

28.16 **ARTICLE 3**  
28.17 **PUBLIC SAFETY**

2.1 **ARTICLE 1**  
2.2 **PUBLIC SAFETY**

**S0619-1**

28.18 Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

28.19 **5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

28.20 If a program participant is involved in a legal proceeding as a party or witness, If a  
28.21 program participant's address is protected under section 5B.05, no person or entity shall  
28.22 be compelled to disclose the participant's actual address during the discovery phase of or  
28.23 during a proceeding before a court or other tribunal unless the court or tribunal finds that:

28.24 (1) there is a reasonable belief that the address is needed to obtain information or  
28.25 evidence without which the investigation, prosecution, or litigation cannot proceed; and

28.26 (2) there is no other practicable way of obtaining the information or evidence.

28.27 The court must provide the program participant with notice that address disclosure  
28.28 is sought and an opportunity to present evidence regarding the potential harm to the  
28.29 safety of the program participant if the address is disclosed. In determining whether to  
28.30 compel disclosure, the court must consider whether the potential harm to the safety of the  
28.31 participant is outweighed by the interest in disclosure. In a criminal proceeding, the court  
28.32 must order disclosure of a program participant's address if protecting the address would  
28.33 violate a defendant's constitutional right to confront a witness.

29.1 Disclosure of a participant's actual address under this section shall be limited under  
29.2 the terms of the order to ensure that the disclosure and dissemination of the actual address  
29.3 will be no wider than necessary for the purposes of the investigation, prosecution, or  
29.4 litigation.

29.5 Nothing in this section prevents the court or other tribunal ~~may issue~~ from issuing a  
29.6 protective order to prevent disclosure of information other than the participant's actual  
29.7 address that could reasonably lead to the discovery of the program participant's location.

29.8 Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

29.9 Subd. 6. **Discoverability of not public data.** If a government entity opposes  
29.10 discovery of government data or release of data pursuant to court order on the grounds  
29.11 that the data are classified as not public, the party that seeks access to the data may bring  
29.12 before the appropriate presiding judicial officer, arbitrator, or administrative law judge an  
29.13 action to compel discovery or an action in the nature of an action to compel discovery.

29.14 The presiding officer shall first decide whether the data are discoverable or releasable  
29.15 pursuant to the rules of evidence and of criminal, civil, or administrative procedure  
29.16 appropriate to the action.

1.6 Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

1.7 **5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

1.8 If a program participant is involved in a legal proceeding as a party or witness,  
1.9 (a) If a program participant's address is protected under section 5B.05, no person may  
1.10 be compelled to disclose the participant's actual address during discovery or during a  
1.11 proceeding before a court or other tribunal unless the court or tribunal finds that:

1.12 (1) there is a reasonable belief that the address is needed to obtain information or  
1.13 evidence without which the investigation, prosecution, or litigation cannot proceed; and

1.14 (2) there is no other practicable way of obtaining the information or evidence.

1.15 (b) The court must provide the program participant with notice that address  
1.16 disclosure is sought and an opportunity to present evidence regarding the potential harm to  
1.17 the safety of the program participant if the address is disclosed. In determining whether to  
1.18 compel disclosure, the court must consider whether the potential harm to the safety of the  
1.19 participant is outweighed by the interest in disclosure. In a criminal proceeding, the court  
1.20 must order disclosure of a program participant's address if protecting the address would  
1.21 violate a defendant's constitutional right to confront a witness.

1.22 (c) Disclosure of a participant's actual address under this section must be limited  
1.23 under the terms of the order to ensure that the disclosure and dissemination of the actual  
2.1 address will be no wider than necessary for the purposes of the investigation, prosecution,  
2.2 or litigation.

2.3 (d) This section does not prevent the court or other tribunal ~~may issue~~ from issuing a  
2.4 protective order to prevent disclosure of information other than the participant's actual  
2.5 address that could reasonably lead to the discovery of the program participant's location.

2.6 Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

2.7 Subd. 6. **Discoverability of not public data.** If a government entity opposes  
2.8 discovery of government data or release of data pursuant to court order on the grounds  
2.9 that the data are classified as not public, the party that seeks access to the data may bring  
2.10 before the appropriate presiding judicial officer, arbitrator, or administrative law judge an  
2.11 action to compel discovery or an action in the nature of an action to compel discovery.

2.12 The presiding officer shall first decide whether the data are discoverable or releasable  
2.13 pursuant to the rules of evidence and of criminal, civil, or administrative procedure  
2.14 appropriate to the action.

29.17 If the data are discoverable the presiding officer shall decide whether the benefit to  
 29.18 the party seeking access to the data outweighs any harm to the confidentiality interests  
 29.19 of the entity maintaining the data, or of any person who has provided the data or who  
 29.20 is the subject of the data, or to the privacy interest of an individual identified in the  
 29.21 data. In making the decision, the presiding officer shall consider whether notice to the  
 29.22 subject of the data is warranted and, if warranted, what type of notice must be given. The  
 29.23 presiding officer may fashion and issue any protective orders necessary to assure proper  
 29.24 handling of the data by the parties. If the data are a videotape of a child victim or alleged  
 29.25 victim alleging, explaining, denying, or describing an act of physical or sexual abuse,  
 29.26 the presiding officer shall consider the provisions of section 611A.90, subdivision 2,  
 29.27 paragraph (b). If the data are data subject to the protections under chapter 5B or section  
 29.28 13.045, the presiding officer shall consider the provisions of section 5B.11.

2.15 If the data are discoverable the presiding officer shall decide whether the benefit to  
 2.16 the party seeking access to the data outweighs any harm to the confidentiality interests  
 2.17 of the entity maintaining the data, or of any person who has provided the data or who  
 2.18 is the subject of the data, or to the privacy interest of an individual identified in the  
 2.19 data. In making the decision, the presiding officer shall consider whether notice to the  
 2.20 subject of the data is warranted and, if warranted, what type of notice must be given. The  
 2.21 presiding officer may fashion and issue any protective orders necessary to assure proper  
 2.22 handling of the data by the parties. If the data are a videotape of a child victim or alleged  
 2.23 victim alleging, explaining, denying, or describing an act of physical or sexual abuse,  
 2.24 the presiding officer shall consider the provisions of section 611A.90, subdivision 2,  
 2.25 paragraph (b). If the data are data subject to the protections under chapter 5B or section  
 2.26 13.045, the presiding officer shall consider the provisions of section 5B.11.

### S0878-2

2.9 Sec. 2. Minnesota Statutes 2014, section 97A.421, is amended by adding a subdivision  
 2.10 to read:

2.11 Subd. 3a. **License revocation after conviction; firearm suppressor.** (a) A person  
 2.12 who is convicted of a violation under paragraph (b) and possessed a firearm with a  
 2.13 suppressor may not obtain a hunting license or hunt wild animals for five years from the  
 2.14 date of conviction.

2.15 (b) The revocation under this subdivision applies to convictions of:

2.16 (1) trespass as provided in section 97A.315, subdivision 1, paragraph (b);

2.17 (2) hunting game in closed season;

2.18 (3) hunting game more than one-half hour before legal shooting hours or more than  
 2.19 one-half hour after legal shooting hours; or

2.20 (4) using artificial lights to spot, locate, or take wild animals while in possession of  
 2.21 a firearm.

2.22 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 2.23 committed on or after that date.

29.29 Sec. 3. Minnesota Statutes 2014, section 97B.031, subdivision 4, is amended to read:

29.30 Subd. 4. **Silencers prohibited Suppressors.** Except as provided in section 609.66,  
 29.31 subdivision 1h, a person may not own or possess a silencer for a firearm or a firearm  
 29.32 equipped to have a silencer attached. Nothing in this section prohibits the lawful use of a  
 29.33 suppressor or the possession of a firearm equipped to have a suppressor attached, as  
 29.34 defined in section 609.66, subdivision 1a, paragraph (c), while hunting.

30.1 Sec. 4. Minnesota Statutes 2014, section 168A.1501, subdivision 1, is amended to read:

30.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in  
30.3 this subdivision have the meanings given.

30.4 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
30.5 county, state, or federal law enforcement agency.

30.6 (c) "Person" means an individual, partnership, limited partnership, limited liability  
30.7 company, corporation, or other entity.

30.8 (d) "Scrap vehicle" means a motor vehicle purchased primarily as scrap, for its reuse  
30.9 or recycling value as raw metal, or for dismantling for parts.

30.10 (e) "Scrap vehicle operator" or "operator" means the following persons who engage  
30.11 in a transaction involving the purchase or acquisition of a scrap vehicle: scrap metal  
30.12 processors licensed under section 168.27, subdivision 1a, paragraph (c); used vehicle parts  
30.13 dealers licensed under section 168.27, subdivision 1a, paragraph (d); scrap metal dealers  
30.14 under section 325E.21; and junk yards under section 471.925.

30.15 (f) ~~"Interchange file specification format" means the most recent version of the~~  
30.16 ~~Minneapolis automated property system interchange file specification format.~~

30.17 ~~(g)~~ "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

30.18 ~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification  
30.19 card number, or other identification document issued for identification purposes by any  
30.20 state, federal, or foreign government if the document includes the person's photograph,  
30.21 full name, birth date, and signature.

30.22 ~~(i)~~ (h) "Seller" means any seller, prospective seller, or agent of the seller.

30.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.24 Sec. 3. Minnesota Statutes 2014, section 169.98, is amended by adding a subdivision  
2.25 to read:

2.26 Subd. 3a. **Bondsman or bail enforcement agent vehicle.** All motor vehicles  
2.27 that are used by a bondsman or bail enforcement agent as defined in section 626.88,  
2.28 subdivision 1, paragraph (d), may have any color other than those specified in subdivision  
2.29 1 for law enforcement vehicles. A bondsman or bail enforcement agent may not display  
2.30 markings on the vehicle in the form of a police shield, star, or any similar emblem that is  
2.31 typically associated with a marked law enforcement vehicle.

30.24 Sec. 5. Minnesota Statutes 2014, section 168A.1501, subdivision 6, is amended to read:

30.25 Subd. 6. **Additional reporting.** ~~In addition to the requirements under subdivision~~  
 30.26 ~~5 if applicable,~~ The following entities must submit information on the purchase or  
 30.27 acquisition of a scrap vehicle to the National Motor Vehicle Title Information System,  
 30.28 established pursuant to United States Code, title 49, section 30502, by the close of  
 30.29 business the following day:

30.30 (1) an operator who is not licensed under section 168.27; and

30.31 (2) an operator who purchases a scrap vehicle under subdivision 9.

30.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

30.33 Sec. 6. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

31.1 Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the  
 31.2 administering agency to the commissioner.

31.3 The grant-in-aid is contingent upon the agency having obtained from the community  
 31.4 in which the youth intervention program is established local matching money ~~two times~~  
 31.5 equal to the amount of the grant that is sought. The matching requirement is intended to  
 31.6 leverage the investment of state and community dollars in supporting the efforts of the  
 31.7 grantees to provide early intervention services to youth and their families.

31.8 The commissioner shall provide the application form, procedures for making  
 31.9 application form, criteria for review of the application, and kinds of contributions in  
 31.10 addition to cash that qualify as local matching money. No grant to any agency may  
 31.11 exceed ~~\$50,000~~ \$75,000.

31.12 Sec. 7. Minnesota Statutes 2014, section 299C.35, is amended to read:

31.13 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

## S0406-2

22.32 Sec. 8. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

22.33 Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the  
 22.34 administering agency to the commissioner.

23.1 The grant-in-aid is contingent upon the agency having obtained from the community  
 23.2 in which the youth intervention program is established local matching money ~~two times~~  
 23.3 equal to the amount of the grant that is sought. However, if the agency has previously  
 23.4 been awarded a grant under this section, the local matching money must be two times the  
 23.5 amount of the grant that is sought. The matching requirement is intended to leverage the  
 23.6 investment of state and community dollars in supporting the efforts of the grantees to  
 23.7 provide early intervention services to youth and their families.

23.8 The commissioner shall provide the application form, procedures for making  
 23.9 application form, criteria for review of the application, and kinds of contributions in  
 23.10 addition to cash that qualify as local matching money. No grant to any agency may  
 23.11 exceed ~~\$50,000~~ \$75,000.

## SF 464

## 15-0827

1.9 Section 1. Minnesota Statutes 2014, section 299C.35, is amended to read:

1.10 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

31.14 It shall be the duty of the bureau to broadcast all police dispatches and reports  
 31.15 submitted which, in the opinion of the superintendent, shall have a reasonable relation  
 31.16 to or connection with the apprehension of criminals, the prevention of crime, and the  
 31.17 maintenance of peace and order throughout the state. Every sheriff, peace officer, or  
 31.18 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~  
 31.19 ~~to 299C.38~~ shall make ~~report reports~~ to the bureau at such times and containing such  
 31.20 information as the superintendent shall direct.

31.21 Sec. 8. Minnesota Statutes 2014, section 299C.38, is amended to read:

31.22 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

31.23 ~~Any telegraph or telephone operator who shall fail to give priority to police~~  
 31.24 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who  
 31.25 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~  
 31.26 ~~established thereunder~~ public safety answering point for the purpose of interfering with  
 31.27 the operation thereof, or with the intention of misleading any officer of this state, shall be  
 31.28 guilty of a misdemeanor.

31.29 Sec. 9. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

31.30 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46  
 31.31 ~~to 299C.49 and 299C.48~~, "criminal justice agency" means an agency of the state or a  
 31.32 political subdivision or the federal government charged with detection, enforcement,  
 31.33 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this  
 32.1 state. This definition also includes all sites identified and licensed as a detention facility  
 32.2 by the commissioner of corrections under section 241.021 and those federal agencies that  
 32.3 serve part or all of the state from an office located outside the state.

32.4 Sec. 10. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

32.5 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections  
 32.6 299C.46 ~~to 299C.49 and 299C.48~~, "noncriminal justice agency" means an agency of the  
 32.7 state or a political subdivision of the state charged with the responsibility of performing  
 32.8 checks of state databases connected to the criminal justice data communications network.

33.16 Sec. 12. Minnesota Statutes 2014, section 325E.21, subdivision 1, is amended to read:

33.17 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in  
 33.18 this subdivision have the meanings given.

33.19 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
 33.20 county, state, or federal law enforcement agency.

33.21 (c) "Person" means an individual, partnership, limited partnership, limited liability  
 33.22 company, corporation, or other entity.

33.23 (d) "Scrap metal" means:

1.11 It shall be the duty of the bureau to broadcast all police dispatches and reports  
 1.12 submitted which, in the opinion of the superintendent, shall have a reasonable relation  
 1.13 to or connection with the apprehension of criminals, the prevention of crime, and the  
 1.14 maintenance of peace and order throughout the state. Every sheriff, peace officer, or  
 1.15 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~  
 1.16 ~~to 299C.38~~ shall make ~~report reports~~ to the bureau at such times and containing such  
 1.17 information as the superintendent shall direct.

1.18 Sec. 2. Minnesota Statutes 2014, section 299C.38, is amended to read:

1.19 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

1.20 ~~Any telegraph or telephone operator who shall fail to give priority to police~~  
 1.21 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who  
 1.22 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~  
 1.23 ~~established thereunder~~ public safety answering point for the purpose of interfering with  
 2.1 the operation thereof, or with the intention of misleading any officer of this state, shall be  
 2.2 guilty of a misdemeanor.

2.3 Sec. 3. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

2.4 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46  
 2.5 ~~to 299C.49 and 299C.48~~, "criminal justice agency" means an agency of the state or a  
 2.6 political subdivision or the federal government charged with detection, enforcement,  
 2.7 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this  
 2.8 state. This definition also includes all sites identified and licensed as a detention facility  
 2.9 by the commissioner of corrections under section 241.021 and those federal agencies that  
 2.10 serve part or all of the state from an office located outside the state.

2.11 Sec. 4. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

2.12 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections  
 2.13 299C.46 ~~to 299C.49 and 299C.48~~, "noncriminal justice agency" means an agency of the  
 2.14 state or a political subdivision of the state charged with the responsibility of performing  
 2.15 checks of state databases connected to the criminal justice data communications network.

33.24 (1) wire and cable commonly and customarily used by communication and electric  
33.25 utilities; and

33.26 (2) copper, aluminum, or any other metal purchased primarily for its reuse or  
33.27 recycling value as raw metal, including metal that is combined with other materials at the  
33.28 time of purchase, but does not include a scrap vehicle as defined in section 168A.1501,  
33.29 subdivision 1.

33.30 (e) "Scrap metal dealer" or "dealer" means a person engaged in the business of  
33.31 buying or selling scrap metal, or both.

33.32 The terms do not include a person engaged exclusively in the business of buying or selling  
33.33 new or used motor vehicles, paper or wood products, rags or furniture, or secondhand  
33.34 machinery.

34.1 (f) ~~"Interchange file specification format" means the most recent version of the~~

34.2 ~~Minneapolis automated property system interchange file specification format.~~

34.3 (g) "Seller" means any seller, prospective seller, or agent of the seller.

34.4 (h) (g) "Proof of identification" means a driver's license, Minnesota identification  
34.5 card number, or other identification document issued for identification purposes by any  
34.6 state, federal, or foreign government if the document includes the person's photograph,  
34.7 full name, birth date, and signature.

34.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

34.9 Sec. 13. Minnesota Statutes 2014, section 325E.21, subdivision 2, is amended to read:

34.10 Subd. 2. **Retention required.** Records required to be maintained by subdivision 1a

34.11 or 1b shall be retained by the scrap metal dealer for a period of three years.

34.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

34.13 Sec. 14. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

34.14 Subd. 10. **Member.** "Member" means:

34.15 (1) a State Patrol member currently employed under section 299D.03 by the state,  
34.16 who is a peace officer under section 626.84, and whose salary or compensation is paid  
34.17 out of state funds;

34.18 (2) a conservation officer employed under section 97A.201, currently employed by  
34.19 the state, whose salary or compensation is paid out of state funds;

2.16 Sec. 5. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

2.17 Subd. 10. **Member.** "Member" means:

2.18 (1) a State Patrol member currently employed under section 299D.03 by the state,  
2.19 who is a peace officer under section 626.84, and whose salary or compensation is paid  
2.20 out of state funds;

2.21 (2) a conservation officer employed under section 97A.201, currently employed by  
2.22 the state, whose salary or compensation is paid out of state funds;

34.20 (3) a crime bureau officer who was employed by the crime bureau and was a member  
 34.21 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person  
 34.22 has the power of arrest by warrant after that date, or who is employed as police personnel,  
 34.23 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and  
 34.24 who is currently employed by the state, and whose salary or compensation is paid out  
 34.25 of state funds;

34.26 (4) a person who is employed by the state in the Department of Public Safety in a  
 34.27 data processing management position with salary or compensation paid from state funds,  
 34.28 who was a crime bureau officer covered by the State Patrol retirement plan on August  
 34.29 15, 1987, and who was initially hired in the data processing management position within  
 34.30 the department during September 1987, or January 1988, with membership continuing  
 34.31 for the duration of the person's employment in that position, whether or not the person  
 34.32 has the power of arrest by warrant after August 15, 1987;

35.1 (5) a public safety employee who is a peace officer under section 626.84, subdivision  
 35.2 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling  
 35.3 Enforcement under section 299L.01;

35.4 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed  
 35.5 by the Office of Special Investigations of the Department of Corrections and who is a  
 35.6 peace officer under section 626.84;

35.7 (7) an employee of the Department of Commerce defined as a peace officer in section  
 35.8 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau  
 35.9 under section 45.0135 after January 1, 2005, and who has not attained the mandatory  
 35.10 retirement age specified in section 43A.34, subdivision 4; and

35.11 (8) an employee of the Department of Public Safety, who is a licensed peace officer  
 35.12 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide  
 35.13 coordinator of the Violent Crime Coordinating Council.

2.23 (3) a crime bureau officer who was employed by the crime bureau and was a member  
 2.24 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person  
 2.25 has the power of arrest by warrant after that date, or who is employed as police personnel,  
 2.26 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and  
 2.27 who is currently employed by the state, and whose salary or compensation is paid out  
 2.28 of state funds;

2.29 (4) a person who is employed by the state in the Department of Public Safety in a  
 2.30 data processing management position with salary or compensation paid from state funds,  
 2.31 who was a crime bureau officer covered by the State Patrol retirement plan on August  
 2.32 15, 1987, and who was initially hired in the data processing management position within  
 2.33 the department during September 1987, or January 1988, with membership continuing  
 3.1 for the duration of the person's employment in that position, whether or not the person  
 3.2 has the power of arrest by warrant after August 15, 1987;

3.3 (5) a public safety employee who is a peace officer under section 626.84, subdivision  
 3.4 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling  
 3.5 Enforcement under section 299L.01;

3.6 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed  
 3.7 by the Office of Special Investigations of the Department of Corrections and who is a  
 3.8 peace officer under section 626.84;

3.9 (7) an employee of the Department of Commerce defined as a peace officer in section  
 3.10 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau  
 3.11 under section 45.0135 after January 1, 2005, and who has not attained the mandatory  
 3.12 retirement age specified in section 43A.34, subdivision 4; and

3.13 (8) an employee of the Department of Public Safety, who is a licensed peace officer  
 3.14 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide  
 3.15 coordinator of the Violent Crime Coordinating Council.

### S0878-2

3.1 Sec. 4. Minnesota Statutes 2014, section 609.02, is amended by adding a subdivision  
 3.2 to read:

3.3 Subd. 17. **Ammunition.** "Ammunition" means ammunition or cartridge cases,  
 3.4 primers, bullets, or propellant powder designed for use in any firearm.

3.5 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 3.6 committed on or after that date.

3.7 Sec. 5. Minnesota Statutes 2014, section 609.11, subdivision 9, is amended to read:

3.8 Subd. 9. **Applicable offenses.** The crimes for which mandatory minimum  
3.9 sentences shall be served as provided in this section are: murder in the first, second,  
3.10 or third degree; assault in the first, second, or third degree; burglary; kidnapping; false  
3.11 imprisonment; manslaughter in the first or second degree; aggravated robbery; simple  
3.12 robbery; first-degree or aggravated first-degree witness tampering; criminal sexual  
3.13 conduct under the circumstances described in sections 609.342, subdivision 1, clauses  
3.14 (a) to (f); 609.343, subdivision 1, clauses (a) to (f); and 609.344, subdivision 1, clauses  
3.15 (a) to (e) and (h) to (j); escape from custody; arson in the first, second, or third degree;  
3.16 drive-by shooting under section 609.66, subdivision 1e; stalking under section 609.749,  
3.17 subdivision 3, clause (3); possession or other unlawful use of a firearm or ammunition  
3.18 in violation of section 609.165, subdivision 1b, or 624.713, subdivision 1, clause (2), a  
3.19 felony violation of chapter 152; or any attempt to commit any of these offenses.

3.20 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
3.21 committed on or after that date.

3.22 Sec. 6. Minnesota Statutes 2014, section 609.165, is amended to read:

3.23 **609.165 RESTORATION OF CIVIL RIGHTS; POSSESSION OF FIREARMS**

3.24 **AND AMMUNITION.**

3.25 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by  
3.26 reason of conviction of a crime and is thereafter discharged, such discharge shall restore the  
3.27 person to all civil rights and to full citizenship, with full right to vote and hold office, the  
3.28 same as if such conviction had not taken place, and the order of discharge shall so provide.

3.29 Subd. 1a. **Certain convicted felons ineligible to possess firearms or ammunition.**

3.30 The order of discharge must provide that a person who has been convicted of a crime of  
3.31 violence, as defined in section 624.712, subdivision 5, is not entitled to ship, transport,  
3.32 possess, or receive a firearm or ammunition for the remainder of the person's lifetime.  
3.33 Any person who has received such a discharge and who thereafter has received a relief  
4.1 of disability under United States Code, title 18, section 925, or whose ability to possess  
4.2 firearms and ammunition has been restored under subdivision 1d, shall not be subject to  
4.3 the restrictions of this subdivision.

4.4 Subd. 1b. **Violation and penalty.** (a) Any person who has been convicted of a  
4.5 crime of violence, as defined in section 624.712, subdivision 5, and who ships, transports,  
4.6 possesses, or receives a firearm or ammunition, commits a felony and may be sentenced  
4.7 to imprisonment for not more than 15 years or to payment of a fine of not more than  
4.8 \$30,000, or both.

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



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

4.14 Subd. 1d. **Judicial restoration of ability to possess firearm firearms and**  
 4.15 **ammunition by felon.** A person prohibited by state law from shipping, transporting,  
 4.16 possessing, or receiving a firearm or ammunition because of a conviction or a delinquency  
 4.17 adjudication for committing a crime of violence may petition a court to restore the  
 4.18 person's ability to possess, receive, ship, or transport firearms and otherwise deal with  
 4.19 firearms and ammunition.

4.20 The court may grant the relief sought if the person shows good cause to do so and  
 4.21 the person has been released from physical confinement.

4.22 If a petition is denied, the person may not file another petition until three years have  
 4.23 elapsed without the permission of the court.

4.24 Subd. 2. **Discharge.** The discharge may be:

4.25 (1) by order of the court following stay of sentence or stay of execution of sentence; or

4.26 (2) upon expiration of sentence.

4.27 Subd. 3. **Applicability.** This section does not apply to a forfeiture of and  
 4.28 disqualification for public office as provided in section 609.42, subdivision 2.

4.29 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 4.30 committed on or after that date.

35.14 Sec. 15. Minnesota Statutes 2014, section 609.66, subdivision 1a, is amended to read:

35.15 Subd. 1a. **Felony crimes; silencers prohibited suppressors; reckless discharge.**

35.16 (a) ~~Except as otherwise provided in subdivision 1h,~~ Whoever does any of the following is  
 35.17 guilty of a felony and may be sentenced as provided in paragraph (b):

35.18 (1) sells or has in possession ~~any device designed to silence or muffle the discharge~~  
 35.19 ~~of a firearm~~ a suppressor that is not lawfully possessed under federal law;

35.20 (2) intentionally discharges a firearm under circumstances that endanger the safety  
 35.21 of another; or

35.22 (3) recklessly discharges a firearm within a municipality.

35.23 (b) A person convicted under paragraph (a) may be sentenced as follows:

4.31 Sec. 7. Minnesota Statutes 2014, section 609.66, subdivision 1a, is amended to read:

4.32 Subd. 1a. **Felony crimes; silencers prohibited suppressors; reckless discharge.**

4.33 (a) ~~Except as otherwise provided in subdivision 1h,~~ Whoever does any of the following is  
 4.34 guilty of a felony and may be sentenced as provided in paragraph (b):

5.1 (1) sells or has in possession ~~any device designed to silence or muffle the discharge~~  
 5.2 ~~of a firearm~~ a suppressor that is not lawfully possessed under federal law;

5.3 (2) intentionally discharges a firearm under circumstances that endanger the safety  
 5.4 of another; or

5.5 (3) recklessly discharges a firearm within a municipality.

5.6 (b) A person convicted under paragraph (a) may be sentenced as follows:

35.24 (1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation  
35.25 of paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined  
35.26 in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision  
35.27 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not  
35.28 more than five years or to payment of a fine of not more than \$10,000, or both; or

35.29 (2) otherwise, to imprisonment for not more than two years or to payment of a fine  
35.30 of not more than \$5,000, or both.

35.31 (c) As used in this subdivision, "suppressor" means any device for silencing,  
35.32 muffling, or diminishing the report of a portable firearm, including any combination of  
35.33 parts, designed or redesigned, and intended for use in assembling or fabricating a firearm  
35.34 silencer or firearm muffler, and any part intended only for use in the assembly or fabrication.

36.1 Sec. 16. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

36.2 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a)

36.3 A person who commits either of the following acts is guilty of a felony and may be  
36.4 sentenced to imprisonment for not more than five years or to payment of a fine of not  
36.5 more than \$10,000, or both:

36.6 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse  
36.7 complex; or

36.8 (2) possesses a dangerous weapon, ammunition, or explosives in any state building  
36.9 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

36.10 (b) Unless a person is otherwise prohibited or restricted by other law to possess a  
36.11 dangerous weapon, this subdivision does not apply to:

36.12 (1) licensed peace officers or military personnel who are performing official duties;

36.13 (2) persons who carry pistols according to the terms of a permit issued under section  
36.14 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

36.15 (3) persons who possess dangerous weapons for the purpose of display as  
36.16 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance  
36.17 with advance notice and safety guidelines set by the sheriff or the commissioner of public  
36.18 safety; or

36.19 (4) persons who possess dangerous weapons in a courthouse complex with the  
36.20 express consent of the county sheriff or who possess dangerous weapons in a state building  
36.21 with the express consent of the commissioner of public safety.

36.22 (c) For purposes of this subdivision, the issuance of a permit to carry under section  
36.23 624.714 constitutes notification of the commissioner of public safety as required under  
36.24 paragraph (b), clause (2).

5.7 (1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation  
5.8 of paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined  
5.9 in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision  
5.10 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not  
5.11 more than five years or to payment of a fine of not more than \$10,000, or both; or

5.12 (2) otherwise, to imprisonment for not more than two years or to payment of a fine  
5.13 of not more than \$5,000, or both.

5.14 (c) As used in this subdivision, "suppressor" means any device for silencing, muffling,  
5.15 or diminishing the report of a portable firearm, including any combination of parts,  
5.16 designed or redesigned, and intended for use in assembling or fabricating a firearm silencer  
5.17 or firearm muffler, and any part intended only for use in such assembly or fabrication.

5.18 Sec. 8. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

5.19 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a)

5.20 A person who commits either of the following acts is guilty of a felony and may be  
5.21 sentenced to imprisonment for not more than five years or to payment of a fine of not  
5.22 more than \$10,000, or both:

5.23 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse  
5.24 complex; or

5.25 (2) possesses a dangerous weapon, ammunition, or explosives in any state building  
5.26 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

5.27 (b) Unless a person is otherwise prohibited or restricted by other law to possess a  
5.28 dangerous weapon, this subdivision does not apply to:

5.29 (1) licensed peace officers or military personnel who are performing official duties;

5.30 (2) persons who carry pistols according to the terms of a permit issued under section  
5.31 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

5.32 (3) persons who possess dangerous weapons for the purpose of display as  
5.33 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance  
5.34 with advance notice and safety guidelines set by the sheriff or the commissioner of public  
5.35 safety; or

6.1 (4) persons who possess dangerous weapons in a courthouse complex with the  
6.2 express consent of the county sheriff or who possess dangerous weapons in a state building  
6.3 with the express consent of the commissioner of public safety.

6.4 (c) For purposes of this subdivision, the issuance of a permit to carry under section  
6.5 624.714 constitutes notification of the commissioner of public safety as required under  
6.6 paragraph (b), clause (2).

36.25 Sec. 17. Minnesota Statutes 2014, section 609.66, is amended by adding a subdivision  
36.26 to read:

36.27 Subd. 1i. **Chief law enforcement officer certification; certain firearms.** (a) As  
36.28 used in this subdivision:

36.29 (1) "chief law enforcement officer" means any official or designee; the Bureau  
36.30 of Alcohol, Tobacco, Firearms and Explosives; or any successor agency, identified by  
36.31 regulation or otherwise as eligible to provide any required certification for the making  
36.32 or transfer of a firearm;

36.33 (2) "certification" means the participation and assent of the chief law enforcement  
36.34 officer necessary under federal law for the approval of the application to transfer or make  
36.35 a firearm; and

37.1 (3) "firearm" has the meaning given in the National Firearms Act, United States  
37.2 Code, title 26, section 5845(a).

37.3 (b) If a chief law enforcement officer's certification is required by federal law or  
37.4 regulation for the transfer or making of a firearm, the chief law enforcement officer must,  
37.5 within 15 days of receipt of a request for certification, provide the certification if the  
37.6 applicant is not prohibited by law from receiving or possessing the firearm or is not the  
37.7 subject of a proceeding that could result in the applicant being prohibited by law from  
37.8 receiving or possessing the firearm. If the chief law enforcement officer is unable to make  
37.9 a certification as required by this section, the chief law enforcement officer must provide  
37.10 the applicant a written notification of the denial and the reason for the determination.

37.11 (c) In making the certification required by paragraph (b), a chief law enforcement  
37.12 officer or designee may require the applicant to provide only the information that is  
37.13 required by federal or state law to identify the applicant and conduct a criminal history  
37.14 background check, including a check of the National Instant Criminal Background  
37.15 Check System, or to determine the disposition of an arrest or proceeding relevant to the  
37.16 applicant's eligibility to lawfully possess or receive a firearm. A person who possesses  
37.17 a valid carry permit is presumed to be qualified to receive certification. A chief law  
37.18 enforcement officer may not require access to or consent for an inspection of any private  
37.19 premises as a condition of making a certification under this section.

37.20 (d) A chief law enforcement officer is not required to make any certification under  
37.21 this section known to be untrue, but the officer may not refuse to provide certification based  
37.22 on a generalized objection to private persons or entities making, possessing, or receiving  
37.23 firearms or any certain type of firearm, the possession of which is not prohibited by law.

37.24 (e) Chief law enforcement officers and their employees who act in good faith are  
37.25 immune from liability arising from any act or omission in making a certification as  
37.26 required by this section.

37.27 (f) An applicant whose request for certification is denied may appeal the chief law  
 37.28 enforcement officer's decision to the district court that is located in the city or county in  
 37.29 which the applicant resides or maintains an address of record. The court must review the  
 37.30 chief law enforcement officer's decision to deny the certification de novo. The court must  
 37.31 order the chief law enforcement officer to issue the certification and award court costs and  
 37.32 reasonable attorney fees to the applicant, if the court finds that: (1) the applicant is not  
 37.33 prohibited by law from receiving or possessing the firearm; (2) the applicant is not the  
 37.34 subject of a proceeding that could result in a prohibition; and (3) no substantial evidence  
 37.35 supports the chief law enforcement officer's determination that the chief law enforcement  
 37.36 officer cannot truthfully make the certification.

## SF 464

### 15-0827

38.1 Sec. 18. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

38.2 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,  
 38.3 the following terms have the meanings given.

38.4 Sec. 19. Minnesota Statutes 2014, section 611A.33, is amended to read:

38.5 **611A.33 DUTIES OF COMMISSIONER.**

38.6 The commissioner shall:

38.7 (1) review applications for and award grants to a program pursuant to section

38.8 611A.32, subdivision 1;

38.9 (2) appoint a program director to perform the duties set forth in section 611A.35;

38.10 (3) design and implement a uniform method of collecting data on domestic abuse

38.11 victims to be used to evaluate the programs funded under section 611A.32;

38.12 (4) provide technical aid to applicants in the development of grant requests and

38.13 provide technical aid to programs in meeting the data collection requirements established

38.14 by the commissioner; and

38.15 (5) adopt, under chapter 14, all rules necessary to implement the provisions of

38.16 sections 611A.31 to ~~611A.36~~ 611A.35.

38.17 Sec. 20. Minnesota Statutes 2014, section 611A.35, is amended to read:

38.18 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

3.16 Sec. 6. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

3.17 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,  
 3.18 the following terms have the meanings given.

3.19 Sec. 7. Minnesota Statutes 2014, section 611A.33, is amended to read:

3.20 **611A.33 DUTIES OF COMMISSIONER.**

3.21 The commissioner shall:

3.22 (1) review applications for and award grants to a program pursuant to section

3.23 611A.32, subdivision 1;

3.24 (2) appoint a program director to perform the duties set forth in section 611A.35;

3.25 (3) design and implement a uniform method of collecting data on domestic abuse

3.26 victims to be used to evaluate the programs funded under section 611A.32;

3.27 (4) provide technical aid to applicants in the development of grant requests and

3.28 provide technical aid to programs in meeting the data collection requirements established

3.29 by the commissioner; and

3.30 (5) adopt, under chapter 14, all rules necessary to implement the provisions of

3.31 sections 611A.31 to ~~611A.36~~ 611A.35.

3.32 Sec. 8. Minnesota Statutes 2014, section 611A.35, is amended to read:

3.33 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

38.19 The commissioner shall appoint a program director. The program director shall  
 38.20 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform  
 38.21 other duties related to battered women's and domestic abuse programs as the commissioner  
 38.22 may assign. The program director shall serve at the pleasure of the commissioner in  
 38.23 the unclassified service.

38.24 Sec. 21. Minnesota Statutes 2014, section 624.71, is amended to read:  
 38.25 **624.71 GUN CONTROL; APPLICATION OF FEDERAL LAW.**

38.26 Subdivision 1. **Application.** Notwithstanding any other law to the contrary, it shall  
 38.27 be lawful for any federally licensed importer, manufacturer, dealer, or collector to sell and  
 38.28 deliver firearms and ammunition to a resident of a ~~contiguous~~ any state in any instance  
 38.29 where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public  
 38.30 Law 90-618).

38.31 Subd. 2. **Contiguous Other state purchases.** Notwithstanding any other law  
 38.32 to the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and  
 39.1 ammunition in a ~~contiguous~~ any state in any instance where such sale and delivery is  
 39.2 lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

4.1 The commissioner shall appoint a program director. The program director shall  
 4.2 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform  
 4.3 other duties related to battered women's and domestic abuse programs as the commissioner  
 4.4 may assign. The program director shall serve at the pleasure of the commissioner in  
 4.5 the unclassified service.

## S0878-2

6.7 Sec. 9. Minnesota Statutes 2014, section 624.71, is amended to read:  
 6.8 **624.71 GUN CONTROL; APPLICATION OF FEDERAL LAW.**

6.9 Subdivision 1. **Application.** Notwithstanding any other law to the contrary, it shall  
 6.10 be lawful for any federally licensed importer, manufacturer, dealer, or collector to sell and  
 6.11 deliver firearms and ammunition to a resident of a ~~contiguous~~ any state in any instance  
 6.12 where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public  
 6.13 Law 90-618).

6.14 Subd. 2. **Contiguous state purchases.** Notwithstanding any other law to  
 6.15 the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and  
 6.16 ammunition in a ~~contiguous~~ any state in any instance where such sale and delivery is  
 6.17 lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

6.18 Sec. 10. Minnesota Statutes 2015, section 624.712, is amended by adding a subdivision  
 6.19 to read:

6.20 Subd. 12. **Ammunition.** "Ammunition" means ammunition or cartridge cases,  
 6.21 primers, bullets, or propellant powder designed for use in any firearm.

6.22 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 6.23 committed on or after that date.

6.24 Sec. 11. Minnesota Statutes 2014, section 624.713, subdivision 1, is amended to read:

6.25 Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to  
 6.26 possess ammunition or a pistol or semiautomatic military-style assault weapon or, except  
 6.27 for clause (1), any other firearm:

6.28 (1) a person under the age of 18 years except that a person under 18 may possess  
6.29 ammunition designed for use in a firearm that the person may lawfully possess and may  
6.30 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual  
6.31 presence or under the direct supervision of the person's parent or guardian, (ii) for the  
6.32 purpose of military drill under the auspices of a legally recognized military organization  
7.1 and under competent supervision, (iii) for the purpose of instruction, competition, or target  
7.2 practice on a firing range approved by the chief of police or county sheriff in whose  
7.3 jurisdiction the range is located and under direct supervision; or (iv) if the person has  
7.4 successfully completed a course designed to teach marksmanship and safety with a pistol  
7.5 or semiautomatic military-style assault weapon and approved by the commissioner of  
7.6 natural resources;

7.7 (2) except as otherwise provided in clause (9), a person who has been convicted of,  
7.8 or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing,  
7.9 in this state or elsewhere, a crime of violence. For purposes of this section, crime of  
7.10 violence includes crimes in other states or jurisdictions which would have been crimes of  
7.11 violence as herein defined if they had been committed in this state;

7.12 (3) a person who is or has ever been committed in Minnesota or elsewhere by  
7.13 a judicial determination that the person is mentally ill, developmentally disabled, or  
7.14 mentally ill and dangerous to the public, as defined in section 253B.02, to a treatment  
7.15 facility, or who has ever been found incompetent to stand trial or not guilty by reason of  
7.16 mental illness, unless the person's ability to possess a firearm and ammunition has been  
7.17 restored under subdivision 4;

7.18 (4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or  
7.19 gross misdemeanor violation of chapter 152, unless three years have elapsed since the  
7.20 date of conviction and, during that time, the person has not been convicted of any other  
7.21 such violation of chapter 152 or a similar law of another state; or a person who is or has  
7.22 ever been committed by a judicial determination for treatment for the habitual use of a  
7.23 controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the  
7.24 person's ability to possess a firearm and ammunition has been restored under subdivision 4;

7.25 (5) a person who has been committed to a treatment facility in Minnesota or  
7.26 elsewhere by a judicial determination that the person is chemically dependent as defined  
7.27 in section 253B.02, unless the person has completed treatment or the person's ability to  
7.28 possess a firearm and ammunition has been restored under subdivision 4. Property rights  
7.29 may not be abated but access may be restricted by the courts;

7.30 (6) a peace officer who is informally admitted to a treatment facility pursuant to  
7.31 section 253B.04 for chemical dependency, unless the officer possesses a certificate from  
7.32 the head of the treatment facility discharging or provisionally discharging the officer from  
7.33 the treatment facility. Property rights may not be abated but access may be restricted  
7.34 by the courts;

- 7.35 (7) a person, including a person under the jurisdiction of the juvenile court, who  
7.36 has been charged with committing a crime of violence and has been placed in a pretrial  
8.1 diversion program by the court before disposition, until the person has completed the  
8.2 diversion program and the charge of committing the crime of violence has been dismissed;
- 8.3 (8) except as otherwise provided in clause (9), a person who has been convicted in  
8.4 another state of committing an offense similar to the offense described in section 609.224,  
8.5 subdivision 3, against a family or household member or section 609.2242, subdivision  
8.6 3, unless three years have elapsed since the date of conviction and, during that time, the  
8.7 person has not been convicted of any other violation of section 609.224, subdivision 3, or  
8.8 609.2242, subdivision 3, or a similar law of another state;
- 8.9 (9) a person who has been convicted in this state or elsewhere of assaulting a family  
8.10 or household member and who was found by the court to have used a firearm in any way  
8.11 during commission of the assault is prohibited from possessing any type of firearm or  
8.12 ammunition for the period determined by the sentencing court;
- 8.13 (10) a person who:
- 8.14 (i) has been convicted in any court of a crime punishable by imprisonment for a  
8.15 term exceeding one year;
- 8.16 (ii) is a fugitive from justice as a result of having fled from any state to avoid  
8.17 prosecution for a crime or to avoid giving testimony in any criminal proceeding;
- 8.18 (iii) is an unlawful user of any controlled substance as defined in chapter 152;
- 8.19 (iv) has been judicially committed to a treatment facility in Minnesota or elsewhere  
8.20 as a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to  
8.21 the public, as defined in section 253B.02;
- 8.22 (v) is an alien who is illegally or unlawfully in the United States;
- 8.23 (vi) has been discharged from the armed forces of the United States under  
8.24 dishonorable conditions;
- 8.25 (vii) has renounced the person's citizenship having been a citizen of the United  
8.26 States; or
- 8.27 (viii) is disqualified from possessing a firearm under United States Code, title 18,  
8.28 section 922(g)(8) or (9), as amended through March 1, 2014;

8.29 (11) a person who has been convicted of the following offenses at the gross  
8.30 misdemeanor level, unless three years have elapsed since the date of conviction and, during  
8.31 that time, the person has not been convicted of any other violation of these sections: section  
8.32 609.229 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults  
8.33 motivated by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a  
8.34 child); 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring  
8.35 gun); 609.71 (riot); or 609.749 (stalking). For purposes of this paragraph, the specified  
9.1 gross misdemeanor convictions include crimes committed in other states or jurisdictions  
9.2 which would have been gross misdemeanors if conviction occurred in this state;

9.3 (12) a person who has been convicted of a violation of section 609.224 if the court  
9.4 determined that the assault was against a family or household member in accordance with  
9.5 section 609.2242, subdivision 8 (domestic assault), unless three years have elapsed since  
9.6 the date of conviction and, during that time, the person has not been convicted of another  
9.7 violation of section 609.224 or a violation of a section listed in clause (11); or

9.8 (13) a person who is subject to an order for protection as described in section  
9.9 260C.201, subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

9.10 A person who issues a certificate pursuant to this section in good faith is not  
9.11 liable for damages resulting or arising from the actions or misconduct with a firearm or  
9.12 ammunition committed by the individual who is the subject of the certificate.

9.13 The prohibition in this subdivision relating to the possession of firearms other than  
9.14 pistols and semiautomatic military-style assault weapons does not apply retroactively  
9.15 to persons who are prohibited from possessing a pistol or semiautomatic military-style  
9.16 assault weapon under this subdivision before August 1, 1994.

9.17 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms  
9.18 and ammunition for persons convicted or adjudicated delinquent of a crime of violence  
9.19 in clause (2), applies only to offenders who are discharged from sentence or court  
9.20 supervision for a crime of violence on or after August 1, 1993.

9.21 For purposes of this section, "judicial determination" means a court proceeding  
9.22 pursuant to sections 253B.07 to 253B.09 or a comparable law from another state.

9.23 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
9.24 committed on or after that date.

9.25 Sec. 12. Minnesota Statutes 2014, section 624.713, subdivision 1a, is amended to read:

9.26 Subd. 1a. **Ineligible to receive, ship, transport.** A person presently charged with  
9.27 a crime punishable by imprisonment for a term exceeding one year shall not be entitled  
9.28 to receive, ship, or transport any ammunition or pistol or semiautomatic military-style  
9.29 assault weapon. A violation of this subdivision is a gross misdemeanor.



9.30 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
9.31 committed on or after that date.

9.32 Sec. 13. Minnesota Statutes 2014, section 624.713, subdivision 2, is amended to read:

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

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

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

10.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
10.14 committed on or after that date.

10.15 Sec. 14. Minnesota Statutes 2014, section 624.713, subdivision 3, is amended to read:

10.16 Subd. 3. **Notice.** (a) When a person is convicted of, or adjudicated delinquent or  
10.17 convicted as an extended jurisdiction juvenile for committing, a crime of violence as defined  
10.18 in section 624.712, subdivision 5, the court shall inform the defendant that the defendant is  
10.19 prohibited from possessing ammunition or a pistol or semiautomatic military-style assault  
10.20 weapon for the remainder of the person's lifetime, and that it is a felony offense to violate  
10.21 this prohibition. The failure of the court to provide this information to a defendant does  
10.22 not affect the applicability of the ammunition or pistol or semiautomatic military-style  
10.23 assault weapon possession prohibition or the felony penalty to that defendant.

10.24 (b) When a person, including a person under the jurisdiction of the juvenile court, is  
10.25 charged with committing a crime of violence and is placed in a pretrial diversion program  
10.26 by the court before disposition, the court shall inform the defendant that: (1) the defendant  
10.27 is prohibited from possessing ammunition or a pistol or semiautomatic military-style  
10.28 assault weapon until the person has completed the diversion program and the charge of  
10.29 committing a crime of violence has been dismissed; (2) it is a gross misdemeanor offense  
10.30 to violate this prohibition; and (3) if the defendant violates this condition of participation  
10.31 in the diversion program, the charge of committing a crime of violence may be prosecuted.  
10.32 The failure of the court to provide this information to a defendant does not affect the  
10.33 applicability of the ammunition or pistol or semiautomatic military-style assault weapon  
10.34 possession prohibition or the gross misdemeanor penalty to that defendant.

11.1 (c) A court shall notify a person subject to subdivision 1, clause (3), of the  
11.2 prohibitions described in that clause and those described in United States Code, title 18,  
11.3 sections 922(d)(4) and 922(g)(4).

11.4 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
11.5 committed on or after that date.

11.6 Sec. 15. Minnesota Statutes 2014, section 624.713, subdivision 4, is amended to read:

11.7 Subd. 4. **Restoration of firearms and ammunition eligibility to civilly committed**  
11.8 **person; petition authorized.** (a) A person who is prohibited from possessing a firearm  
11.9 or ammunition under subdivision 1, due to commitment resulting from a judicial  
11.10 determination that the person is mentally ill, developmentally disabled, mentally ill and  
11.11 dangerous, or chemically dependent, may petition a court to restore the person's ability to  
11.12 possess a firearm or ammunition.

11.13 (b) The court may grant the relief sought in paragraph (a) in accordance with  
11.14 the principles of due process if the circumstances regarding the person's disqualifying  
11.15 condition and the person's record and reputation are determined to be such that:

11.16 (1) the person is not likely to act in a manner that is dangerous to public safety; and

11.17 (2) the granting of relief would not be contrary to the public interest.

11.18 (c) When determining whether a person has met the requirement of paragraph (b),  
11.19 clause (1), the court may consider evidence from a licensed medical doctor or clinical  
11.20 psychologist that the person is no longer suffering from the disease or condition that  
11.21 caused the disability or that the disease or condition has been successfully treated for a  
11.22 period of three consecutive years.

11.23 (d) Review on appeal shall be de novo.

11.24 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 11.25 committed on or after that date.

11.26 Sec. 16. **[624.7133] PURCHASING FIREARM ON BEHALF OF INELIGIBLE**  
 11.27 **PERSON.**

11.28 Any person who purchases or otherwise obtains a firearm on behalf of or for transfer  
 11.29 to a person known to be ineligible to possess or purchase a firearm pursuant to federal or  
 11.30 state law is guilty of a gross misdemeanor.

11.31 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 11.32 committed on or after that date.

39.3 Sec. 22. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

39.4 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
 39.5 annually establish and publish a list of other states that have laws governing the issuance  
 39.6 of permits to carry weapons that are not substantially similar to this section. The list  
 39.7 must be available on the Internet. A person holding a carry permit from a state not on  
 39.8 the list may use the license or permit in this state subject to the rights, privileges, and  
 39.9 requirements of this section.

39.10 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in  
 39.11 this state if the holder is or becomes prohibited by law from possessing a firearm.

39.12 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an  
 39.13 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in  
 39.14 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall  
 39.15 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision  
 39.16 12. If the court denies the petition, the court must award the permit holder reasonable  
 39.17 costs and expenses including attorney fees. The petition may be filed in any county in the  
 39.18 state where a person holding a license or permit from another state can be found.

39.19 (d) The commissioner must, when necessary, execute reciprocity agreements  
 39.20 regarding carry permits with jurisdictions whose carry permits are recognized under  
 39.21 paragraph (a).

12.1 Sec. 17. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

12.2 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
 12.3 annually establish and publish a list of other states that have laws governing the issuance  
 12.4 of permits to carry weapons that are not substantially similar to this section. The list  
 12.5 must be available on the Internet. A person holding a carry permit from a state not on  
 12.6 the list may use the license or permit in this state subject to the rights, privileges, and  
 12.7 requirements of this section.

12.8 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in  
 12.9 this state if the holder is or becomes prohibited by law from possessing a firearm.

12.10 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an  
 12.11 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in  
 12.12 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall  
 12.13 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision  
 12.14 12. If the court denies the petition, the court must award the permit holder reasonable  
 12.15 costs and expenses including attorney fees. The petition may be filed in any county in the  
 12.16 state where a person holding a license or permit from another state can be found.

12.17 (d) The commissioner must, when necessary, execute reciprocity agreements  
 12.18 regarding carry permits with jurisdictions whose carry permits are recognized under  
 12.19 paragraph (a).

12.20 Sec. 18. Minnesota Statutes 2014, section 624.715, is amended to read:

12.21 **624.715 EXEMPTIONS; ANTIQUES AND ORNAMENTS.**

12.22 Sections 624.713 and 624.714 shall not apply to antique firearms which are carried  
 12.23 or possessed as curiosities or for their historical significance or value, or to ammunition or  
 12.24 primers, projectiles, or propellant powder designed solely for use in an antique firearm.

39.22 Sec. 23. **[624.7192] AUTHORITY TO SEIZE AND CONFISCATE FIREARMS.**

39.23 (a) This section applies only during the effective period of a state of emergency  
 39.24 proclaimed by the governor relating to a public disorder or disaster.

39.25 (b) A peace officer who is acting in the lawful discharge of the officer's official duties  
 39.26 without a warrant may disarm a lawfully detained individual only temporarily and only if  
 39.27 the officer reasonably believes it is immediately necessary for the protection of the officer  
 39.28 or another individual. Before releasing the individual, the peace officer must return to the  
 39.29 individual any seized firearms and ammunition, and components thereof, any firearms  
 39.30 accessories and ammunition reloading equipment and supplies, and any other personal  
 39.31 weapons taken from the individual, unless the officer: (1) takes the individual into  
 39.32 physical custody for engaging in criminal activity or for observation pursuant to section  
 39.33 253B.05, subdivision 2; or (2) seizes the items as evidence pursuant to an investigation for  
 39.34 the commission of the crime for which the individual was arrested.

40.1 (c) Notwithstanding any other law to the contrary, no governmental unit, government  
 40.2 official, government employee, peace officer, or other person or body acting under  
 40.3 governmental authority or color of law may undertake any of the following actions with  
 40.4 regard to any firearms and ammunition, and components thereof; any firearms accessories  
 40.5 and ammunition reloading equipment and supplies; and any other personal weapons:

40.6 (1) prohibit, regulate, or curtail the otherwise lawful possession, carrying,  
 40.7 transportation, transfer, defensive use, or other lawful use of any of these items;

40.8 (2) seize, commandeer, or confiscate any of these items in any manner, except as  
 40.9 expressly authorized in paragraph (b);

40.10 (3) suspend or revoke a valid permit issued pursuant to section 624.7131 or 624.714,  
 40.11 except as expressly authorized in those sections; or

40.12 (4) close or limit the operating hours of businesses that lawfully sell or service any  
 40.13 of these items, unless such closing or limitation of hours applies equally to all forms  
 40.14 of commerce.

40.15 (d) No provision of law relating to a public disorder or disaster emergency  
 40.16 proclamation by the governor or any other governmental or quasi-governmental official,  
 40.17 including but not limited to emergency management powers pursuant to chapters 9  
 40.18 and 12, shall be construed as authorizing the governor or any other governmental or  
 40.19 quasi-governmental official of this state or any of its political subdivisions acting at  
 40.20 the direction of the governor or another official to act in violation of this paragraph  
 40.21 or paragraphs (b) and (c).

12.25 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 12.26 committed on or after that date.

12.27 Sec. 19. **[624.7192] AUTHORITY TO SEIZE AND CONFISCATE FIREARMS.**

12.28 (a) This section applies only during the effective period of a state of emergency  
 12.29 proclaimed by the governor relating to a public disorder or disaster.

12.30 (b) A peace officer who is acting in the lawful discharge of the officer's official duties  
 12.31 without a warrant may disarm a lawfully detained individual only temporarily and only if  
 12.32 the officer reasonably believes it is immediately necessary for the protection of the officer  
 12.33 or another individual. Before releasing the individual, the peace officer must return to the  
 13.1 individual any seized firearms and ammunition, and components thereof, any firearms  
 13.2 accessories and ammunition reloading equipment and supplies, and any other personal  
 13.3 weapons taken from the individual, unless the officer: (1) takes the individual into  
 13.4 physical custody for engaging in criminal activity or for observation pursuant to section  
 13.5 253B.05, subdivision 2; or (2) seizes the items as evidence pursuant to an investigation for  
 13.6 the commission of the crime for which the individual was arrested.

13.7 (c) Notwithstanding any other law to the contrary, no governmental unit, government  
 13.8 official, government employee, peace officer, or other person or body acting under  
 13.9 governmental authority or color of law may undertake any of the following actions with  
 13.10 regard to any firearms and ammunition, and components thereof; any firearms accessories  
 13.11 and ammunition reloading equipment and supplies; and any other personal weapons:

13.12 (1) prohibit, regulate, or curtail the otherwise lawful possession, carrying,  
 13.13 transportation, transfer, defensive use, or other lawful use of any of these items;

13.14 (2) seize, commandeer, or confiscate any of these items in any manner, except as  
 13.15 expressly authorized in paragraph (b);

13.16 (3) suspend or revoke a valid permit issued pursuant to section 624.7131 or 624.714,  
 13.17 except as expressly authorized in those sections; or

13.18 (4) close or limit the operating hours of businesses that lawfully sell or service any  
 13.19 of these items, unless such closing or limitation of hours applies equally to all forms  
 13.20 of commerce.

13.21 (d) No provision of law relating to a public disorder or disaster emergency  
 13.22 proclamation by the governor or any other governmental or quasi-governmental official,  
 13.23 including but not limited to emergency management powers pursuant to chapters 9  
 13.24 and 12, shall be construed as authorizing the governor or any other governmental or  
 13.25 quasi-governmental official of this state or any of its political subdivisions acting at  
 13.26 the direction of the governor or another official to act in violation of this paragraph  
 13.27 or paragraphs (b) and (c).

- 40.22 (e)(1) An individual aggrieved by a violation of this section may seek relief in an  
 40.23 action at law or in equity or in any other proper proceeding for damages, injunctive relief,  
 40.24 or other appropriate redress against a person who commits or causes the commission of  
 40.25 this violation. Venue must be in the district court having jurisdiction over the county in  
 40.26 which the aggrieved individual resides or in which the violation occurred.
- 40.27 (2) In addition to any other remedy available at law or in equity, an individual  
 40.28 aggrieved by the seizure or confiscation of an item listed in paragraph (c) in violation of  
 40.29 this section may make application for the immediate return of the items to the office of the  
 40.30 clerk of court for the county in which the items were seized and, except as provided in  
 40.31 paragraph (b), the court must order the immediate return of the items by the seizing or  
 40.32 confiscating governmental office and that office's employed officials.
- 40.33 (3) In an action or proceeding to enforce this section, the court must award the  
 40.34 prevailing plaintiff reasonable court costs and expenses, including attorney fees.
- 40.35 **EFFECTIVE DATE.** This section is effective August 1, 2015.

- 13.28 (e)(1) An individual aggrieved by a violation of this section may seek relief in an  
 13.29 action at law or in equity or in any other proper proceeding for damages, injunctive relief,  
 13.30 or other appropriate redress against a person who commits or causes the commission of  
 13.31 this violation. Venue must be in the district court having jurisdiction over the county in  
 13.32 which the aggrieved individual resides or in which the violation occurred.
- 13.33 (2) In addition to any other remedy available at law or in equity, an individual  
 13.34 aggrieved by the seizure or confiscation of an item listed in paragraph (c) in violation of  
 13.35 this section may make application for the immediate return of the items to the office of the  
 13.36 clerk of court for the county in which the items were seized and, except as provided in  
 14.1 paragraph (b), the court must order the immediate return of the items by the seizing or  
 14.2 confiscating governmental office and that office's employed officials.
- 14.3 (3) In an action or proceeding to enforce this section, the court must award the  
 14.4 prevailing plaintiff reasonable court costs and expenses, including attorney fees.
- 14.5 **EFFECTIVE DATE.** This section is effective August 1, 2015.

14.6 Sec. 20. **[626.19] USE OF UNMANNED AERIAL VEHICLES.**

- 14.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms  
 14.8 have the meanings given.
- 14.9 (b) "Adverse result" means:
- 14.10 (1) endangering the life or physical safety of an individual;
- 14.11 (2) flight from prosecution;
- 14.12 (3) destruction of or tampering with evidence;
- 14.13 (4) intimidation of potential witnesses; or
- 14.14 (5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.
- 14.15 (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision  
 14.16 1.
- 14.17 (d) "Unmanned aerial vehicle" or "UAV" means an aircraft that is operated without  
 14.18 the possibility of direct human intervention from within or on the aircraft.
- 14.19 Subd. 2. **Use of unmanned aerial vehicles limited.** Except as provided in  
 14.20 subdivision 3, a law enforcement agency may not operate a UAV without a search warrant  
 14.21 issued under this chapter.

14.22 Subd. 3. **Exceptions.** (a) A law enforcement agency may operate a UAV and  
14.23 disclose information collected from the operation in an emergency situation that involves  
14.24 a reasonably likely threat to the life or safety of a person. A law enforcement agency that  
14.25 deploys a UAV under this paragraph must document the factual basis for the emergency  
14.26 on a form created for that purpose by the Bureau of Criminal Apprehension and submit a  
14.27 sworn statement with the district court setting forth the grounds for the emergency use not  
14.28 later than 48 hours after operation of the UAV commenced.

14.29 (b) A law enforcement agency may operate a UAV to collect information from a  
14.30 public area if a court, upon motion, determines that there are specific and articulable facts  
14.31 demonstrating reasonable suspicion of criminal activity, that the operation of the UAV  
14.32 will uncover this activity, and that alternative methods of data collection are either cost  
14.33 prohibitive or present a significant risk to any person's bodily safety. An order shall not  
14.34 be issued for a period greater than 48 hours. Extensions of an order may be granted but  
15.1 shall be no longer than the authorizing judge deems necessary to achieve the purposes for  
15.2 which it was granted and in no event for longer than 30 days.

15.3 (c) A law enforcement agency may operate a UAV to counter a high risk of a terrorist  
15.4 attack by a specific individual or organization if the agency determines that credible  
15.5 intelligence indicates this risk. A law enforcement agency that deploys a UAV under this  
15.6 paragraph must document the factual basis for the use on a form created for that purpose  
15.7 by the Bureau of Criminal Apprehension and submit a sworn statement with the district  
15.8 court setting forth the grounds for the use not later than 48 hours after operation of the  
15.9 UAV commenced. The law enforcement agency may request that the form and statement  
15.10 be sealed. An order must be issued granting the request in whole or in part if the court  
15.11 finds reasonable grounds exist to believe that refusing the request may cause the search  
15.12 or a related search to be unsuccessful, create a substantial risk of injury to an innocent  
15.13 person, or severely hamper an ongoing investigation.

15.14 (d) A law enforcement agency may operate a UAV to prevent the loss of life and  
15.15 property in natural or man-made disasters and to facilitate the operational planning,  
15.16 rescue, and recovery operations in the aftermath of these disasters. A law enforcement  
15.17 agency that deploys a UAV under this paragraph must document the factual basis for the  
15.18 use on a form created for that purpose by the Bureau of Criminal Apprehension and  
15.19 submit a sworn statement with the district court setting forth the grounds for the use not  
15.20 later than 48 hours after operation of the UAV commenced.

15.21 Subd. 4. **Limitations on use.** (a) A law enforcement agency operating a UAV must  
15.22 fully comply with all Federal Aviation Administration requirements and guidelines.

15.23 (b) Acquisition of UAVs must be approved by the governmental entity overseeing  
15.24 the law enforcement agency.

15.25 (c) Unless specifically authorized in the warrant or order, a UAV shall be operated in  
15.26 a manner to collect data only on a clearly and narrowly defined target and to avoid data  
15.27 collection on individuals, homes, or areas other than the defined target.

15.28 (d) A law enforcement agency may not deploy facial recognition or other  
15.29 biometric-matching technology via a UAV unless expressly authorized to do so through  
15.30 a court order or warrant.

15.31 (e) UAVs may not be equipped with weapons.

15.32 Subd. 5. **Consensual disclosure of information.** A law enforcement agency may  
15.33 disclose or receive information about any person acquired through the operation of a UAV  
15.34 if the person has given written consent to the disclosure.

15.35 Subd. 6. **Data retention and classification.** (a) No data collected on an individual,  
15.36 home, or area other than the subject identified in the warrant or order may be used,  
16.1 copied, or disclosed for any purpose except as provided in subdivision 5. Notwithstanding  
16.2 section 138.17, the data must be deleted as soon as possible, and in no event later than  
16.3 24 hours after collection.

16.4 (b) Data collected pursuant to this section is criminal investigative data under  
16.5 section 13.82, subdivision 7.

16.6 Subd. 7. **Evidence.** Information obtained or collected by a law enforcement agency  
16.7 in violation of this section is not admissible as evidence in a criminal prosecution in any  
16.8 court of law in this state.

16.9 Subd. 8. **Notice.** (a) Within a reasonable time but not later than 90 days after the  
16.10 court unseals a warrant under this subdivision, the issuing or denying judge shall cause  
16.11 to be served on the persons named in the warrant and the application an inventory that  
16.12 shall include notice of:

16.13 (1) the fact of the issuance of the warrant or the application;

16.14 (2) the date of the issuance and the period of authorized, approved, or disapproved  
16.15 collection of information, or the denial of the application; and

16.16 (3) the fact that during the period information was or was not collected.

16.17 (b) A warrant authorizing collection of information must direct that:

16.18 (1) the warrant be sealed for a period of 90 days or until the objective of the warrant  
16.19 has been accomplished, whichever is shorter; and

16.20 (2) the warrant be filed with the court administrator within ten days of the expiration  
16.21 of the warrant.

16.22 (c) The prosecutor may request that the warrant, supporting affidavits, and any order  
16.23 granting the request not be filed. An order must be issued granting the request in whole or  
16.24 in part if, from affidavits, sworn testimony, or other evidence, the court finds reasonable  
16.25 grounds exist to believe that filing the warrant may cause the search or a related search  
16.26 to be unsuccessful, create a substantial risk of injury to an innocent person, or severely  
16.27 hamper an ongoing investigation.

16.28 (d) The warrant must direct that following the commencement of any criminal  
16.29 proceeding utilizing evidence obtained in or as a result of the search, the supporting  
16.30 application or affidavit must be filed either immediately or at any other time as the court  
16.31 directs. Until such filing, the documents and materials ordered withheld from filing must  
16.32 be retained by the judge or the judge's designee.

16.33 Subd. 9. **Remedies for violation.** An aggrieved party may initiate a civil action  
16.34 against a law enforcement agency to obtain all appropriate relief to prevent or remedy a  
16.35 violation of this section.

17.1 Subd. 10. **Reporting.** (a) By January 15 of each year, each law enforcement agency  
17.2 that uses UAVs shall report to the commissioner of public safety the following information  
17.3 for the preceding calendar year:

17.4 (1) the number of times a UAV was used, organized by the types of incidents and  
17.5 the types of justification for deployment;

17.6 (2) the number of criminal investigations aided by the use of UAVs;

17.7 (3) the number of uses of UAVs for reasons other than criminal investigations; and

17.8 (4) the total cost of the agency's UAV program.

17.9 (b) By June 15 of each year, the commissioner of public safety shall compile a full  
17.10 and complete report summarizing the information submitted to the commissioner under  
17.11 paragraph (a), and submit the report to the chairs and ranking minority members of the  
17.12 senate and house of representatives committees having jurisdiction over criminal justice  
17.13 and public safety issues and make the report public on the department's Web site.

17.14 (c) By January 15 of each year, any judge who has issued a warrant or order under  
17.15 this section that expired during the preceding year, or who has denied approval during that  
17.16 year, shall report to the state court administrator:

17.17 (1) the fact that a warrant, order, or extension was applied for;

17.18 (2) the kind of warrant, order, or extension applied for;

17.19 (3) the fact that the warrant, order, or extension was granted as applied for, was  
17.20 modified, or was denied;

17.21 (4) the period of UAV use authorized by the warrant or order, and the number and  
17.22 duration of any extensions of the warrant or order;

17.23 (5) the offense specified in the warrant, order, or application, or extension of a  
17.24 warrant or order; and

17.25 (6) the identity of the law enforcement agency making the application and the  
17.26 person authorizing the application.



17.27 (d) By June 15 of each year, the state court administrator shall transmit to the chairs  
17.28 and ranking minority members of the senate and house of representatives committees  
17.29 having jurisdiction over criminal justice and public safety issues and post on the Supreme  
17.30 Court's Web site a full and complete report concerning the number of applications  
17.31 for warrants or orders authorizing or approving operation of UAVs or disclosure of  
17.32 information from the operation of UAVs under this section and the number of warrants,  
17.33 orders, and extensions granted or denied under this section during the preceding calendar  
17.34 year. The report must include a summary and analysis of the data required to be filed with  
17.35 the state court administrator by paragraph (c).

18.1 Sec. 21. Minnesota Statutes 2014, section 626.88, is amended to read:

18.2 **626.88 UNIFORMS; PEACE OFFICERS, SECURITY GUARDS; COLOR.**

18.3 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms  
18.4 have the meanings given them.

18.5 (b) "Peace officer" means an employee of a political subdivision or state law  
18.6 enforcement agency who is licensed pursuant to sections 626.84 to 626.863 charged with  
18.7 the prevention and detection of crime and the enforcement of the general criminal laws of  
18.8 the state and who has full power of arrest, and shall also include Minnesota state troopers,  
18.9 state conservation officers, park police, and University of Minnesota police officers.

18.10 (c) "Security guard" means any person who is paid a fee, wage, or salary to perform  
18.11 one or more of the following functions:

18.12 (1) prevention or detection of intrusion, unauthorized entry or activity, vandalism,  
18.13 or trespass on private property;

18.14 (2) prevention or detection of theft, loss, embezzlement, misappropriation, or  
18.15 concealment of merchandise, money, bonds, stocks, notes, or other valuable documents  
18.16 or papers;

18.17 (3) control, regulation, or direction of the flow or movements of the public, whether  
18.18 by vehicle or otherwise, to assure protection of private property;

18.19 (4) protection of individuals from bodily harm;

18.20 (5) prevention or detection of intrusion, unauthorized entry or activity, vandalism,  
18.21 or trespass on Minnesota National Guard facilities, including, but not limited to, Camp  
18.22 Ripley and Air National Guard air bases; or

18.23 (6) enforcement of policies and rules of the security guard's employer related to crime  
18.24 reduction insofar as such enforcement falls within the scope of security guard's duties.

18.25 The term "security guard" does not include: (i) auditors, accountants, and accounting  
18.26 personnel performing audits or accounting functions; (ii) employees of a firm licensed  
18.27 pursuant to section 326.3381 whose duties are primarily administrative or clerical in  
18.28 nature; (iii) unarmed security personnel; (iv) personnel temporarily employed pursuant  
18.29 to statute or ordinance by political subdivisions to provide protective services at social  
18.30 functions; (v) employees of air or rail carriers.

18.31 (d) "Bail bondsman" or "bail enforcement agent" means a surety acting as a bonding  
18.32 agent or any person who acts at the direction of a surety for the purpose of arresting a  
18.33 defendant that the surety believes:

18.34 (1) is about to flee;

18.35 (2) will not appear in court as required by the defendant's recognizance; or

18.36 (3) will otherwise not perform the conditions of the recognizance.

19.1 Subd. 2. **Uniforms.** (a) Uniforms for peace officers shall be of uniform colors  
19.2 throughout the state as provided herein. Uniforms for:

19.3 (1) municipal peace officers, including University of Minnesota peace officers and  
19.4 peace officers assigned to patrol duties in parks, shall be blue, brown, or green;

19.5 (2) peace officers who are members of the county sheriffs' office shall be blue,  
19.6 brown, or green;

19.7 (3) state troopers shall be maroon;

19.8 (4) conservation officers shall be green.

19.9 (b) The uniforms of security guards may be any color other than those specified  
19.10 for peace officers.

19.11 (c) The uniforms of a bail bondsman or bail enforcement agent or any person who  
19.12 acts at the direction of a surety may be any color other than those specified for peace  
19.13 officers. A violation of this paragraph is a petty misdemeanor.

19.14 (d) This subdivision shall apply to uniforms purchased subsequent to January 1, 1981.

19.15 Subd. 3. **Exception.** Security guards employed by the Capitol Complex Security  
19.16 Division of the Department of Public Safety are not required to comply with subdivision 2.

19.17 Sec. 22. **[626.891] PEACE OFFICER-INVOLVED INCIDENTS; OUTSIDE**  
19.18 **INVESTIGATION REQUIRED.**

19.19 Subdivision 1. **Definitions.** As used in this section: (1) "deadly force" has the  
 19.20 meaning given in section 609.066, subdivision 1; (2) "great bodily harm" means bodily  
 19.21 injury that creates a high probability of death, or causes serious permanent disfigurement,  
 19.22 or causes a permanent or protracted loss or impairment of the function of any bodily  
 19.23 member or organ; (3) "law enforcement agency" has the meaning given in section 626.84,  
 19.24 subdivision 1, paragraph (f); (4) "officer-involved incident" means the use of deadly force  
 19.25 by a peace officer while the officer is on duty or off duty but performing activities that are  
 19.26 within the scope of the officer's law enforcement duties that results in great bodily harm  
 19.27 or death of another; and (5) "peace officer" has the meaning given in section 626.84,  
 19.28 subdivision 1, paragraph (c).

19.29 Subd. 2. **Officer-involved incident investigations.** The chief law enforcement  
 19.30 officer of a law enforcement agency shall ensure that when a peace officer employed by  
 19.31 the agency is involved in an officer-involved incident, an investigation into the incident  
 19.32 occurs and is conducted by a law enforcement agency other than the agency that employs  
 19.33 the officer. If the officer-involved incident involves a peace officer employed by a police  
 19.34 department in a city of the first class, the required investigation must be conducted by the  
 19.35 Bureau of Criminal Apprehension. If the bureau is not able to conduct the investigation in  
 20.1 a timely manner, another outside agency may be selected to conduct the investigation. The  
 20.2 agency conducting an investigation under this subdivision must expeditiously provide a  
 20.3 complete report to the county attorney of the county in which the officer-involved incident  
 20.4 occurred. An internal investigation into the officer-involved incident may be completed  
 20.5 by the law enforcement agency that employs the officer involved in the incident if the  
 20.6 internal investigation does not interfere with the outside investigation conducted under  
 20.7 this subdivision.

20.8 Subd. 3. **Release of report.** If the county attorney determines there is no basis to  
 20.9 prosecute the peace officer involved in the officer-involved incident, the attorney shall  
 20.10 inform the law enforcement agency that conducted the investigation of this determination  
 20.11 and the agency shall release the report to the public.

41.1 Sec. 24. **[626.96] BLUE ALERT SYSTEM.**

41.2 Subdivision 1. **Establishment.** The commissioner of public safety shall establish a  
 41.3 Blue Alert system to aid in the identification, location, and apprehension of an individual  
 41.4 or individuals suspected of killing or seriously wounding a local, state, or federal law  
 41.5 enforcement officer. The commissioner shall coordinate with local law enforcement  
 41.6 agencies and public and commercial television and radio broadcasters to provide an  
 41.7 effective alert system.

41.8 Subd. 2. **Criteria and procedures.** The commissioner, in consultation with  
 41.9 the Board of Peace Officer Standards and Training, the Minnesota Police and Peace  
 41.10 Officers Association, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs  
 41.11 Association, the Minnesota Chapter of the National Emergency Number Association, the  
 41.12 Minnesota Chapter of the Association of Public Safety Communications Officials, and  
 41.13 the commissioner of transportation, shall develop criteria and procedures for the Blue  
 41.14 Alert system. By October 1, 2015, the commissioner shall adopt criteria and procedures  
 41.15 for the Blue Alert system.

41.16 Subd. 3. **Oversight.** The commissioner shall regularly review the function of the  
 41.17 Blue Alert system and revise its criteria and procedures to provide for efficient and  
 41.18 effective public notification.

41.19 Subd. 4. **Scope.** The Blue Alert system shall include all state and local agencies  
 41.20 capable of providing urgent and timely information to the public, together with  
 41.21 broadcasters and other private entities that volunteer to participate in the dissemination of  
 41.22 urgent public information.

41.23 Subd. 5. **Additional notice.** The commissioner may notify authorities and entities  
 41.24 outside of the state upon verification that the criteria established under this section have  
 41.25 been met.

41.26 Subd. 6. **False reports.** A person who knowingly makes a false report that triggers  
 41.27 an alert under this section is guilty of a misdemeanor.

41.28 Subd. 7. **Definitions.** For the purposes of this section, "law enforcement officer"  
 41.29 means any public servant having both the power and duty to make arrests for violations  
 41.30 of the laws of the state, and federal public servants authorized to carry firearms and to  
 41.31 make arrests for violations of the laws of the United States.

41.32 Sec. 25. **STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

41.33 (a) As used in this section, the following terms have the meanings provided:

41.34 (1) "bureau" means the state Bureau of Criminal Apprehension;

42.1 (2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section  
 42.2 299C.157, subdivision 1, clause (2);

42.3 (3) "rape kit" means a sexual assault examination kit;

42.4 (4) "superintendent" means the superintendent of the bureau;

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1.5 Section 1. **STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

1.6 (a) As used in this section, the following terms have the meanings provided:

1.7 (1) "bureau" means the Bureau of Criminal Apprehension;

1.8 (2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section  
 1.9 299C.157, subdivision 1, clause (2);

1.10 (3) "rape kit" means a sexual assault examination kit;

1.11 (4) "superintendent" means the superintendent of the bureau;

42.5 (5) "untested rape kit" means a rape kit that has not been submitted to the bureau for  
 42.6 DNA analysis but has been cleared for testing through the written consent of the victim; and

42.7 (6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,  
 42.8 paragraph (b).

42.9 (b) By August 1, 2015, the director of the bureau's forensic science division, each  
 42.10 executive director of a publicly funded forensic laboratory that tests rape kits, and each  
 42.11 sheriff and chief of police must prepare and submit a written report to the superintendent  
 42.12 that identifies the number of untested rape kits in the possession of the official's agency  
 42.13 or department. The report must be in a form prescribed by the superintendent. At a  
 42.14 minimum, each untested rape kit must be identified in the report by the date the evidence  
 42.15 was collected and reasons why each untested rape kit was not tested. This report applies  
 42.16 only to untested rape kits collected prior to July 1, 2015.

42.17 (c) By December 1, 2015, the superintendent must submit a report to the majority  
 42.18 leader of the senate, the speaker of the house, and the Office of the Attorney General  
 42.19 identifying, by agency and date collected, each untested rape kit disclosed in the reports  
 42.20 required by paragraph (b). The report must also provide a detailed plan to resolve any  
 42.21 backlog of untested rape kits held by the bureau and other agencies or departments.

42.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

42.23 Sec. 26. **REPEALER.**

42.24 (a) Minnesota Statutes 2014, sections 168A.1501, subdivisions 5 and 5a; 299C.36;  
 42.25 and 325E.21, subdivisions 1c and 1d, are repealed.

42.26 (b) Laws 2014, chapter 190, sections 10; and 11, are repealed.

1.12 (5) "untested rape kit" means a rape kit that has been used to collect evidence and:  
 1.13 (i) has not been submitted to the bureau for DNA analysis but has been cleared for testing  
 1.14 through the written consent of the victim; or (ii) has been submitted to the bureau for  
 1.15 DNA analysis but the analysis has not been completed; and

1.16 (6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,  
 1.17 paragraph (b).

1.18 (b) By August 1, 2015, the director of the bureau's forensic science division, each  
 1.19 executive director of a publicly funded forensic laboratory that tests rape kits, and each  
 1.20 sheriff and chief of police must prepare and submit a written report to the superintendent  
 1.21 that identifies the number of untested rape kits in the possession of the official's agency  
 1.22 or department. The report must be in a form prescribed by the superintendent. At a  
 1.23 minimum, each untested rape kit must be identified in the report by the date the evidence  
 2.1 was collected and reasons why each untested rape kit was not tested. This report applies  
 2.2 only to untested rape kits collected prior to July 1, 2015.

2.3 (c) By December 1, 2015, the superintendent must submit a report to the majority  
 2.4 leader of the senate, the speaker of the house, and the Office of the Attorney General  
 2.5 identifying, by agency and date collected, each untested rape kit disclosed in the reports  
 2.6 required by paragraph (b). The report must also provide a detailed plan to resolve any  
 2.7 backlog of untested rape kits held by the bureau and other agencies or departments.

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

## **S0878-2**

20.22 Sec. 24. **REPEALER.**

## **SF 464**

## **15-0827**

4.7 Minnesota Statutes 2014, section 299C.36, is repealed.

## **S0878-2**

42.27 (c) Minnesota Statutes 2014, section 609.66, subdivision 1h, is repealed.

20.23 Minnesota Statutes 2014, sections 97B.031, subdivision 4; and 609.66, subdivision 20.24 1h, are repealed.

42.28 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final  
42.29 enactment. Paragraph (c) is effective August 1, 2015.