

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>Transferee permit; penalty.</p> <p>Subd. 1. Information. No changes</p> <p>Subd. 2. Investigation. No changes.</p> <p>Subd. 3. Forms. No changes.</p> <p>Subd. 4. Grounds for disqualification. 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>Subd. 5. Granting of permits. Clarifying, non-substantive changes.</p> <p>Subd. 6. Permits valid state wide. No changes.</p> <p>Subd. 7. Permit voided. Contains a clarifying change.</p> <p>Subd. 8. Hearing upon denial. No changes.</p> <p>Subd. 9. Permit to carry. Eliminates the provision that treats a permit to carry as the equivalent of a transferee permit.</p> <p>Subd. 10. Transfer report not required. 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>Subd. 11. Penalty. Increases the criminal penalty for making a false statement to obtain a transferee permit from a gross misdemeanor to a felony.</p>

Section	Description
	Subd. 12. Local regulation. No changes.
2	Report of transfer. Subd. 1. Required information. No changes. Subd. 2. Investigation. No changes. Subd. 3. Notification. No changes. Subd. 4. Delivery. Technical changes. Subd. 5. Grounds for disqualification. Grants a chief law enforcement officer the authority to deny a transfer application if the person is a danger to self or others. Subd. 6. Transferee permit. 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. Subd. 8. Report not required. Eliminates the exception to the transfer report requirement for those who possess a transferee permit. Subd. 9. Number of firearms. No changes. Subd. 10. Restriction on records. No changes. Subd. 11. Forms; cost. No changes. Subd. 12. Exclusions. No changes. Subd. 13. Appeal. No changes. Subd. 14. Transfer to unknown party. Repeals language penalizing the transfer of firearms to unknown parties. Subd. 15. Penalties. No changes. Subd. 16. Local regulation. No changes.
3	Private party transfers; background check required. Subd. 1. Definitions. Defines “firearms dealer” and “state or federally issued identification.” Subd. 2. Background check and evidence of identity. 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>Subd. 3. Record of transfer; required information. 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.</p>
	<p>Subd. 4. Compulsory production of a record of transfer; gross misdemeanor penalty. 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>Subd. 5. Immunity. Grants immunity from prosecution under this section to persons who present a valid record of transfer.</p>
	<p>Subd. 6. Exclusions. 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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