

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 3331

(SENATE AUTHORS: DIBBLE, Isaacson, Eaton, Marty and Hayden)

DATE	D-PG	OFFICIAL STATUS
03/14/2018		Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; establishing a crime for manufacturing, transferring, or

1.3 possessing large-capacity magazines; defining terms; providing criminal penalties;

1.4 amending Minnesota Statutes 2016, section 624.712, by adding a subdivision;

1.5 proposing coding for new law in Minnesota Statutes, chapter 624.

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

1.7 Section 1. Minnesota Statutes 2016, section 624.712, is amended by adding a subdivision

1.8 to read:

1.9 Subd. 13. Large-capacity magazine. "Large-capacity magazine" means any ammunition

1.10 feeding device with the capacity to accept more than ten rounds, or any conversion kit, part,

1.11 or combination of parts from which this type of device can be assembled if those parts are

1.12 in the possession or under the control of the same person. The term does not include any of

1.13 the following:

1.14 (1) a feeding device that has been permanently altered so that it cannot accommodate

1.15 more than ten rounds;

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

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

1.18 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes

1.19 committed on or after that date.

1.20 Sec. 2. **[624.7134] LARGE-CAPACITY MAGAZINES PROHIBITED.**

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

2.1 (1) "appropriate law enforcement agency" means the organized full-time police
2.2 department of the municipality where the person resides or the county sheriff if there is no
2.3 such police department where the person resides; and

2.4 (2) "transfer" means a sale, gift, loan, assignment, or other delivery of a large-capacity
2.5 magazine to another, whether or not for consideration.

2.6 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, transfer, own,
2.7 or possess a large-capacity magazine.

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

2.9 (1) any government officer, agent, or employee; member of the armed forces of the
2.10 United States; or peace officer, to the extent that the person is otherwise authorized to acquire
2.11 or possess a large-capacity magazine and does so while acting within the scope of the
2.12 person's duties;

2.13 (2) the manufacture of a large-capacity magazine by a firearms manufacturer for the
2.14 purpose of sale to any branch of the armed forces of the United States or to a law enforcement
2.15 agency within Minnesota for use by that agency or its employees, provided the manufacturer
2.16 is properly licensed under applicable laws; or

2.17 (3) the transfer of a large-capacity magazine by a dealer that is properly licensed under
2.18 applicable laws to any branch of the armed forces of the United States or to a law enforcement
2.19 agency within Minnesota for use by that agency or its employees for law enforcement
2.20 purposes.

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

2.24 (b) A person listed in section 624.713, subdivision 1, clauses (3) to (13), who violates
2.25 subdivision 2 is guilty of a felony and may be sentenced to imprisonment for not more than
2.26 ten years or to payment of a fine of not more than \$50,000, or both.

2.27 (c) A person listed in section 624.713, subdivision 1, clause (2), who violates subdivision
2.28 2 is guilty of a felony and may be sentenced to imprisonment for not more than 20 years or
2.29 to payment of a fine of not more than \$100,000, or both.

2.30 Subd. 5. **Current owners; registration of large-capacity magazines.** (a) A person who
2.31 legally owned or possessed a large-capacity magazine before February 1, 2018, and who
2.32 desires to keep ownership or possession of the device shall immediately register it with the
2.33 appropriate law enforcement agency.

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

3.2 (1) safely and securely store the device pursuant to the regulations adopted by the
3.3 appropriate law enforcement agency;

3.4 (2) agree to allow the appropriate law enforcement agency to inspect the storage of the
3.5 device to ensure compliance with this subdivision;

3.6 (3) annually renew the registration;

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

3.10 (5) report the loss or theft of the device to the appropriate law enforcement agency within
3.11 48 hours of the time the discovery of the loss or theft was made or should have been made.

3.12 (c) Registered large-capacity magazines may not be transferred, except for transfer to
3.13 the appropriate law enforcement agency for the purpose of surrendering the item for
3.14 destruction.

3.15 (d) The registered owner or possessor of a large-capacity magazine may not purchase
3.16 or receive additional large-capacity magazines.

3.17 (e) The appropriate law enforcement agency may charge a fee for each registration and
3.18 registration renewal pursuant to this subdivision.

3.19 (f) Persons acquiring a large-capacity magazine by inheritance, bequest, or succession
3.20 shall, within 120 days of acquiring title, do one of the following:

3.21 (1) surrender the device to the appropriate law enforcement agency for destruction;

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

3.23 (3) permanently alter the device so it cannot accommodate more than ten rounds; or

3.24 (4) remove the device from the state.

3.25 (g) A person who owned or possessed a large-capacity magazine before February 1,
3.26 2018, who does not wish to register the device as required in this subdivision shall
3.27 immediately do one of the following:

3.28 (1) surrender the device to the appropriate law enforcement agency for destruction;

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

3.30 (3) permanently alter the device so it cannot accommodate more than ten rounds; or

4.1 (4) remove the device from the state.

4.2 (h) Each chief of police and sheriff shall do the following regarding large-capacity
4.3 magazines registered under this subdivision:

4.4 (1) adopt regulations specifying how a person who registers a large-capacity magazine
4.5 shall safely and securely store it when it is not being used;

4.6 (2) implement a policy of inspecting the storage of large-capacity magazines; and

4.7 (3) implement a registration system.

4.8 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
4.9 committed on or after that date.