

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **3406**

- 1.1 A bill for an act
- 1.2 relating to government data practices; classifying as public and extending retention
- 1.3 requirements for certain firearm permit data; amending Minnesota Statutes 2024,
- 1.4 sections 13.87, subdivision 2; 624.714, subdivision 14.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2024, section 13.87, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Firearms data.** (a) Except as provided in paragraph (b), all data pertaining to
- 1.8 the purchase or transfer of firearms and applications for permits to carry firearms which are
- 1.9 collected by government entities pursuant to sections 624.712 to 624.719 are private, pursuant
- 1.10 to section 13.02, subdivision 12.
- 1.11 (b) Data pertaining to the revocation, suspension, or voidance of a permit to carry a
- 1.12 firearm is public data on individuals under section 13.02, subdivision 15. Notwithstanding
- 1.13 section 13.10, data pertaining to an individual's permit to carry a firearm is public data on
- 1.14 individuals under section 13.02, subdivision 15, if the individual permit holder either (1)
- 1.15 dies due to suicide by firearm, or (2) dies as a result of use of force by a peace officer.
- 1.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 1.17 Sec. 2. Minnesota Statutes 2024, section 624.714, subdivision 14, is amended to read:
- 1.18 Subd. 14. **Records.** (a) A sheriff must not maintain records or data collected, made, or
- 1.19 held under this section concerning any applicant or permit holder that are not necessary
- 1.20 under this section to support a permit that is outstanding or eligible for renewal under
- 1.21 subdivision 7, paragraph (b). Notwithstanding section 138.163, sheriffs must completely
- 1.22 purge all files and databases by March 1 of each year to delete all information collected

2.1 under this section concerning all persons who are no longer current permit holders or
2.2 currently eligible to renew their permit.

2.3 (b) Paragraph (a) does not apply to records or data concerning an applicant or permit
2.4 holder who:

2.5 (1) has had a permit denied or revoked under the criteria established in subdivision 2,
2.6 paragraph (b), clause (1), or subdivision 6, paragraph (a), clause (3), ~~for a period of six years~~
2.7 ~~from the date of the denial or revocation;~~

2.8 (2) has had a permit voided because the permit holder becomes prohibited by law from
2.9 possessing a firearm; or

2.10 (3) dies as a result of either suicide by firearm or use of force by a peace officer.

2.11 (c) A sheriff must maintain records or data collected, made, or held under this section
2.12 concerning any applicant or permit holder who is exempt from paragraph (a) for at least six
2.13 years following the date of the denial, revocation, voidance, or actual notice to the sheriff
2.14 of the death and cause of death giving rise to an exemption under paragraph (b), clause (3).

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.