



HF 8 (PINTO)

CRIMINAL BACKGROUND CHECKS FOR TRANSFER OF FIREARMS

It's time we do something about the epidemic of senseless gun violence, and that's why we're working to pass criminal background checks on all gun sales. Minnesotans deserve to be safe at school, at work, and in other public spaces, and this common-sense measure will help keep guns out of the hands of dangerous people.

OVERVIEW

Under current law, any person may apply for a permit to transfer a firearm to another person—the transferee—who is not required to go through a background check. Such a permit is valid for one year. If a person possesses a permit to carry a firearm, that permit is sufficient to transfer a firearm; in other words, that person does not need to apply for a transferee permit. Further, when a person transfers a firearm to another person who possesses either a transferee- or carry-permit, the transferor is not required to file a report to relevant law enforcement officials. A person who makes a false statement to obtain a transferee permit is guilty of a gross misdemeanor.

BILL CONTENTS

Under HF 8, a person must be 21 years of age or older to apply for a permit to transfer a firearm. The permit would be valid for the transfer of one firearm and would expire immediately after the transfer is complete or when 30 have elapsed from the date the permit is issued. A permit to carry a firearm would no longer be sufficient to transfer a firearm, and carry-permit holders would be required to report the transfer to relevant law enforcement officials. A person who makes a false statement to obtain a transferee permit would be guilty of a felony.

While the previous paragraph lists changes to current law, a new section of law would be added under HF 8 as well. Here, when a transfer of a firearm takes place between private parties who are not considered firearm dealers, the transferee would be required to go through a background check with relevant local law enforcement officials. Further, both involved private parties would be required to complete a record of transfer. If a peace officer were to request the record of transfer and either party were unable or refused to provide the record, that party would be guilty of a gross misdemeanor.

There are a number of exemptions to the background check requirement, including law enforcement officials and immediate family members.