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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2498

04/09/2021 Authored by Boldon; Reyer; Feist; Hanson, J.; Thompson and others
The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; prohibiting the possession of dangerous weapons in the
1.3 Capitol complex; eliminating the permit to carry holder exception to the crime of
1.4 carrying rifles and shotguns in public places; amending Minnesota Statutes 2020,
1.5 sections 609.66, subdivision 1g; 624.7181, subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 609.66, subdivision 1g, is amended to read:

1.8 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a) A person
1.9 who commits either of the following acts is guilty of a felony and may be sentenced to
1.10 imprisonment for not more than five years or to payment of a fine of not more than \$10,000,
1.11 or both:

1.12 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse
1.13 complex; or

1.14 (2) possesses a dangerous weapon, ammunition, or explosives in any state building
1.15 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

1.16 (b) Unless a person is otherwise prohibited or restricted by other law to possess a
1.17 dangerous weapon, this subdivision does not apply to:

1.18 (1) licensed peace officers or military personnel who are performing official duties;

1.19 (2) persons who carry pistols according to the terms of a permit issued under section
1.20 624.714 in a courthouse complex and who so notify the sheriff or the commissioner of
1.21 public safety, as appropriate;

2.1 (3) persons who possess dangerous weapons in a courthouse complex for the purpose
 2.2 of display as demonstrative evidence during testimony at a trial or hearing or exhibition in
 2.3 compliance with advance notice and safety guidelines set by the sheriff ~~or the commissioner~~
 2.4 ~~of public safety~~; or

2.5 (4) persons who possess dangerous weapons in a courthouse complex with the express
 2.6 consent of the county sheriff ~~or who possess dangerous weapons in a state building with~~
 2.7 ~~the express consent of the commissioner of public safety.~~

2.8 (c) ~~For purposes of this subdivision, the issuance of a permit to carry under section~~
 2.9 ~~624.714 constitutes notification of the commissioner of public safety as required under~~
 2.10 ~~paragraph (b), clause (2).~~ Unless a person is otherwise prohibited or restricted by other law
 2.11 to possess a firearm, the prohibition in paragraph (a), clause (2), does not apply to persons
 2.12 authorized to carry a pistol under section 624.714, while the person is: (1) in a motor vehicle,
 2.13 or (2) outside of a motor vehicle to directly place a firearm in, or retrieve it from, the trunk
 2.14 or rear area of the vehicle.

2.15 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
 2.16 committed on or after that date.

2.17 Sec. 2. Minnesota Statutes 2020, section 624.7181, subdivision 1, is amended to read:

2.18 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
 2.19 meanings given them.

2.20 (a) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less
 2.21 in diameter.

2.22 (b) "Carry" does not include:

2.23 (1) the carrying of a BB gun, rifle, or shotgun to, from, or at a place where firearms are
 2.24 repaired, bought, sold, traded, or displayed, or where hunting, target shooting, or other
 2.25 lawful activity involving firearms occurs, or at funerals, parades, or other lawful ceremonies;

2.26 (2) the carrying by a person of a BB gun, rifle, or shotgun that is unloaded and in a gun
 2.27 case expressly made to contain a firearm, if the case fully encloses the firearm by being
 2.28 zipped, snapped, buckled, tied, or otherwise fastened, and no portion of the firearm is
 2.29 exposed;

2.30 (3) ~~the carrying of a BB gun, rifle, or shotgun by a person who has a permit under section~~
 2.31 ~~624.714;~~

3.1 ~~(4)~~ the carrying of an antique firearm as a curiosity or for its historical significance or
3.2 value; or

3.3 ~~(5)~~ (4) the transporting of a BB gun, rifle, or shotgun in compliance with section 97B.045.

3.4 (c) "Public place" means property owned, leased, or controlled by a governmental unit
3.5 and private property that is regularly and frequently open to or made available for use by
3.6 the public in sufficient numbers to give clear notice of the property's current dedication to
3.7 public use but does not include: a person's dwelling house or premises, the place of business
3.8 owned or managed by the person, or land possessed by the person; a gun show, gun shop,
3.9 or hunting or target shooting facility; or the woods, fields, or waters of this state where the
3.10 person is present lawfully for the purpose of hunting or target shooting or other lawful
3.11 activity involving firearms.

3.12 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
3.13 committed on or after that date.