

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 459

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DATE
01/19/2023

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; excluding ownership, possession, and operation of
1.3 short-barreled shotguns from criminal violation; modifying ownership and
1.4 possession of machine guns or short-barreled shotguns by dealers and
1.5 manufacturers; amending Minnesota Statutes 2022, section 609.67, subdivisions
1.6 2, 3.

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

1.8 Section 1. Minnesota Statutes 2022, section 609.67, subdivision 2, is amended to read:

1.9 Subd. 2. **Acts prohibited.** Except as otherwise provided herein, whoever owns, possesses,
1.10 or operates a machine gun, or any trigger activator or machine gun conversion kit, ~~or a~~
1.11 ~~short-barreled shotgun~~ may be sentenced to imprisonment for not more than five years or
1.12 to payment of a fine of not more than \$10,000, or both.

1.13 Sec. 2. Minnesota Statutes 2022, section 609.67, subdivision 3, is amended to read:

1.14 Subd. 3. **Uses permitted.** The following persons may own or possess a machine gun or
1.15 short-barreled shotgun provided the provisions of subdivision 4 are complied with:

- 1.16 (1) law enforcement officers for use in the course of their duties;
- 1.17 (2) chief executive officers of correctional facilities and other personnel thereof authorized
1.18 by them and persons in charge of other institutions for the retention of persons convicted
1.19 or accused of crime, for use in the course of their duties;
- 1.20 (3) persons possessing machine guns or short-barreled shotguns which, although designed
1.21 as weapons, have been determined by the superintendent of the Bureau of Criminal
1.22 Apprehension or the superintendent's delegate by reason of the date of manufacture, value,

2.1 design or other characteristics to be primarily collector's items, relics, museum pieces or
2.2 objects of curiosity, ornaments or keepsakes, and are not likely to be used as weapons;

2.3 (4) manufacturers of ammunition who possess and use machine guns for the sole purpose
2.4 of testing ammunition manufactured for sale to federal and state agencies or political
2.5 subdivisions;

2.6 (5) dealers and manufacturers who are federally licensed to buy and sell, or manufacture
2.7 machine guns or short-barreled shotguns ~~and who either use the machine guns or~~
2.8 ~~short-barreled shotguns in peace officer training under courses approved by the Board of~~
2.9 ~~Peace Officer Standards and Training, or are engaged in the sale of machine guns or~~
2.10 ~~short-barreled shotguns to federal and state agencies or political subdivisions; and~~

2.11 (6) persons employed by the Minnesota National Guard as security guards, for use in
2.12 accordance with applicable federal military regulations.