

HOUSE RESEARCH

Bill Summary

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Overview

This bill prohibits any person from transferring a firearm at a gun show without first using the services of a federal licensed firearms dealer to conduct a background check on the prospective purchaser. This bill provides for criminal penalties for violation of the background check provisions.

Section

1 Background Checks; Gun Shows.

Subd. 1. Definitions. Defines “exhibitor” as a person who shows and offers for sale or transfer firearms at a gun show as part of an arrangement with a gun show promoter providing space for the exhibitor’s display. Defines “gun show” as a public event that offers 25 or more firearms for transfer, and where three or more persons are offering to transfer firearms. Defines “gun show promoter” as a person who organizes or operates a gun show.

Subd. 2. Background check. Prohibits the transfer of a firearm at a gun show without using a federally licensed firearms dealer to conduct a background check of the prospective transferee. The gun show promoter is required to provide for federally licensed firearms dealers to be present at the gun show to conduct the checks.

Subd. 3. Transfer of Firearm. Forbids the transfer of a firearm without a background check.

Subd. 4. False Statements. Prohibits the making of any false statements in the course of the required background check.

Subd. 5. Notice. Requires gun show promoters to post a notice of the background check requirement.

Subd. 6. Penalty. Establishes a gross misdemeanor penalty for violations of this section.

Subd. 7. Exclusions. Excludes transfers between federally licensed firearms

dealers or the transfer of antique firearms from the application of this statute.

2 **Effective Date.** August 1, 2010.