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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 493

02/13/2025

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; modifying prohibition on transferring certain firearms to
1.3 persons who are ineligible to possess firearms; amending Minnesota Statutes 2024,
1.4 section 624.7141, subdivision 1; repealing Minnesota Statutes 2024, section
1.5 624.7141, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2024, section 624.7141, subdivision 1, is amended to read:

1.8 Subdivision 1. **Transfer prohibited.** ~~(a)~~ A person is guilty of a felony and may be
1.9 sentenced to imprisonment for up to two years and to payment of a fine of not more than
1.10 \$10,000 if the person intentionally transfers a ~~firearm~~ pistol or semiautomatic military-style
1.11 assault weapon to another and the person knows or reasonably should know that the
1.12 transferee:

1.13 (1) has been denied a permit to carry under section 624.714 because the transferee is
1.14 not eligible under section 624.713 to possess a pistol or semiautomatic military-style assault
1.15 weapon ~~or any other firearm~~;

1.16 (2) has been found ineligible to possess a pistol or semiautomatic military-style assault
1.17 weapon by a chief of police or sheriff as a result of an application for a transferee permit
1.18 or a transfer report; or

1.19 (3) is disqualified under section 624.713 from possessing a pistol or semiautomatic
1.20 military-style assault weapon ~~or any other firearm~~.

1.21 ~~(b) Paragraph (a) does not apply to the transfer of a firearm other than a pistol or~~
1.22 ~~semiautomatic military-style assault weapon to a person under the age of 18 who is not~~
1.23 ~~disqualified from possessing any other firearm.~~

2.1 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.2 committed on or after that date.

2.3 Sec. 2. **REPEALER.**

2.4 Minnesota Statutes 2024, section 624.7141, subdivision 4, is repealed.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.6 committed on or after that date.

624.7141 TRANSFER TO INELIGIBLE PERSON.

Subd. 4. **Affirmative defense.** (a) As used in this subdivision, "family or household member" has the meaning given in section 518B.01, subdivision 2, paragraph (b).

(b) If proven by clear and convincing evidence, it is an affirmative defense to a violation of this section that the defendant was a family or household member of the transferee and committed the violation only under compulsion by the transferee who, by explicit or implicit threats or other acts, created a reasonable apprehension in the mind of the defendant that the refusal of the defendant to participate in the violation would result in the transferee inflicting substantial bodily harm or death on the defendant or a family or household member of the defendant.

(c) The fact finder may consider any evidence of past acts that would constitute domestic abuse, domestic or nondomestic assault, criminal sexual conduct, sexual extortion, sex trafficking, labor trafficking, harassment or stalking, or any other crime that is a crime of violence as defined in section 624.712, subdivision 5, or threats to commit any of these crimes by the transferee toward the defendant or another when determining if the defendant has proven the affirmative defense. Past prosecution is not required for the fact finder to consider evidence of these acts. Nothing in this paragraph limits the ability of the fact finder to consider other relevant evidence when determining if the defendant has proven the affirmative defense.