

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 239  
**Version:** As introduced

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**Subject:** Violating private land owners' firearm prohibitions

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Under current law, a private property owner who wishes to exclude firearms from the owner's property must make a "reasonable request" of visitors not to carry firearms while on the owner's property. A reasonable request can be accomplished by posting a sign banning firearms or by making a personal request of each visitor. A firearm carrying visitor who disregards both a private property owner's "reasonable request" not to carry firearms and a subsequent order from the property owner to leave the premises is guilty of a petty misdemeanor with a maximum fine of \$25.

The bill increases the penalty for a firearm-carrying citizen who fails to honor a private property owner's order to leave the owner's premises from a petty misdemeanor to a gross misdemeanor. In addition, the bill creates a felony level offense for repeat violators of this section of law. This penalty structure mirrors the two-tiered penalty structure that currently governs non permit-holding citizens who unlawfully carry firearms in public – a gross misdemeanor for a first offense, a felony for a repeat violation. (*See*, Minn. Stat. § 624.714, subd. 1a.) The bill also eliminates the prohibition on law enforcement seeking forfeiture of a permit holder's firearm as a consequence of violating this law.