a tamper-resistant lock, that is kept

1.21 locked at all times when unoccupied, and that is used exclusively for: (1) the storage of

1.22 firearms, ammunition, components of firearms or ammunition, or equipment for

2.1 firearm-related activities including but not limited to reloading ammunition, gunsmithing,
2.2 and firearm cleaning and maintenance; or (2) conducting firearm-related activities, including
2.3 but not limited to reloading ammunition, gunsmithing, and firearm cleaning and maintenance.

2.4 (g) "Loaded" means the firearm has ammunition in the chamber or magazine, if the
2.5 magazine is in the firearm, unless the firearm is incapable of being fired by a child who is
2.6 likely to gain access to the firearm.

2.7 (h) "Locking device" means a feature of a firearm or an external device that renders the
2.8 firearm inaccessible or inoperable, or both, to children and unauthorized users. Locking
2.9 device includes but is not limited to the following: a biometric lock; a trigger lock; a barrel
2.10 lock; or a cylinder lock.

2.11 Subd. 2. Access to firearms. A person is guilty of a gross misdemeanor who negligently
2.12 stores or leaves a loaded firearm in a location where the person knows, or reasonably should
2.13 know, that a child is likely to gain access, unless reasonable action is taken to secure the
2.14 firearm against access by the child may not store, keep, or leave a firearm in any place
2.15 unless the firearm is: (1) unloaded and equipped with a locking device; or (2) loaded or
2.16 unloaded in a locked firearm storage unit or a locked gun room. A firearm is not considered
2.17 stored, kept, or left under this subdivision during the period that it is under the direct physical
2.18 control or reach of the person. A person who violates this subdivision is guilty of an offense
2.19 and may be sentenced as provided in subdivision 2a.

2.20 Subd. 2a. Penalties. (a) A person who violates subdivision 2 is guilty of a petty
2.21 misdemeanor.

2.22 (b) A person who violates subdivision 2 is guilty of a gross misdemeanor if a child is
2.23 present in the area where the firearm is stored, kept, or left.

2.24 (c) A person who violates subdivision 2 is guilty of a felony and may be sentenced to
2.25 three years in prison or a fine of up to \$5,000, or both, if a loaded unsecured firearm is
2.26 accessed by a child or a person prohibited from possessing firearms under section 624.713,
2.27 subdivision 1.

2.28 (d) A person who violates subdivision 2 is guilty of a felony and may be sentenced to
2.29 five years in prison or a fine of up to \$10,000, or both, if an unsecured firearm is used in a
2.30 felony crime of violence or to inflict substantial or great bodily harm on, or to cause the
2.31 death of, someone other than the owner or authorized user of the firearm.

2.32 Subd. 3. Limitations. Subdivision 2 does and 2a do not apply to a child's
2.33 access to firearms that was obtained as a result of an unlawful entry.;

3.1 (1) in a motor vehicle while being transported in compliance with the requirements of
3.2 section 97B.045, subdivision 1, clause (1), (2), or (3);

3.3 (2) in a motor vehicle while being transported under the exceptions described in section
3.4 97B.045, subdivision 2 or 3;

3.5 (3) being used at a shooting sport event controlled by the Minnesota State High School
3.6 League, including but not limited to the Minnesota State High School Clay Target League;

3.7 (4) being used for sports shooting at an area or facility designated or operated primarily
3.8 for the use of firearms or shooting preserves as described in section 97A.115;

3.9 (5) owned or possessed by a peace officer as defined in section 626.84, subdivision 1,
3.10 paragraph (c), while the officer is engaged in the performance of official duties; or

3.11 (6) stored in a police or sheriff station.

3.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
3.13 committed on or after that date.

3.14 Sec. 2. **DEPARTMENT OF CORRECTIONS; APPROPRIATION.**

3.15 \$10,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
3.16 of corrections for costs associated with this act. The base for this appropriation is \$19,000
3.17 beginning in fiscal year 2026.