

Subject Domestic Violence – Firearms Prohibitions

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Overview

This bill requires courts to hold compliance hearings to determine if persons ordered to surrender firearms after a domestic violence incident have complied with the court order. Under current law, courts must order that certain domestic violence offenders surrender their firearms. According to a 2025 report issued by the Minnesota Domestic Violence and Firearms Surrender Task Force, there are few effective mechanisms in place to assess compliance with domestic violence firearm surrender orders. This bill would require compliance hearings in the following cases: child in need of protection or services (260C.201); domestic abuse (518B.01); domestic assault (609.2242); harassment/stalking(609.749); and pre-trial release for crimes against the person (629.715).

Summary

| Section | Description |
|---------|---|
| 1 | Domestic child abuse. Requires courts to hold compliance hearings to determine if persons ordered to surrender firearms in child in need of protection or services (CHIPS) cases have complied. |
| 2 | Relief by court. Requires courts to hold compliance hearings to determine if persons ordered to surrender firearms in domestic abuse cases have complied. |
| 3 | Compliance hearing; immunity; sanctions; protections. Subd. 1. Definitions. Defines “subject” and “transfer order” for purposes of this section. Subd. 2. Scope; timing. Requires courts to hold compliance hearings within ten business days of issuing a transfer order. |

Section **Description**

Subd. 3. Waiver. The court can waive the hearing requirement if sufficient evidence is provided to the court to establish that the subject complied with the transfer order.

Subd. 4. Noncompliance. Establishes that failure to comply with the order or to attend the hearing can result in the subject being fined and/or arrested.

Subd. 5. Immunity. Grants the subject limited immunity from criminal prosecution for complying with the order or providing testimony regarding compliance.

Subd. 6. Privilege against self-incrimination. If the subject believes that this statutory immunity does not protect them from self-incrimination, the court can probe the subject's concerns in private and request that the prosecutor grant the subject additional immunity protection. If the prosecutor does not extend additional immunity to the subject, the court can modify the transfer order to exclude any firearms that implicate the subject's Fifth Amendment rights. Declares that a modified order does not excuse the subject from complying with the order or permit them to lawfully possess a firearm.

Subd. 7. Compliance required; burden of proof. Establishes that the subject has the ongoing burden to prove that he/she complied with the transfer order.

4 Domestic assaults; firearms.

Requires courts to hold compliance hearings to determine if persons ordered to surrender firearms in domestic assault cases have complied.

5 Harassment; stalking; firearms.

Requires courts to hold compliance hearings to determine if persons ordered to surrender firearms in harassment/stalking cases have complied.

6 Surrender of firearms.

Requires courts to hold compliance hearings to determine if an accused offender who is ordered to surrender firearms in a case where the offender is granted pre-trial release for a crime against another person has complied.



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