

# GIFFORDS

## COURAGE TO FIGHT GUN VIOLENCE

To: Members of the Minnesota House Public Safety Committee  
From: Agustin Cabrera, Giffords State Legislative Manager  
Subject: Support for HF3672 and HF2828  
Date: 3/12/24

Distinguished members of the House Public Safety Committee,

My name is Agustin Cabrera and I am a State Legislative Manager with Giffords, the gun violence prevention organization founded by former Congresswoman Gabby Giffords. I write to you today with our support of two gun violence prevention priorities which, taken together, can have a positive impact on gun violence prevention in Minnesota. Representative Pinto has introduced HF3672 which would remove Minnesota's harmful preemption measures, and provide Minnesota communities the ability to implement gun violence prevention measures to keep their cities safe. The second bill, HF2828, sponsored by Representative Hussein, puts this in practice by giving localities in Minnesota the authority to "prohibit or restrict the possession of dangerous weapons, ammunition, or explosives in local government-owned or leased buildings and land."<sup>1</sup>

Representative Pinto has introduced HF3672 to address the issue of preemption in Minnesota. "Preemption" occurs when a higher level of government removes regulatory power from a lower level of government. In recent years, at the urging of the gun lobby, most states have explicitly removed authority from local governments to regulate guns and ammunition, thereby creating a dangerous exception to the traditional rule of local authority. This threatens Minnesota communities and makes all Minnesotans unsafe. Broad state preemption measures like the ones currently in place in Minnesota:

- Ignore important local variations that may demand different approaches to preventing gun violence. For instance, different efforts may be appropriate depending on whether a community is more urban or rural. Hinder enforcement of gun laws. Federal agencies like the Bureau of Alcohol, Tobacco, Firearms & Explosives and state law enforcement agencies both generally lack the resources or authority to properly oversee all the firearms businesses in their jurisdictions.

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<sup>1</sup> HF2828

- Thwart local innovation in gun violence prevention strategies which can lay the groundwork for state-level change. For example, California allows local regulation of guns, and several of the state’s important firearm policies, like requiring a locking device be included with every firearm purchase, began as local regulations before being adopted state-wide.

Currently, provisions of Minnesota’s existing laws expressly preempt municipal and county regulation of a range of issues like the transfer of handguns; the ownership, possession, or operation of machine guns, trigger activators, machine gun conversion kits, or short-barreled shotguns; the issuance of “transferee permits” which allow the holder to purchase handguns and semi-automatic military-style weapons; the issuance, nature, and scope of permits to carry handguns; the carrying and possession of handguns; the regulation of Saturday night special pistols;” and anything related to ammunition or its component parts.<sup>2</sup>

Representative Pinto’s HF3672 would remove existing preemption measures in favor of allowing and trusting Minnesota localities to address gun violence prevention in ways that are appropriate and impactful for their communities.

Repealing preemption in Minnesota would allow for Representative Hussein’s bill, HF2828, to grant local governments the authority to restrict or prohibit firearms from local government buildings. Having firearms present in certain sensitive locations can raise the risk of violence or injury and allowing them in government buildings can have a particularly chilling effect on free expression, free speech, and the ability to hold important policy and community discussions in a safe and secure environment. Since the January 6th Insurrection, an increasing number of states have adopted restrictions on firearms in state capitols, on government property and in state and local governmental meetings. Currently, 17 states and Washington D.C. specifically restrict firearms in some or all government-owned buildings.

Thank you for taking the time to consider both of these important steps in fighting gun violence in Minnesota. Giffords stands ready to serve as a partner and a resource in these important discussions and urges you to support both HF3672, repealing preemption in Minnesota, and HF2828, allowing local governments to act in restricting firearms from government-owned buildings.

**Agustin Cabrera**

State Legislative Manager | He/Him

c: (806) 335-5819

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*Agustin Cabrera*

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<sup>2</sup> Giffords Law Center