

Subject Firearm Background Checks

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## Overview

This bill requires that private transfers of pistols and semiautomatic military-style assault weapons be preceded by a firearms eligibility background check of the person receiving the firearm.

## Summary

Section	Description
1	<p><b>Transferee permit; penalty.</b></p> <p><b>Subd. 1. Information.</b> No changes</p> <p><b>Subd. 2. Investigation.</b> No changes.</p> <p><b>Subd. 3. Forms.</b> No changes.</p> <p><b>Subd. 4. Grounds for disqualification.</b> Grants a chief law enforcement officer the authority to deny an application for a transferee permit if the person is a danger to self or others.</p> <p><b>Subd. 5. Granting of permits.</b> Clarifying, non-substantive changes.</p> <p><b>Subd. 6. Permits valid state wide.</b> No changes.</p> <p><b>Subd. 7. Permit voided.</b> Contains a clarifying change.</p> <p><b>Subd. 8. Hearing upon denial.</b> No changes.</p> <p><b>Subd. 9. Permit to carry.</b> Eliminates the provision that treats a permit to carry as the equivalent of a transferee permit.</p> <p><b>Subd. 10. Transfer report not required.</b> Eliminates the exception to completing a transfer report under section 2 for firearms transfers where a transferee permit is proffered as proof of firearms eligibility.</p> <p><b>Subd. 11. Penalty.</b> Increases the criminal penalty for making a false statement to obtain a transferee permit from a gross misdemeanor to a felony.</p>

Section	Description
	<b>Subd. 12. Local regulation.</b> No changes.
2	<b>Report of transfer.</b> <b>Subd. 1. Required information.</b> No changes. <b>Subd. 2. Investigation.</b> No changes. <b>Subd. 3. Notification.</b> No changes. <b>Subd. 4. Delivery.</b> Technical changes. <b>Subd. 5. Grounds for disqualification.</b> Grants a chief law enforcement officer the authority to deny a transfer application if the person is a danger to self or others. <b>Subd. 6. Transferee permit.</b> Eliminates the option for a person who is approved to receive a firearm through the report of transfer process to automatically receive a transferee permit. <b>Subd. 8. Report not required.</b> Eliminates the exception to the transfer report requirement for those who possess a transferee permit. <b>Subd. 9. Number of firearms.</b> No changes. <b>Subd. 10. Restriction on records.</b> No changes. <b>Subd. 11. Forms; cost.</b> No changes. <b>Subd. 12. Exclusions.</b> No changes. <b>Subd. 13. Appeal.</b> No changes. <b>Subd. 14. Transfer to unknown party.</b> Repeals language penalizing the transfer of firearms to unknown parties. <b>Subd. 15. Penalties.</b> No changes. <b>Subd. 16. Local regulation.</b> No changes.
3	<b>Private party transfers; background check required.</b> <b>Subd. 1. Definitions.</b> Defines “firearms dealer” and “state or federally issued identification.” <b>Subd. 2. Background check and evidence of identity.</b> Requires that a private party who wishes to receive a pistol or semiautomatic military-style assault weapon from another private party present a valid transferee permit and government issued identification.

Section	Description
	<p><b>Subd. 3. Record of transfer; required information.</b> Requires that private parties who transfer a pistol or semiautomatic military-style assault weapon under subdivision 2 complete a record of transfer. Specifies the information that must be included in the record of transfer including the firearm's serial number, type, manufacturer, and model. The report must also contain a photocopy of the transferee's permit and ID. Both parties must retain a copy of the record of transfer and attachments. The copy may be in digital format.</p> <p><b>Subd. 4. Compulsory production of a record of transfer; gross misdemeanor penalty.</b> Requires both parties to a private pistol or semiautomatic military-style assault weapon transfer to produce the record of transfer upon the request of a law enforcement officer who is investigating a crime. A person who refuses or is unable to produce a record of transfer upon request is guilty of a gross misdemeanor.</p> <p><b>Subd. 5. Immunity.</b> Grants immunity from prosecution under this section to persons who present a valid record of transfer.</p> <p><b>Subd. 6. Exclusions.</b> Establishes exceptions to the background check requirements of this section for certain pistol and semiautomatic military-style assault weapon transfers. Transfers involving a firearms dealer or a law enforcement agency and transfers between immediate family members, among various other transfers, are excluded.</p>



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