

Subject Domestic Violence – Federal Conformity

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Summary

This bill makes conforming statutory changes that fully incorporate the federal law that imposes a lifetime firearms ban on a person convicted of a “misdemeanor crime of domestic violence,” which is known as the Lautenberg Amendment.

In 1996, Congress changed federal firearms law to impose a lifetime ban on persons convicted of a misdemeanor crime of domestic violence. This was a departure from the typical felony conviction threshold to trigger a lifetime firearms ban.

In 2014, the Minnesota legislature incorporated this firearms disability standard into section 624.713, which sets forth the circumstances when residents of Minnesota are prohibited from possessing firearms. When the legislature made this statutory change, it did not address underlying domestic violence laws that provided for a person convicted of a misdemeanor crime of domestic violence to receive a firearm prohibition that was shorter than a lifetime ban.

This bill amends sections 518B.01 (Domestic Violence), 609.2242 (Domestic Assault), and 624.713 (Ineligible Persons) to conform with the state’s existing lifetime firearms ban for persons convicted of misdemeanor crimes of domestic violence and removes any inconsistent statutory guidance on the length of a person’s firearms disability for these offenses.