

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3343

(SENATE AUTHORS: MCEWEN)

DATE
05/17/2023

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; providing an exception to the crime of illegal possession
1.3 of a firearm in certain situations; amending Minnesota Statutes 2022, sections
1.4 609.165, subdivision 1b; 624.713, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2022, section 609.165, subdivision 1b, is amended to read:

1.7 Subd. 1b. **Violation and penalty.** (a) Any person who has been convicted of a crime of
1.8 violence, as defined in section 624.712, subdivision 5, and who ships, transports, possesses,
1.9 or receives a firearm or ammunition, commits a felony and may be sentenced to imprisonment
1.10 for not more than 15 years or to payment of a fine of not more than \$30,000, or both.

1.11 (b) A conviction and sentencing under this section shall be construed to bar a conviction
1.12 and sentencing for a violation of section 624.713, subdivision 2.

1.13 (c) The criminal penalty in paragraph (a) does not apply to any person who has received
1.14 a relief of disability under United States Code, title 18, section 925, or whose ability to
1.15 possess firearms and ammunition has been restored under subdivision 1d.

1.16 (d) A person who is otherwise prohibited from possessing a firearm, ammunition, or
1.17 explosive under Minnesota law is not prohibited under paragraph (a) from doing so
1.18 exclusively for the purposes of surrendering such an item to law enforcement without undue
1.19 delay. This paragraph does not grant immunity for any crimes committed with that item,
1.20 including prior unlawful possession of the item if the person surrendering the item knowingly
1.21 had prior possession of it without the intent to surrender it to law enforcement.

2.1 Sec. 2. Minnesota Statutes 2022, section 624.713, subdivision 2, is amended to read:

2.2 Subd. 2. **Penalties.** (a) A person named in subdivision 1, clause (1), who possesses
2.3 ammunition or a pistol or semiautomatic military-style assault weapon in violation of that
2.4 clause is guilty of a felony and may be sentenced to imprisonment for not more than five
2.5 years or to payment of a fine of not more than \$10,000, or both.

2.6 (b) A person named in subdivision 1, clause (2), who possesses any type of firearm or
2.7 ammunition is guilty of a felony and may be sentenced to imprisonment for not more than
2.8 15 years or to payment of a fine of not more than \$30,000, or both. This paragraph does not
2.9 apply to any person who has received a relief of disability under United States Code, title
2.10 18, section 925, or whose ability to possess firearms and ammunition has been restored
2.11 under section 609.165, subdivision 1d.

2.12 (c) A person named in any other clause of subdivision 1 who possesses any type of
2.13 firearm or ammunition is guilty of a gross misdemeanor.

2.14 (d) A person who is otherwise prohibited from possessing a firearm, ammunition, or
2.15 explosive under Minnesota law is not prohibited under this subdivision from doing so
2.16 exclusively for the purposes of surrendering such an item to law enforcement without undue
2.17 delay. This paragraph does not grant immunity for any crimes committed with that item,
2.18 including prior unlawful possession of the item if the person surrendering the item knowingly
2.19 had prior possession of it without the intent to surrender it to law enforcement.