

HF3402 - 1UE - Possession of Large-Capacity Magazines Banned

Chief Author: **Brad Tabke**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 Lead Agency: **Public Safety Dept**
 Other Agencies:
 Corrections Dept Public Defense Board
 Sentencing Guidelines Supreme Court
 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)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Corrections Dept						
General Fund	-	-	13	48	64	
State Total						
General Fund	-	-	13	48	64	
	Total	-	-	13	48	64
	Biennial Total			13		112

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	FY2025	FY2026	FY2027	FY2028	FY2029	
Corrections Dept						
General Fund	-	-	.1	.3	.4	
	Total	-	-	.1	.3	.4

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: Laura Cecko **Date:** 2/23/2026 4:00:17 PM
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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
Corrections Dept						
General Fund		-	-	13	48	64
Total		-	-	13	48	64
Biennial Total				13		112
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Corrections Dept						
General Fund		-	-	13	48	64
Total		-	-	13	48	64
Biennial Total				13		112
2 - Revenues, Transfers In*						
Corrections Dept						
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-

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 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 Agency: **Public Safety Dept**

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)	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: Laura Cecko **Date:** 2/21/2026 8:09:06 PM
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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 proposal would add Minn. Stat. 624.7145 and prohibit the manufacture, import, transfer, ownership or possession of large-capacity magazines for firearms. This bill includes various definitions, exceptions, and penalties associated to the prohibition of these items. Subd. 1 defines the term ‘appropriate law enforcement agency’ and it includes the police department within municipality where the person resides or the county sheriff (if there is no police department). Subd. 3 and 4 of this bill outlines the exceptions and penalties associated with the magazine restrictions.

Minn. Stat. 624.7145 Subd. 5 of this proposal would require current owners of large-capacity magazines to surrender the item to the appropriate law enforcement agency, modify it to render it inoperable, alter it so it cannot accommodate more than ten rounds, or remove the device from the state prior to July 1, 2027.

Minn. Stat. 624.712, Subd. 23 would also be amended to define ‘large-capacity magazine.’

Assumptions

Bureau of Criminal Apprehension

The BCA will log the new felony crime created in this legislation in the Criminal Justice Statute Service and absorb this minimal operational cost.

Minnesota State Patrol

Since the bill defines an ‘appropriate law enforcement agency’ as the police department within municipality where the person resides or the county sheriff, it is assumed that the Minnesota State Patrol would not be responsible for any type of large-capacity magazine retrieval or disposal.

It is assumed with the implementation of this bill that there would be increased arrests and evidence processing by members of the Minnesota State Patrol for violations of possessing large-capacity magazines. Any additional costs revolving around increased arrests would be absorbed within current operating funds. Other than situational awareness and training on the statute to personnel of the State Patrol, the changes to the penalties related to large-capacity magazine violations would also not incur any specific costs to the agency. The training and overview of the statute would likely take place during yearly scheduled in-service sessions where all new case law is discussed.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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HF3402 - 1UE - Possession of Large-Capacity Magazines Banned

Chief Author: **Brad Tabke**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 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
General Fund	-	-	13	48	64	
Total	-	-	13	48	64	
Biennial Total			13		112	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	.1	.3	.4
Total	-	-	.1	.3	.4

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: Jim Carlson **Date:** 2/23/2026 3:56:32 PM
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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
General Fund	-	-	13	48	64
Total	-	-	13	48	64
Biennial Total			13		112
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund	-	-	13	48	64
Total	-	-	13	48	64
Biennial Total			13		112
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

This bill bans the manufacture, importation, transfer, ownership, and possession of large-capacity ammunition magazines defined as devices capable of holding more than ten rounds in Minnesota. It creates limited exceptions for law enforcement, the military, and licensed manufacturers and dealers supplying them. Current owners must, by July 1, 2027, surrender, permanently modify, disable, or remove such magazines from the state, with similar requirements for inherited magazines. Violations are classified as a felony, and the law takes effect July 1, 2026.

Assumptions

Prison bed costs are based on a marginal cost per diem of \$53.93 for FY26, \$55.64 for FY27, \$58.43 for FY 2028, and \$58.14 for FY 2029. This includes marginal costs for all facility, private and public bed rental, health care, and support costs.

The annual cost is estimated by multiplying the number of prison beds needed by the subsequent annual per diem. Unless otherwise noted, prison beds are phased in on a quarterly basis.

Prison bed impact for the increase in the offender population assumes 80 percent of the ongoing bed impact is personnel-related and the average salary per FTE is \$132,000 per year, including benefits.

Expenditure and/or Revenue Formula

The Minnesota Sentencing Guidelines Commission (MSGC) projects the need for 1 additional prison bed in Fiscal Year 2027, increasing to 3 beds beginning in Fiscal Year 2028 and every year thereafter, as a result of this legislation.

Cost of Prison Beds

Fiscal year	2026	2027	2028	2029
Number of Prison Beds	0	1	3	3
Cost of Prison Beds (in 000s)	\$0	\$13	\$48	\$64
FTE	0	0.1	0.3	0.4

Long-Term Fiscal Considerations

MSGC projects that this prison bed need for the department will continue beyond the current budget horizon.

Local Fiscal Impact

MSGC projects the need for an additional approximately five local prison beds per fiscal year as a result of this legislation.

References/Sources

MSGC

Department of Corrections Staff

Agency Contact:

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HF3402 - 1UE - Possession of Large-Capacity Magazines Banned

Chief Author: **Brad Tabke**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 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

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)	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:** 2/21/2026 3:42:14 PM
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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 make ban the manufacture, import, transfer or possession of a large capacity magazine- capable of accepting more than ten rounds of ammunition. Provides for a two year felony.

Assumptions

There are not enough cases to have an impact on caseloads or workloads.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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HF3402 - 1UE - Possession of Large-Capacity Magazines Banned

Chief Author: **Brad Tabke**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 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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	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: Jim Carlson **Date:** 2/23/2026 3:56:26 PM
Phone: 651-284-6540 **Email:** jim.carlson@lbo.mn.gov

State Cost (Savings) Calculation Details

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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

Section 1 amends definitions under Chapter 624 (Minn. Stat. § 624.712, subd. 22), to newly define a “Large-capacity magazine” as an ammunition feeding device with the capacity to accept more than ten rounds. Assembly kits for such devices are included in the definition. The definition excludes permanently altered feeding devices that cannot accommodate more than ten rounds, .22 caliber tube ammunition feeding devices, and tubular magazines contained in a lever-action firearm.

Section 2 prohibits a person from manufacturing, importing, transferring, owning, or possessing large-capacity magazines under the newly codified Minn. Stat. § 624.7145, with certain government-use exceptions.

A person who violates the prohibition is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$25,000, or both.

The bill is effective July 1, 2026, and applies to crimes committed on or after that date.

Assumptions

It is assumed that due to the COVID-19 health pandemic, the cases sentenced in 2020 and 2021 are not necessarily fair approximations of cases sentenced in the future.

The rate at which the bill’s new felony offense will be committed is not known. From FY 2021-22 to FY 2023-24, 203 people were sentenced and convicted of the Colorado misdemeanor offense of unlawful sale, transfer, or possession of a large-capacity magazine. It is plausible to assume that violations of the bill’s new felony offense will be sentenced at a similar rate 203 sentences in a given two-year period.

Because the adult population of Colorado (4,636,000) is 1.04 times greater than the adult population of Minnesota (4,442,940), it is assumed that the new offense will be committed 1.04 times less frequently in Minnesota as in Colorado, or 98 times per year (203 ÷ 2 years = 101.5 ÷ 1.04 = 97.5).

One of the responsibilities of the Commission is to assign severity-level (SL) rankings to new felony offenses passed by the Legislature. The Commission bases its decisions, in part, on the level of harm caused and the culpability of the person. The statutory maximum is also considered. It is assumed that the Commission will rank the new large-capacity magazine offense at SL 2, given that carrying a pistol without a permit; subsequent violation under Minn. Stat. § 624.714, subd. 1a, is ranked at SL 1 and has a 5-year statutory maximum; and transferring a firearm to an ineligible person under Minn. Stat. § 624.7141 subd. 1(a), is ranked at SL 2 and has a 2-year statutory maximum.

It is assumed that the 98 new cases sentenced annually will have the same imprisonment rate and average pronounced prison durations as carrying a pistol without a permit. This offense is used for comparison because there were 76 cases sentenced from 2020 to 2024, and there were no cases of transferring a firearm to an ineligible person during that same time.

According to MSGC sentencing data from 2020 to 2024, the average imprisonment rate was 4 percent with an average pronounced duration of 13.7 months (2/3 term of imprisonment = 9.1 mos.). An average 83 percent of probationers received local confinement as a condition of their probation. The average pronounced confinement time was 37 days (2/3 term of confinement = 24.6 days).

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Based on the assumptions above, there will be the need for three additional prison beds. Assuming six months for implementation, it is estimated that one bed will be needed in FY2027, and three beds will be needed in FY2028, and every year thereafter.

(New large-capacity magazine cases) provision: $98 \text{ cases} \times 4\% \text{ imprisonment rate} \times 13.7 \text{ months per case} \times 2/3 \text{ term of imprisonment} \div 12 \text{ months per year} = 2.9 \text{ estimated prison beds.}$

Local Fiscal Impact

Based on the assumptions above, there will be the need for five additional local beds statewide.

(New large-capacity magazine cases) provision: $94 \text{ non-prison cases} \times 83\% \text{ local confinement as condition of probation rate} \times 37 \text{ days per case} \times 2/3 \text{ term of imprisonment} \div 365 \text{ days per year} = 5.2 \text{ local beds.}$

References/Sources

MSGC Sentencing Data, 2020-2024.

Colorado Legislative Council Staff. (2025, March 20). "Fiscal note for SB25-003: Semiautomatic firearms and rapid-fire trigger activators." Colorado General Assembly (retrieved Nov. 10, 2025 at https://leg.colorado.gov/sites/default/files/documents/2025A/bills/fn/2025a_sb003_r5.pdf).

US Census Bureau (2023), Sex by Age American Community Survey 1-year estimates, Colorado and Minnesota (retrieved Nov. 10, 2025, at <https://censusreporter.org/>).

Agency Contact:

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HF3402 - 1UE - Possession of Large-Capacity Magazines Banned

Chief Author: **Brad Tabke**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **2/23/2026 4:00:17 PM**
 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:** 2/21/2026 3:42:24 PM
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State Cost (Savings) Calculation Details

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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

HF3402-1UE (“the bill”) adds a new definition of large-capacity magazine in section 624.712 and creates a new section 624.7145, which makes it a felony to manufacture, import, transfer, own, or possess large-capacity magazines, subject to certain listed exceptions, and with options to surrender, modify, alter, or remove the magazine for anyone who owned or possessed a large-capacity magazine before July 1, 2026, or who later acquires one by inheritance, bequest, or succession.

Assumptions

It is assumed that criminal case filings will increase because this bill establishes a new criminal offense. It is assumed that if a defendant is otherwise prohibited from possessing firearms and ammunition, a charge would be filed under section 624.713 (Certain Persons Not to Possess Firearms) and that under those circumstances the provisions of the bill would not result in an increase in case filings.

It is assumed that the number of new criminal case filings will be limited to those situations where the defendant is otherwise not prohibited from possessing firearms and ammunition.

For purposes of this fiscal note, it is assumed that the rate of criminal case filing under the new statute would be less than 20% of the current criminal case filing rate under Minn. Stat. § 624.714 (Carrying of Weapons Without Permit). It is also assumed that the case filing rate would be comparable to that in Colorado, which has a large-capacity magazine ban and a slightly larger population than Minnesota.

Based on the case filing rate in Minnesota under section 624.714, the case filing rate in Colorado under its large-capacity magazine ban, and on judicial branch case filing and weighted caseload data, it is assumed that any increase in case filings resulting from this bill will not require an additional judge or court staff statewide and will be absorbed.

Expenditure and/or Revenue Formula

Based on 5 years of judicial branch data (2021-2025) there are an average of 848 charges filed annually under section 624.714. If each charge constitutes a separate case, and if the provisions of the bill resulted in a 20% case filing increase, that would result in an additional 170 felony cases filed statewide per year.

Based on information from a March 2025 Colorado fiscal note, which analyzed the existing offense of unlawful sale, transfer, or possession of a large-capacity magazine, from FY 2021-22 to FY 2023-24, 203 offenders were sentenced and convicted for that offense. Based on Minnesota Judicial Branch data, case filing rates are generally twice the conviction rate. If 406 felony cases were filed over a 3-year period, that would result in an additional 135 felony cases filed statewide per year.

Based on judicial branch weighted caseload data, an additional 135-170 felony cases filed statewide per year would not require an additional judge or court staff.

Therefore, the bill is not expected to have a significant fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

None.

Local Fiscal Impact

References/Sources

Agency Contact:

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