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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 4473

05/02/2018 Authored by Anderson, S.; Loon; Pugh and Whelan
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

A bill for an act

relating to public safety; granting immunity to private parties who require proof of firearms eligibility prior to transferring a firearm; amending Minnesota Statutes 2016, section 609.66, subdivision 1f.

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

Section 1. Minnesota Statutes 2016, section 609.66, subdivision 1f, is amended to read:

Subd. 1f. **Gross misdemeanor; transferring firearm without background check.** (a) 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.

(b) A person is immune from prosecution under paragraph (a) if the person produces either a copy of the transferee's permit to carry or permit to purchase that the transferee presented at the time of transfer. A transferor may only be required to produce documents maintained pursuant to this paragraph if a court orders production of the documents as part of a criminal investigation involving the transferred firearm. A court may not compel a transferor to produce documents maintained pursuant to this paragraph beyond one year after the date of transfer.