

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

S.F. No. 3352

(SENATE AUTHORS: MCEWEN)

DATE
05/20/2023

D-PG

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; prohibiting the sale or transfer of a semiautomatic
1.3 military-style assault weapon; authorizing a buyback program for these weapons;
1.4 appropriating money; amending Minnesota Statutes 2022, section 624.712,
1.5 subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 624.

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

1.7 Section 1. Minnesota Statutes 2022, section 624.712, subdivision 7, is amended to read:

1.8 Subd. 7. **Semiautomatic military-style assault weapon.** (a) "Semiautomatic
1.9 military-style assault weapon" means:

1.10 (1) any of the following firearms:

1.11 (i) Avtomat Kalashnikov (AK-47) semiautomatic rifle type;

1.12 (ii) Beretta AR-70 and BM-59 semiautomatic rifle types;

1.13 (iii) Colt AR-15 semiautomatic rifle type;

1.14 (iv) Daewoo Max-1 and Max-2 semiautomatic rifle types;

1.15 (v) Famas MAS semiautomatic rifle type;

1.16 (vi) Fabrique Nationale FN-LAR and FN-FNC semiautomatic rifle types;

1.17 (vii) Galil semiautomatic rifle type;

1.18 (viii) Heckler & Koch HK-91, HK-93, and HK-94 semiautomatic rifle types;

1.19 (ix) Ingram MAC-10 and MAC-11 semiautomatic pistol and carbine types;

1.20 (x) Intratec TEC-9 semiautomatic pistol type;

2.1 (xi) Sigarms SIG 550SP and SIG 551SP semiautomatic rifle types;

2.2 (xii) SKS with detachable magazine semiautomatic rifle type;

2.3 (xiii) Steyr AUG semiautomatic rifle type;

2.4 (xiv) Street Sweeper and Striker-12 revolving-cylinder shotgun types;

2.5 (xv) USAS-12 semiautomatic shotgun type;

2.6 (xvi) Uzi semiautomatic pistol and carbine types; or

2.7 (xvii) Valmet M76 and M78 semiautomatic rifle types;

2.8 (2) any firearm that is another model made by the same manufacturer as one of the
2.9 firearms listed in clause (1), and has the same action design as one of the listed firearms,
2.10 and is a redesigned, renamed, or renumbered version of one of the firearms listed in clause
2.11 (1), or has a slight modification or enhancement, including but not limited to a folding or
2.12 retractable stock; adjustable sight; case deflector for left-handed shooters; shorter barrel;
2.13 wooden, plastic, or metal stock; larger clip size; different caliber; or a bayonet mount; and

2.14 (3) any firearm that has been manufactured or sold by another company under a licensing
2.15 agreement with a manufacturer of one of the firearms listed in clause (1) entered into after
2.16 the effective date of Laws 1993, chapter 326, to manufacture or sell firearms that are identical
2.17 or nearly identical to those listed in clause (1), or described in clause (2), regardless of the
2.18 company of production or country of origin.

2.19 The weapons listed in clause (1), except those listed in items (iii), (ix), (x), (xiv), and (xv),
2.20 are the weapons the importation of which was barred by the Bureau of Alcohol, Tobacco,
2.21 and Firearms of the United States Department of the Treasury in July 1989.

2.22 ~~Except as otherwise specifically provided in paragraph (d), a firearm is not a~~
2.23 ~~"semiautomatic military-style assault weapon" if it is generally recognized as particularly~~
2.24 ~~suitable for or readily adaptable to sporting purposes under United States Code, title 18,~~
2.25 ~~section 925, paragraph (d)(3), or any regulations adopted pursuant to that law.~~

2.26 (b) Semiautomatic military-style assault weapon also includes any:

2.27 (1) semiautomatic rifle that has the capacity to accept a detachable magazine and has
2.28 one or more of the following:

2.29 (i) a pistol grip or thumbhole stock;

2.30 (ii) any feature capable of functioning as a protruding grip that can be held by the
2.31 nontrigger hand;

- 3.1 (iii) a folding or telescoping stock; or
- 3.2 (iv) a shroud attached to the barrel, or that partially or completely encircles the barrel,
3.3 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but
3.4 excluding a slide that encloses the barrel;
- 3.5 (2) semiautomatic pistol, or any semiautomatic, centerfire, or rimfire rifle with a fixed
3.6 magazine that has the capacity to accept more than ten rounds of ammunition;
- 3.7 (3) semiautomatic pistol that has the capacity to accept a detachable magazine and has
3.8 one or more of the following:
- 3.9 (i) any feature capable of functioning as a protruding grip that can be held by the
3.10 nontrigger hand;
- 3.11 (ii) a folding, telescoping, or thumbhole stock;
- 3.12 (iii) a shroud attached to the barrel, or that partially or completely encircles the barrel,
3.13 allowing the bearer to hold the firearm with the nontrigger hand without being burned, but
3.14 excluding a slide that encloses the barrel; or
- 3.15 (iv) the capacity to accept a detachable magazine at any location outside of the pistol
3.16 grip;
- 3.17 (4) semiautomatic shotgun that has one or more of the following:
- 3.18 (i) a pistol grip or thumbhole stock;
- 3.19 (ii) any feature capable of functioning as a protruding grip that can be held by the
3.20 nontrigger hand;
- 3.21 (iii) a folding or telescoping stock;
- 3.22 (iv) a fixed magazine capacity in excess of ten rounds; or
- 3.23 (v) an ability to accept a detachable magazine;
- 3.24 (5) shotgun with a revolving cylinder; or
- 3.25 (6) conversion kit, part, or combination of parts from which an assault weapon can be
3.26 assembled if those parts are in the possession or under the control of the same person.
- 3.27 Semiautomatic military-style assault weapon does not mean any firearm described in this
3.28 paragraph that has been made permanently inoperable.

4.1 Sec. 2. **[624.7145] SEMIAUTOMATIC MILITARY-STYLE ASSAULT WEAPONS;**
 4.2 **TRANSFER PROHIBITED.**

4.3 Subdivision 1. **Definition.** As used in this section, "transfer" means a sale, gift, loan,
 4.4 assignment, or other delivery to another, whether or not for consideration.

4.5 Subd. 2. **Prohibition.** It is unlawful for a person to transfer a semiautomatic military-style
 4.6 assault weapon.

4.7 Subd. 3. **Exceptions.** Subdivision 2 does not apply to a transfer:

4.8 (1) between any government officer, agent, or employee; member of the armed forces
 4.9 of the United States; or peace officer for official use by the recipient; or

4.10 (2) by a dealer that is properly licensed under applicable laws to any branch of the armed
 4.11 forces of the United States or to a law enforcement agency within Minnesota for use by that
 4.12 agency or its employees for law enforcement.

4.13 Subd. 4. **Penalty.** A person who violates subdivision 2 is guilty of a felony and may be
 4.14 sentenced to imprisonment for not more than five years or to payment of a fine of not more
 4.15 than \$25,000, or both.

4.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 4.17 committed on or after that date.

4.18 Sec. 3. **SEMIAUTOMATIC MILITARY-STYLE ASSAULT WEAPON BUYBACK**
 4.19 **PROGRAM; APPROPRIATION.**

4.20 Subdivision 1. **Program established.** The commissioner of public safety shall establish
 4.21 a statewide buyback program to purchase semiautomatic military-style assault weapons.
 4.22 The program must accept any semiautomatic military-style assault weapon offered, regardless
 4.23 of the weapon's physical condition, and pay reimbursement at a rate set by the commissioner.
 4.24 To implement this section, the commissioner may collaborate with state and local law
 4.25 enforcement agencies to provide buyback locations throughout the state.

4.26 Subd. 2. **Appropriation.** \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are
 4.27 appropriated from the general fund to the commissioner of public safety to implement this
 4.28 section.

4.29 Sec. 4. **REVISOR INSTRUCTION.**

4.30 The revisor of statutes shall make necessary changes to Minnesota Statutes to reflect
 4.31 the changes made in this act that prohibit the transfer of semiautomatic military-style assault

- 5.1 weapons. The revisor may make other necessary technical and grammatical changes to
- 5.2 accomplish this.