

## State of Minnesota

## HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3401

- 1.1 A bill for an act
- 1.2 relating to public safety; modifying circumstances when firearms are permitted
- 1.3 on school property; establishing uniform storage requirements for firearms
- 1.4 permitted on school property; amending Minnesota Statutes 2024, section 609.66,
- 1.5 subdivision 1d.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. Minnesota Statutes 2024, section 609.66, subdivision 1d, is amended to read:
- 1.8 Subd. 1d. **Possession on school property; penalty.** (a) Except as provided under
- 1.9 paragraphs (d) and (f), whoever possesses, stores, or keeps a dangerous weapon while
- 1.10 knowingly on school property is guilty of a felony and may be sentenced to imprisonment
- 1.11 for not more than five years or to payment of a fine of not more than \$10,000, or both.
- 1.12 (b) Whoever uses or brandishes a replica firearm or a BB gun while knowingly on school
- 1.13 property is guilty of a gross misdemeanor.
- 1.14 (c) Whoever possesses, stores, or keeps a replica firearm or a BB gun while knowingly
- 1.15 on school property is guilty of a misdemeanor.
- 1.16 (d) Notwithstanding paragraph (a), (b), or (c), it is a misdemeanor for a person authorized
- 1.17 to carry a firearm under the provisions of a permit or otherwise to carry a firearm on or
- 1.18 about the person's clothes or person in a location the person knows is school property.
- 1.19 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not
- 1.20 subject to forfeiture.
- 1.21 (e) As used in this subdivision:

2.1 (1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less  
2.2 in diameter;

2.3 (2) "dangerous weapon" has the meaning given it in section 609.02, subdivision 6;

2.4 (3) "replica firearm" has the meaning given it in section 609.713; and

2.5 (4) "school property" means:

2.6 (i) a public or private elementary, middle, or secondary school building and its improved  
2.7 grounds, whether leased or owned by the school;

2.8 (ii) a child care center licensed under chapter 142B during the period children are present  
2.9 and participating in a child care program;

2.10 (iii) the area within a school bus when that bus is being used by a school to transport  
2.11 one or more elementary, middle, or secondary school students to and from school-related  
2.12 activities, including curricular, cocurricular, noncurricular, extracurricular, and supplementary  
2.13 activities; ~~and~~

2.14 (iv) that portion of a building or facility under the temporary, exclusive control of a  
2.15 public or private school, a school district, or an association of such entities where conspicuous  
2.16 signs are prominently posted at each entrance that give actual notice to persons of the  
2.17 school-related use; and

2.18 (v) that portion of a building or facility hosting an activity or event sponsored by the  
2.19 Minnesota State High School League, pursuant to the authority granted to the league in  
2.20 chapter 128C, where conspicuous signs are prominently posted at each entrance that give  
2.21 actual notice to persons of the school-related use.

2.22 (f) Except as provided for in paragraph (h), this subdivision does not apply to:

2.23 (1) active licensed peace officers;

2.24 (2) military personnel or students participating in military training, who are on-duty,  
2.25 performing official duties;

2.26 (3) persons authorized to carry a pistol under section 624.714 while in a motor vehicle  
2.27 or outside of a motor vehicle to directly place a firearm in, or retrieve it from, the trunk or  
2.28 rear area of the vehicle;

2.29 ~~(4) persons who keep or store in a motor vehicle pistols in accordance with section~~  
2.30 ~~624.714 or 624.715 or other firearms in accordance with section 97B.045;~~

2.31 ~~(5)~~ (4) firearm safety or marksmanship courses or activities conducted on school property;

3.1 ~~(6)~~ (5) possession of dangerous weapons, BB guns, or replica firearms by a ceremonial  
3.2 color guard; or

3.3 ~~(7)~~ (6) a gun or knife show held on school property;

3.4 ~~(8) possession of dangerous weapons, BB guns, or replica firearms with written~~  
3.5 ~~permission of the principal or other person having general control and supervision of the~~  
3.6 ~~school or the director of a child care center; or~~

3.7 ~~(9) persons who are on unimproved property owned or leased by a child care center,~~  
3.8 ~~school, or school district unless the person knows that a student is currently present on the~~  
3.9 ~~land for a school-related activity.~~

3.10 (g) Notwithstanding section 471.634, a school district or other entity composed  
3.11 exclusively of school districts may not regulate firearms, ammunition, or their respective  
3.12 components, when possessed or carried by nonstudents or nonemployees, in a manner that  
3.13 is inconsistent with this subdivision.

3.14 (h) Notwithstanding sections 97B.045, 624.714, and 624.715, a person who is authorized  
3.15 to carry a firearm on school property pursuant to paragraph (f) must secure and store their  
3.16 firearms as provided for in this paragraph when the person is no longer in an eligible on-duty  
3.17 status or not participating in that portion of the activity for which firearm possession is  
3.18 authorized. Each firearm subject to this paragraph must be secured and stored as follows:

3.19 (1) unloaded;

3.20 (2) in a locked container, safe, or other secure device made to contain a firearm that,  
3.21 when locked, cannot be readily opened without use of a key, combination, or electronic  
3.22 code, and that is constructed to resist forced entry, tampering, and unauthorized access; and

3.23 (3) placed in a locked trunk compartment of a motor vehicle or, if the motor vehicle  
3.24 does not have a trunk compartment with a functioning lock, placed out of plain sight within  
3.25 the vehicle.