

Subject Semiautomatic Military-Style Assault Weapons

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## Article 1: Prohibition on Possession of Certain Firearms

### Section Description: Article 1 – Prohibition on Possession of Certain Firearms

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1 **Semiautomatic military-style assault weapon.**

Expands the definition of a semiautomatic military-style assault weapon (SAMSAW) as that term is used in chapter 624 to include both specific models of SAMSAWs and firearms with similar action designs and features such as pistol grips, folding stocks, and flash suppressors. Also includes any semiautomatic pistol or rifle with a fixed magazine that can hold more than ten rounds.

2 **Semiautomatic military-style assault weapons; prohibition.**

**Subd. 1. Definitions.** Defines the terms "appropriate law enforcement agency" and "transfer" for purposes of this section.

**Subd. 2. Prohibition.** Establishes a general prohibition on transferring, owning, or possessing semiautomatic military-style assault weapons.

**Subd. 3. Exceptions.** Excepts the following from the prohibition in subdivision 2:

- 1) peace officers, servicemembers, and other government officers, agents, or employees who are authorized to acquire or possess a SAMSAW and who do so while acting within the scope of their duties;
- 2) a licensed manufacturer for the sale of a SAMSAW to any branch of the armed forces of the United States or to law enforcement; or
- 3) a licensed dealer for transfer of a SAMSAW to any branch of the armed forces of the United States or to a law enforcement agency within Minnesota.

**Subd. 4. Current owners; certification of ownership of semiautomatic military-style assault weapons. Para (a)** Requires current SAMSAW owners who desire to keep their SAMSAW to have the BCA and the appropriate law enforcement agency certify their ownership of the SAMSAW.

**Para (b)** Requires persons who elect to retain their SAMSAWS to:

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- 1) safely and securely store the device;
- 2) agree to allow the appropriate law enforcement agency to inspect the storage of the SAMSAW;
- 3) renew the certification of ownership every three years;
- 4) only possess the firearm on their property or a shooting range; and
- 5) promptly report the loss or theft of the firearm to law enforcement.

**Para (c)** Prohibits current owners who have their SAMSAW certified from subsequently transferring the firearm to any party besides the appropriate law enforcement agency.

**Para (d)** Prohibits certified SAMSAW owners from acquiring additional SAMSAWs.

**Para (e)** Authorizes law enforcement to charge a fee for each SAMSAW certification and certification renewal.

**Para (f)** Requires a person who acquires a SAMSAW by inheritance, bequest, or succession to do one of the following:

- 1) surrender the device to law enforcement for destruction;
- 2) modify the device to render it permanently inoperable; or
- 3) remove the device from the state.

**Para (g)** Requires current SAMSAW owners to take one of the following actions if they elect not to certify ownership with the BCA:

- 1) surrender the device to law enforcement for destruction;
- 2) modify the device to render it permanently inoperable; or
- 3) remove the device from the state.

**Para (h)** Requires the superintendent of the BCA to:

- 1) adopt regulations providing for the safe storage of SAMSAWs; and
- 2) implement a certification system.

**Subd. 5. Penalties. Para (a)** Establishes a five-year felony for a person who violates subdivision 2 or subdivision 4, paragraph (a) or (g).

**Para (b)** Establishes a gross misdemeanor penalty for a person who knowingly violates subdivision 4, paragraph (b), (c), (d), or (f). A person who is convicted of a second or subsequent violation of the provisions covered under this subdivision is guilty of a felony.

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**Para (c)** Empowers prosecutors with the authority to pursue related charges against a person who is convicted of violating this section.

## **Article 2: Conforming Changes**

This article contains conforming changes to chapter 624 to reflect article 1’s proposal to ban SAMSAWs.



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