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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3185

04/03/2023

Authored by Myers

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; granting immunity to private parties who require proof

1.3 of firearms eligibility prior to transferring a firearm; amending Minnesota Statutes

1.4 2022, section 609.66, subdivision 1f.

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

1.6 Section 1. Minnesota Statutes 2022, section 609.66, subdivision 1f, is amended to read:

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

1.8 A person, other than a federally licensed firearms dealer, who transfers a pistol or

1.9 semiautomatic military-style assault weapon to another without complying with the transfer

1.10 requirements of section 624.7132, is guilty of a gross misdemeanor if the transferee possesses

1.11 or uses the weapon within one year after the transfer in furtherance of a felony crime of

1.12 violence, and if:

1.13 (1) the transferee was prohibited from possessing the weapon under section 624.713 at

1.14 the time of the transfer; or

1.15 (2) it was reasonably foreseeable at the time of the transfer that the transferee was likely

1.16 to use or possess the weapon in furtherance of a felony crime of violence.

1.17 (b) A person is immune from prosecution under paragraph (a) if the person produces

1.18 either a copy of the transferee's permit to carry or permit to purchase that the transferee

1.19 presented at the time of transfer. A transferor may only be required to produce documents

1.20 maintained pursuant to this paragraph if a court orders production of the documents as part

1.21 of a criminal investigation involving the transferred firearm. A court may not compel a

1.22 transferor to produce documents maintained pursuant to this paragraph beyond one year

1.23 after the date of transfer.