

HOUSE RESEARCH

Bill Summary

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Subject: Public Safety; Firearms; Issuing Authority for Permit-to-Carry a Pistol is Changed from Sheriff to Chief of Police

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Overview

The Minnesota Personal Protection Act (MPPA) was enacted in 2003 as a “shall issue” type of pistol-carry permit system, in part to reduce the discretion of the issuing authority when issuing the permits to carry a pistol. The prior system authorized police chiefs to issue a permit when the applicant was of good character and could show a reasonable need to carry a pistol in public.

Under the MPPA, the issuing authority is the Sheriff of the applicant’s county of residence. The Sheriff *must issue* a permit-to-carry to an applicant who meets certain objective criteria (e.g., is age 21 or older; shows proof of training from a BCA-certified trainer, submits to an FBI background check; pays the application fee; etc). The Sheriff may charge a fee of up to \$100 per application, limited to the actual cost of processing the background check and issuing the permit-to-carry. Some 100,000 permits to carry a pistol have been issued to Minnesotans since 2003 under this law.

This bill would reestablish the Chief of Police as the issuing authority for permits to carry a pistol. The specific language used is “The chief of police of an organized full-time police department of the municipality where the applicant resides, or to the county sheriff if there is no local chief of police.”

No other provision of current law would be affected, other than the authority and funding shift from the sheriff to the chief of police.