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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1702

02/25/2019 Authored by Fabian
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act
1.2 relating to natural resources; modifying eligibility for provisional firearms safety
1.3 certificates; amending Minnesota Statutes 2018, sections 97B.015, subdivision 6;
1.4 97B.1055.

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

1.6 Section 1. Minnesota Statutes 2018, section 97B.015, subdivision 6, is amended to read:

1.7 Subd. 6. Provisional certificate for persons with permanent physical or
1.8 developmental disability. Upon the recommendation of a course instructor, the
1.9 commissioner may issue a provisional firearms safety certificate to a person who satisfactorily
1.10 completes the classroom portion of the firearms safety course but is unable to pass the
1.11 written or an alternate format exam portion of the course because of a permanent physical
1.12 disability or developmental disability as defined in section 97B.1055, subdivision 1. The
1.13 certificate is valid only when used according to section 97B.1055.

1.14 Sec. 2. Minnesota Statutes 2018, section 97B.1055, is amended to read:

1.15 97B.1055 HUNTING BY PERSONS WITH A PERMANENT PHYSICAL OR
1.16 DEVELOPMENTAL DISABILITY.

1.17 Subdivision 1. Definitions. For purposes of this section and section 97B.015, subdivision
1.18 6;

1.19 (1) "person with developmental disability" means a person who has been diagnosed as
1.20 diagnosis of having substantial limitations in present functioning, manifested as significantly
1.21 subaverage intellectual functioning, existing concurrently with demonstrated deficits in
1.22 adaptive behavior, and who manifests when these conditions manifest before the person's

2.1 ~~22nd birthday. A person with a related condition means a person who meets the diagnostic~~
2.2 ~~definition under section 252.27, subdivision 1a.; and~~

2.3 (2) "permanent physical disability" means a physical disability that prevents a person
2.4 from being able to navigate natural terrain or hold a firearm for a required field component
2.5 for the firearms safety training program under section 97B.020.

2.6 Subd. 2. **Obtaining license.** (a) Notwithstanding section 97B.020, a person with a
2.7 permanent physical disability or developmental disability may obtain a firearms hunting
2.8 license with a provisional firearms safety certificate issued under section 97B.015,
2.9 subdivision 6.

2.10 (b) Any person accompanying or assisting a person with a permanent physical disability
2.11 or developmental disability under this section must possess a valid firearms safety certificate
2.12 issued by the commissioner.

2.13 Subd. 3. **Assistance required.** A person who obtains a firearms hunting license under
2.14 subdivision 2 must be accompanied and assisted by a parent, guardian, or other adult person
2.15 designated by a parent or guardian when hunting. A person who is not hunting but is solely
2.16 accompanying and assisting a person with a permanent physical disability or developmental
2.17 disability need not obtain a hunting license.

2.18 Subd. 4. **Prohibited activities.** (a) This section does not entitle a person to possess a
2.19 firearm if the person is otherwise prohibited from possessing a firearm under state or federal
2.20 law or a court order.

2.21 (b) No person shall knowingly authorize or permit a person; who by reason of a permanent
2.22 physical disability or developmental disability is incapable of safely possessing a firearm;
2.23 to possess a firearm to hunt in the state or on any boundary water of the state.