

HF391 - 0 - Judicially Ordered Firearms Restrictions Modified

Chief Author: **Peggy Scott**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/25/2025 9:42:38 AM**
 Lead Agency: **Supreme Court**
 Other Agencies:
 Corrections Dept Public Defense Board
 Sentencing Guidelines
 Comm

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
State Total					
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/25/2025 9:42:38 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

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Chief Author: **Peggy Scott**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/25/2025 9:42:38 AM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/24/2025 6:18:08 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

HF391-0 amends the firearms transfer provisions in Minn. Stat. §§ 260C.201, subd. 3 (domestic child abuse); 518B.01, subd. 6 (domestic abuse orders for protection (OFPs)); 609.2242, subd. 3 (domestic assault conviction); and 609.749, subd. 8 (harassment or stalking conviction) to provide that the court shall ensure that all firearms have been transferred and all proofs of transfer submitted as required, by scheduling and holding a compliance hearing within ten business days of issuing an order. If, at the hearing, the court finds that the abusing party is not in compliance, the court shall take appropriate action under the circumstances, including but not limited to a contempt proceeding under section 588.01, subdivision 3.

Assumptions

It is assumed that this bill will not increase case filings but may increase the amount of time required to process existing cases in these case types as additional hearings are required. Although the bill requires a hearing in every case where firearms are ordered transferred, it is assumed that a compliance hearing will not be needed and will not be held if the party has complied before the scheduled hearing date, which could be determined by the filing of the required affidavit of transfer.

Expenditure and/or Revenue Formula

Based on 2024 judicial branch data:

There were 2,703 cases with a potentially qualifying assault conviction under Minn. Stat. § 609.2242. Of those assault cases, 778 cases had an order regarding firearms and 450 cases had an affidavit regarding firearms. This leaves 328 assault cases that would potentially require a hearing.

There were 196 cases with a stalking conviction under Minn. Stat. § 609.749. Of those stalking cases, 19 cases had an order regarding firearms and 13 cases had an affidavit regarding firearms. This leaves 6 stalking cases that would potentially require a hearing.

There were 2,334 cases in which the court issued an order for protection (OFP). It is unknown how many cases had a firearms-transfer order as the judicial branch does not have a reliable source of data to indicate when an OFP does or does not contain a firearms-transfer directive. Of those 2,334 OFP cases, 293 cases had an affidavit regarding firearms. This leaves 2,041 OFP cases that would potentially require a hearing.

There is no data available on the issuance of firearms orders in child protection cases.

If 2,375 cases require an additional hearing statewide per year (328 + 6 + 2,041 = 2,375) and if each hearing takes 20

minutes of judge time, which may be an overestimation, that would require an additional 47,500 judge minutes statewide per year ($2,375 \times 20 = 47,500$), which does not reach 78,000, the value of a judge year in minutes.

It is anticipated that this bill will not have a measurable fiscal impact on the judicial branch and any additional workload will be absorbed by the branch.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Callie Lehman

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Chief Author: **Peggy Scott**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/25/2025 9:42:38 AM**
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/19/2025 6:35:57 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill adds language to Minnesota Statutes 260C.201 subd. 3 related to the enforcement of judicially ordered firearms restrictions. The new language requires the courts to hold a compliance hearing within ten business days of issuing the order to ensure that all firearms have been transferred and all proofs of transfer have been submitted. The language further requires that, if the court finds that the abusing party is not in compliance, the court shall take appropriate action.

Assumptions

The Minnesota Sentencing Guidelines Commission (MSGC) does not project any fiscal impact to state corrections resources as a result of this legislation.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

MSGC states that the impact to local units of government as a result of this legislation is unknown.

References/Sources

Department of Corrections staff

MSGC

Agency Contact:

Agency Fiscal Note Coordinator Signature: Mark Besonen

Date: 2/19/2025 4:30:31 PM

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HF391 - 0 - Judicially Ordered Firearms Restrictions Modified

Chief Author: **Peggy Scott**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/25/2025 9:42:38 AM**
 Agency: **Public Defense Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Total	-	-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/18/2025 7:56:27 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

The bill would require the court to hold a compliance hearing to ensure that all firearms have been transferred, and proof of transfer has been submitted when ordered as a part of a case of child abuse, domestic violence, assault, and domestic assault by strangulation. If the court finds at the hearing that the abusing party is not in compliance the individual can be held in contempt.

Assumptions

Public defender representation would have ended in these cases prior to the hearings being conducted. Representation in cases of contempt is a county responsibility.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Kevin Kajer

Phone: 612-279-3508

Date: 2/17/2025 1:12:56 PM

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HF391 - 0 - Judicially Ordered Firearms Restrictions Modified

Chief Author: **Peggy Scott**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/25/2025 9:42:38 AM**
 Agency: **Sentencing Guidelines Comm**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/18/2025 7:33:26 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

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	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

The bill provides for enforcement of judicially ordered firearms restrictions for domestic child abuse; domestic abuse; domestic assault; and harassment and stalking. Under these conditions, the Court must hold a compliance hearing within 10-business days of issuing the order to ensure that all firearms have been transferred and all proofs of transfer submitted.

Assumptions

The bill has no effective date. It is assumed effective August 1, 2025.

It is assumed that, because there are no criminal penalties affected, there will be no impact on state correctional resources.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

None.

Local Fiscal Impact

Unknown.

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Jill Payne

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