

Senators Pariseau, Ruud, Sams, Wergin and Bakk introduced--

S.F. No. 2259: Referred to the Committee on Crime Prevention and Public Safety.

A bill for an act

2 relating to public safety; reenacting the Minnesota
3 Citizens' Personal Protection Act of 2003; recognizing
4 the inherent right of law-abiding citizens to
5 self-protection through the lawful use of
6 self-defense; providing a system under which
7 responsible, competent adults can exercise their right
8 to self-protection by authorizing them to obtain a
9 permit to carry a pistol; providing criminal
10 penalties; amending Minnesota Statutes 2004, section
11 624.714, subdivision 17, as reenacted.

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

13 Section 1. [REENACTMENT OF PERSONAL PROTECTION ACT IF
14 FOUND UNCONSTITUTIONAL FOR ENACTMENT PROCESS DEFECT.]

15 If Laws 2003, chapter 28, is found to be unconstitutional
16 by an appellate court due to a title defect, then Laws 2003,
17 chapter 28, article 2, sections 1 to 30 and 32 to 36, are
18 reenacted effective retroactively and without interruption from
19 April 28, 2003, including reenactment of sections codified in
20 Minnesota Statutes 2004, sections 13.871, subdivision 9; 609.66,
21 subdivision 1d; 624.712, subdivision 11; 624.714, subdivisions
22 1a, 1b, 2, 2a, 3, 4, 6, 7, 7a, 8, 8a, 10, 11a, 12, 12a, 14, 15,
23 16, 17, 18, 19, 20, 21, 22, and 23; 624.7142; and 624.7143.

24 Sec. 2. Minnesota Statutes 2004, section 624.714,
25 subdivision 17, as reenacted by section 1, is amended to read:

26 Subd. 17. [POSTING; TRESPASS.] (a) A person carrying a
27 firearm on or about his or her person or clothes under a permit
28 or otherwise who remains at a private establishment knowing that

1 the operator of the establishment or its agent has made a
2 reasonable request that firearms not be brought into the
3 establishment may be ordered to leave the premises. A person
4 who fails to leave when so requested is guilty of a petty
5 misdemeanor. The fine for a first offense must not exceed \$25.
6 Notwithstanding section 609.531, a firearm carried in violation
7 of this subdivision is not subject to forfeiture.

8 (b) As used in this subdivision, the terms in this
9 paragraph have the meanings given.

10 (1) "Reasonable request" means a request made under the
11 following circumstances:

12 (i) the requester has prominently posted a conspicuous sign
13 at every entrance to the establishment containing the following
14 language: "(INDICATE IDENTITY OF OPERATOR) BANS GUNS IN THESE
15 PREMISES."; and or

16 (ii) the requester or its agent personally informs the
17 person of the posted request and demands compliance.

18 (2) "Prominently" means readily visible and within four
19 feet laterally of the entrance with the bottom of the sign at a
20 height of four to six feet above the floor.

21 (3) "Conspicuous" means lettering in black arial typeface
22 at least 1-1/2 inches in height against a bright contrasting
23 background that is at least 187 square inches in area.

24 (4) "Private establishment" means a building, structure, or
25 portion thereof that is owned, leased, controlled, or operated
26 by a nongovernmental entity for a nongovernmental purpose.

27 (c) The owner or operator of a private establishment may
28 not prohibit the lawful carry or possession of firearms in a
29 parking facility or parking area.

30 (d) This subdivision does not apply to private residences.
31 The lawful possessor of a private residence may prohibit
32 firearms, and provide notice thereof, in any lawful manner.

33 (e) A landlord may not restrict the lawful carry or
34 possession of firearms by tenants or their guests.

35 (f) Notwithstanding any inconsistent provisions in section
36 609.605, this subdivision sets forth the exclusive criteria to

1 notify a permit holder when otherwise lawful firearm possession
2 is not allowed in a private establishment and sets forth the
3 exclusive penalty for such activity.

4 (g) This subdivision does not apply to an on-duty peace
5 officer or security guard acting in the course and scope of
6 employment.

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, line 13, delete "IF"

3 Page 1, line 14, delete everything before the period

4 Page 1, delete line 15

5 Page 1, line 16, delete everything before "Laws 2003,"

6 Page 1, line 17, delete everything after the first comma

7 and insert "articles 2 and 3, are"

8 Page 1, line 19, delete everything after the second comma

9 Page 1, delete lines 20 to 22

10 Page 1, line 23, delete everything before the period

11 Page 1, after line 23, insert:

12 "[EFFECTIVE DATE.] This section is effective the day

13 following final enactment.

14 Sec. 2. Minnesota Statutes 2004, section 609.66,

15 subdivision 1d, is amended to read:

16 Subd. 1d. [POSSESSION ON SCHOOL PROPERTY; PENALTY.] (a)

17 Except as provided under paragraphs (c) and (e), whoever
18 possesses, stores, or keeps a dangerous weapon or uses or
19 brandishes a replica firearm or a BB gun while knowingly on
20 school property is guilty of a felony and may be sentenced to
21 imprisonment for not more than two years or to payment of a fine
22 of not more than \$5,000, or both.

23 (b) Whoever possesses, stores, or keeps a replica firearm
24 or a BB gun on school property is guilty of a gross misdemeanor.

25 (c) Notwithstanding paragraph (a) or (b), it is a
26 misdemeanor for a person authorized to carry a firearm under the
27 provisions of a permit or otherwise to carry a firearm on or
28 about the person's clothes or person in a location the person
29 knows is school property. Notwithstanding section 609.531, a
30 firearm carried in violation of this paragraph is not subject to
31 forfeiture.

32 (d) As used in this subdivision:

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

35 (2) "dangerous weapon" has the meaning given it in section
36 609.02, subdivision 6;

1 (3) "replica firearm" has the meaning given it in section
2 609.713; and

3 (4) "school property" means:

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

7 (ii) a child care center licensed under chapter 245A during
8 the period children are present and participating in a child
9 care program;

10 (iii) the area within a school bus when that bus is being
11 used by a school to transport one or more elementary, middle, or
12 secondary school students to and from school-related activities,
13 including curricular, cocurricular, noncurricular,
14 extracurricular, and supplementary activities; and

15 (iv) that portion of a building or facility under the
16 temporary, exclusive control of a public or private school, a
17 school district, or an association of such entities where
18 conspicuous signs are prominently posted at each entrance that
19 give actual notice to persons of the school-related use.

20 (e) This subdivision does not apply to:

21 (1) ~~licensed-peace-officers~~, military personnel, or
22 students participating in military training, who are on-duty,
23 performing official duties;

24 (2) active licensed peace officers who are performing
25 official duties;

26 (3) persons authorized to carry a pistol under section
27 624.714 while in a motor vehicle or outside of a motor vehicle
28 to directly place a firearm in, or retrieve it from, the trunk
29 or rear area of the vehicle;

30 ~~(3)~~ (4) persons who keep or store in a motor vehicle
31 pistols in accordance with section 624.714 or 624.715 or other
32 firearms in accordance with section 97B.045;

33 ~~(4)~~ (5) firearm safety or marksmanship courses or
34 activities conducted on school property;

35 ~~(5)~~ (6) possession of dangerous weapons, BB guns, or
36 replica firearms by a ceremonial color guard;

1 ~~(6)~~ (7) a gun or knife show held on school property;
2 ~~(7)~~ (8) possession of dangerous weapons, BB guns, or
3 replica firearms with written permission of the principal or
4 other person having general control and supervision of the
5 school or the director of a child care center; or
6 ~~(8)~~ (9) persons who are on unimproved property owned or
7 leased by a child care center, school, or school district unless
8 the person knows that a student is currently present on the land
9 for a school-related activity.

10 (f) Notwithstanding section 471.634, a school district or
11 other entity composed exclusively of school districts may not
12 regulate firearms, ammunition, or their respective components,
13 when possessed or carried by nonstudents or nonemployees, in a
14 manner that is inconsistent with this subdivision.

15 **[EFFECTIVE DATE.]** This section is effective the day
16 following final enactment.

17 Sec. 3. Minnesota Statutes 2004, section 624.714,
18 subdivision 2a, is amended to read:

19 Subd. 2a. **[TRAINING IN THE SAFE USE OF A PISTOL.]** (a) An
20 applicant must present evidence that the applicant received
21 training in the safe use of a pistol within one year of the date
22 of an original or renewal application. Training may be
23 demonstrated by:

24 (1) employment as a peace officer in the state of Minnesota
25 within the past year; or

26 (2) completion of a firearms safety or training course
27 providing basic training in the safe use of a pistol and
28 conducted by a certified instructor.

29 (b) Basic training must include:

30 (1) instruction in the fundamentals of pistol use;

31 (2) successful completion of an actual shooting
32 qualification exercise; and

33 (3) instruction in the fundamental legal aspects of pistol
34 possession, carry, and use, including self-defense and the
35 restrictions on the use of deadly force.

36 (c) The certified instructor must issue a certificate to a

1 person who has completed a firearms safety or training course
2 described in paragraph (b). The certificate must be signed by
3 the instructor and attest that the person attended and completed
4 the course.

5 (d) A person qualifies as a certified instructor if the
6 person is certified as a firearms instructor within the past
7 five years by:

8 (1) the Bureau of Criminal Apprehension, Training and
9 Development Section;

10 (2) the Minnesota Association of Law Enforcement Firearms
11 Instructors;

12 (3) the National Rifle Association;

13 (4) the American Association of Certified Firearms
14 Instructors;

15 (5) the Peace Officer Standards and Training Board of this
16 state or a similar agency of another state that certifies
17 firearms instructors; or

18 (6) the Department of Public Safety of this state or a
19 similar agency of another state that certifies firearms
20 instructors.

21 ~~(d)~~ (e) A sheriff must accept the training described in
22 this subdivision as meeting the requirement in subdivision 2,
23 paragraph (b), for training in the safe use of a pistol. A
24 sheriff may also accept other satisfactory evidence of training
25 in the safe use of a pistol.

26 **[EFFECTIVE DATE.]** This section is effective the day
27 following final enactment.

28 Sec. 4. Minnesota Statutes 2004, section 624.714,
29 subdivision 3, is amended to read:

30 Subd. 3. [FORM AND CONTENTS OF APPLICATION.] (a)
31 Applications for permits to carry must be an official,
32 standardized application form, adopted under section 624.7151,
33 and must set forth in writing only the following information:

34 (1) the applicant's name, residence, telephone number, if
35 any, and driver's license number or state identification card
36 number;

1 (2) the applicant's sex, date of birth, height, weight, and
2 color of eyes and hair, and distinguishing physical
3 characteristics, if any;

4 (3) the township, statutory city or home rule charter city,
5 and county, of all states-of-residence Minnesota residences of
6 the applicant in the last ~~ten~~ five years, though not including
7 specific addresses;

8 (4) the township or city, county, and state of all
9 non-Minnesota residences of the applicant in the past five
10 years, though not including specific addresses;

11 (5) a statement that the applicant authorizes the release
12 to the sheriff of commitment information about the applicant
13 maintained by the commissioner of human services or any similar
14 agency or department of another state where the applicant has
15 resided, to the extent that the information relates to the
16 applicant's eligibility to possess a firearm; and

17 ~~(5)~~ (6) a statement by the applicant that, to the best of
18 the applicant's knowledge and belief, the applicant is not
19 prohibited by law from possessing a firearm.

20 (b) The statement under paragraph (a), clause ~~(4)~~ (5), must
21 comply with any applicable requirements of Code of Federal
22 Regulations, title 42, sections 2.31 to 2.35, with respect to
23 consent to disclosure of alcohol or drug abuse patient records.

24 (c) An applicant must submit to the sheriff an application
25 packet consisting only of the following items:

26 (1) a completed application form, signed and dated by the
27 applicant;

28 (2) an accurate photocopy of a the certificate, affidavit,
29 or other document described in subdivision 2a, paragraph (c),
30 that is submitted as the applicant's evidence of training in the
31 safe use of a pistol; and

32 (3) an accurate photocopy of the applicant's current
33 driver's license, state identification card, or the photo page
34 of the applicant's passport.

35 (d) In addition to the other application materials, a
36 person who is otherwise ineligible for a permit due to a

1 criminal conviction but who has obtained a pardon or expungement
2 setting aside the conviction, sealing the conviction, or
3 otherwise restoring applicable rights, must submit a copy of the
4 relevant order.

5 (e) Applications must be submitted in person.

6 (f) The sheriff may charge a new application processing fee
7 in an amount not to exceed the actual and reasonable direct cost
8 of processing the application or \$100, whichever is less. Of
9 this amount, \$10 must be submitted to the commissioner and
10 deposited into the general fund.

11 (g) This subdivision prescribes the complete and exclusive
12 set of items an applicant is required to submit in order to
13 apply for a new or renewal permit to carry. The applicant must
14 not be asked or required to submit, voluntarily or
15 involuntarily, any information, fees, or documentation beyond
16 that specifically required by this subdivision. This paragraph
17 does not apply to alternate training evidence accepted by the
18 sheriff under subdivision 2a, paragraph (d).

19 (h) Forms for new and renewal applications must be
20 available at all sheriffs' offices and the commissioner must
21 make the forms available on the Internet.

22 (i) Application forms must clearly display a notice that a
23 permit, if granted, is void and must be immediately returned to
24 the sheriff if the permit holder is or becomes prohibited by law
25 from possessing a firearm. The notice must list the applicable
26 state criminal offenses and civil categories that prohibit a
27 person from possessing a firearm.

28 (j) Upon receipt of an application packet and any required
29 fee, the sheriff must provide a signed receipt indicating the
30 date of submission.

31 **[EFFECTIVE DATE.]** This section is effective the day
32 following final enactment."

33 Page 2, line 17, strike "of the posted request" and insert "
34 that guns are prohibited in the establishment"

35 Page 3, line 4, strike "on-duty" and insert "active
36 licensed"

1 Page 3, after line 6, insert:

2 "[EFFECTIVE DATE.] This section is effective the day
3 following final enactment."

4 Renumber the sections in sequence and correct the internal
5 references

6 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, after line 23, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714,
4 subdivision 2, is amended to read:

5 Subd. 2. [WHERE APPLICATION MADE; AUTHORITY TO ISSUE
6 PERMIT; CRITERIA; SCOPE.] (a) Applications by Minnesota
7 residents for permits to carry shall be made to the county
8 sheriff where the applicant resides. Nonresidents, as defined
9 in section 171.01, subdivision 42, may apply to any sheriff.

10 (b) Unless a sheriff denies a permit under the exception
11 set forth in subdivision 6, paragraph (a), clause (3), a sheriff
12 must issue a permit to an applicant if the person:

13 (1) has training in the safe use of a pistol;

14 (2) is at least 21 years old and a citizen or a permanent
15 resident of the United States;

16 (3) completes an application for a permit;

17 (4) is not prohibited from possessing a firearm under the
18 following sections:

19 (i) 518B.01, subdivision 14;

20 (ii) 609.224, subdivision 3;

21 (iii) 609.2242, subdivision 3;

22 (iv) 609.749, subdivision 8;

23 (v) 624.713;

24 (vi) 624.719;

25 (vii) 629.715, subdivision 2; ~~or~~

26 (viii) 629.72, subdivision 2; or

27 (ix) any federal law; and

28 (5) is not listed in the criminal gang investigative data
29 system under section 299C.091.

30 (c) A permit to carry a pistol issued or recognized under
31 this section is a state permit and is effective throughout the
32 state.

33 (d) A sheriff may contract with a police chief to process
34 permit applications under this section. If a sheriff contracts
35 with a police chief, the sheriff remains the issuing authority
36 and the police chief acts as the sheriff's agent. If a sheriff

1 contracts with a police chief, all of the provisions of this
2 section will apply.

3 [EFFECTIVE DATE.] This section is effective the day
4 following final enactment."

5 Renumber the sections in sequence and correct the internal
6 references

7 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 3, after line 6, insert:

3 "Sec. 3. Minnesota Statutes 2004, section 624.714,
4 subdivision 18, is amended to read:

5 Subd. 18. [~~EMPLOYERS, PUBLIC COLLEGES AND UNIVERSITIES.~~]

6 (a) An employer, whether public or private, may establish
7 policies that restrict the carry or possession of firearms by
8 its employees while acting in the course and scope of
9 employment. Employment related civil sanctions may be invoked
10 for a violation.

11 ~~(b) A public postsecondary institution regulated under~~
12 ~~chapter 136F or 137 may establish policies that restrict the~~
13 ~~carry or possession of firearms by its students while on the~~
14 ~~institution's property. Academic sanctions may be invoked for a~~
15 ~~violation.~~

16 ~~(c) Notwithstanding paragraphs paragraph (a) and (b), an~~
17 ~~employer or a postsecondary institution may not prohibit the~~
18 ~~lawful carry or possession of firearms in a parking facility or~~
19 ~~parking area.~~

20 Sec. 4. Minnesota Statutes 2004, section 624.714, is
21 amended by adding a subdivision to read:

22 Subd. 18a. [POSSESSION OF DANGEROUS WEAPONS ON SCHOOL
23 PROPERTY; PENALTIES.] (a) Whoever possesses, stores, or keeps a
24 dangerous weapon or uses or brandishes a replica firearm or BB
25 gun on school property or youth organization property, except as
26 provided in paragraph (c), is guilty of a felony and may be
27 sentenced to imprisonment for not more than two years or to
28 payment of a fine of not more than \$5,000, or both.

29 (b) As used in this subdivision:

30 (1) "BB gun" means a device that fires, ejects, or tosses a
31 shot or projectile measuring .18 inches or less in diameter;

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

34 (3) "replica firearm" has the meaning given to it in
35 section 609.713;

36 (4) "school property" means:

1 (i) a public or private elementary, middle, or secondary
2 school building and its grounds, whether leased or owned by the
3 school;

4 (ii) the area within a school bus when that bus is being
5 used to transport any school student;

6 (iii) a licensed or unlicensed day care, preschool, church
7 school, or nursery; and

8 (iv) any public or private university or college;

9 (5) "youth organization property" means the property of a
10 nonpublic service organization whose primary function is
11 providing occasional services to minors, such as youth sports
12 organizations; YMCA; YWCA; scouting organizations, boys' or
13 girls' clubs; programs providing friends, counselors, or role
14 models for minors; youth theater; dance, music, or artistic
15 organizations; agricultural organizations for minors, including
16 4-H clubs; and other youth organizations.

17 (c) This subdivision does not apply to:

18 (1) licensed peace officers, military personnel, or
19 uniformed private security guards as defined by section 626.88,
20 subdivision 1, paragraph (c), who are performing official
21 duties;

22 (2) persons who keep or store firearms in a motor vehicle
23 if the firearm is unloaded and contained in a closed and
24 fastened case, gunbox, or securely tied package;

25 (3) firearms safety or marksmanship programs conducted on
26 school or youth organization property, or students participating
27 in military training with the written permission of the school's
28 principal; and

29 (4) possession of dangerous weapons, BB guns, or replica
30 firearms by a ceremonial color guard for programming officially
31 sanctioned by the school.

32 Sec. 5. [REPEALER.]

33 Minnesota Statutes 2004, section 609.66, subdivision 1d, is
34 repealed."

35 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, after line 23, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714,
4 subdivision 2a, is amended to read:

5 Subd. 2a. [TRAINING IN THE SAFE USE OF A PISTOL.] (a) An
6 applicant must present evidence that the applicant received
7 training in the safe use of a pistol within one year of the date
8 of an original or renewal application. Training may be
9 demonstrated by:

10 (1) employment as a peace officer in the state of Minnesota
11 within the past year; or

12 (2) completion of a firearms safety or training course
13 providing basic training in the safe use of a pistol and
14 conducted by a certified instructor.

15 (b) Basic training must include:

16 (1) instruction in the fundamentals of pistol use;

17 (2) instruction in methods for preventing another person
18 from taking the pistol away;

19 (3) successful completion of an actual shooting
20 qualification exercise; and

21 ~~(3)~~ (4) instruction in the fundamental legal aspects of
22 pistol possession, carry, and use, including self-defense and
23 the restrictions on the use of deadly force.

24 (c) A person qualifies as a certified instructor if the
25 person is certified as a firearms instructor within the past
26 five years by:

27 (1) the Bureau of Criminal Apprehension, Training and
28 Development Section;

29 (2) the Minnesota Association of Law Enforcement Firearms
30 Instructors;

31 (3) the National Rifle Association;

32 (4) the American Association of Certified Firearms
33 Instructors;

34 (5) the Peace Officer Standards and Training Board of this
35 state or a similar agency of another state that certifies
36 firearms instructors; or

1 (6) the Department of Public Safety of this state or a
2 similar agency of another state that certifies firearms
3 instructors.

4 (d) A sheriff must accept the training described in this
5 subdivision as meeting the requirement in subdivision 2,
6 paragraph (b), for training in the safe use of a pistol. A
7 sheriff may also accept other satisfactory evidence of training
8 in the safe use of a pistol.

9 [EFFECTIVE DATE.] This section is effective the day
10 following final enactment."

11 Renumber the sections in sequence and correct the internal
12 references

13 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, after line 23, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714,
4 subdivision 3, is amended to read:

5 Subd. 3. [FORM AND CONTENTS OF APPLICATION.] (a)

6 Applications for permits to carry must be an official,
7 standardized application form, adopted under section 624.7151,
8 and must set forth in writing only the following information:

9 (1) the applicant's name, residence, telephone number, if
10 any, and driver's license number or state identification card
11 number;

12 (2) the applicant's sex, date of birth, height, weight, and
13 color of eyes and hair, and distinguishing physical
14 characteristics, if any;

15 (3) all states of residence of the applicant in the last
16 ten years, though not including specific addresses;

17 (4) a statement that the applicant authorizes the release
18 to the sheriff of commitment information about the applicant
19 maintained by the commissioner of human services or any similar
20 agency or department of another state where the applicant has
21 resided, to the extent that the information relates to the
22 applicant's eligibility to possess a firearm; and

23 (5) a statement by the applicant that, to the best of the
24 applicant's knowledge and belief, the applicant is not
25 prohibited by law from possessing a firearm.

26 (b) The statement under paragraph (a), clause (4), must
27 comply with any applicable requirements of Code of Federal
28 Regulations, title 42, sections 2.31 to 2.35, with respect to
29 consent to disclosure of alcohol or drug abuse patient records.

30 (c) An applicant must submit to the sheriff an application
31 packet consisting only of the following items:

32 (1) a completed application form, signed and dated by the
33 applicant;

34 (2) an accurate photocopy of a certificate, affidavit, or
35 other document that is submitted as the applicant's evidence of
36 training in the safe use of a pistol; and

1 (3) an accurate photocopy of the applicant's current
2 driver's license, state identification card, or the photo page
3 of the applicant's passport; and

4 (4) two clear and legible sets of the applicant's
5 fingerprints.

6 (d) In addition to the other application materials, a
7 person who is otherwise ineligible for a permit due to a
8 criminal conviction but who has obtained a pardon or expungement
9 setting aside the conviction, sealing the conviction, or
10 otherwise restoring applicable rights, must submit a copy of the
11 relevant order.

12 (e) Applications must be submitted in person.

13 (f) The sheriff may charge a new application processing fee
14 in an amount not to exceed the actual and reasonable direct cost
15 of processing the application or \$100, whichever is less. Of
16 this amount, \$10 must be submitted to the commissioner and
17 deposited into the general fund.

18 (g) This subdivision prescribes the complete and exclusive
19 set of items an applicant is required to submit in order to
20 apply for a new or renewal permit to carry. The applicant must
21 not be asked or required to submit, voluntarily or
22 involuntarily, any information, fees, or documentation beyond
23 that specifically required by this subdivision. This paragraph
24 does not apply to alternate training evidence accepted by the
25 sheriff under subdivision 2a, paragraph (d).

26 (h) Forms for new and renewal applications must be
27 available at all sheriffs' offices and the commissioner must
28 make the forms available on the Internet.

29 (i) Application forms must clearly display a notice that a
30 permit, if granted, is void and must be immediately returned to
31 the sheriff if the permit holder is or becomes prohibited by law
32 from possessing a firearm. The notice must list the applicable
33 state criminal offenses and civil categories that prohibit a
34 person from possessing a firearm.

35 (j) Upon receipt of an application packet and any required
36 fee, the sheriff must provide a signed receipt indicating the

1 date of submission.

2 Sec. 3. Minnesota Statutes 2004, section 624.714,
3 subdivision 4, is amended to read:

4 Subd. 4. [INVESTIGATION.] (a) The sheriff must check~~7-by~~
5 ~~means-of-electronic-data-transfer~~7 criminal records, histories,
6 and warrant information on each applicant through the Minnesota
7 Crime Information System and, to the extent necessary, the
8 National Instant Check System. The sheriff shall also make a
9 reasonable effort to check other available and relevant federal,
10 state, or local record-keeping systems. The sheriff must obtain
11 commitment information from the commissioner of human services
12 as provided in section 245.041 or, if the information is
13 reasonably available, as provided by a similar statute from
14 another state.

15 (b) When an application for a permit is filed under this
16 section, the sheriff must notify the chief of police, if any, of
17 the municipality where the applicant resides. The police chief
18 may provide the sheriff with any information relevant to the
19 issuance of the permit.

20 (c) The sheriff must conduct a background check ~~by-means-of~~
21 ~~electronic-data-transfer~~ on a permit holder through the
22 Minnesota Crime Information System and, to the extent necessary,
23 the National Instant Check System at least yearly to ensure
24 continuing eligibility. The sheriff may conduct additional
25 background checks ~~by-means-of-electronic-data-transfer~~ on a
26 permit holder at any time during the period that a permit is in
27 effect."

28 Renumber the sections in sequence and correct the internal
29 references

30 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 3, after line 6, insert:

3 "Sec. 3. Minnesota Statutes 2004, section 624.714, is
4 amended by adding a subdivision to read:

5 Subd. 17a. [PERMIT NOT VALID IN CERTAIN SITUATIONS.] A
6 permit to carry issued under this section is not valid when the
7 permit holder is consuming alcohol or an illegal controlled
8 substance. A permit holder who violates this subdivision is
9 guilty of a gross misdemeanor.

10 Sec. 4. Minnesota Statutes 2004, section 624.7142,
11 subdivision 1, is amended to read:

12 Subdivision 1. [ACTS PROHIBITED.] A person may not carry a
13 pistol on or about the person's clothes or person in a public
14 place:

15 (1) when the person is under the influence of a controlled
16 substance, as defined in section 152.01, subdivision 4;

17 (2) when the person is under the influence of a combination
18 of any two or more of the elements named in clauses (1) and (4);

19 (3) when the person is knowingly under the influence of any
20 chemical compound or combination of chemical compounds that is
21 listed as a hazardous substance in rules adopted under section
22 182.655 and that affects the nervous system, brain, or muscles
23 of the person so as to impair the person's clearness of
24 intellect or physical control;

25 (4) when the person is under the influence of alcohol;

26 (5) when the person's alcohol concentration is 0.10 or
27 more; or

28 (6) when ~~the person's alcohol concentration is less than~~
29 ~~0.10, but more than 0.04~~ there is physical evidence of the
30 consumption of alcohol present in the person's body.

31 Sec. 5. Minnesota Statutes 2004, section 624.7143,
32 subdivision 1, is amended to read:

33 Subdivision 1. [MANDATORY CHEMICAL TESTING.] A person who
34 carries a pistol in a public place on or about the person's
35 clothes or person is required, subject to the provisions of this
36 section, to take or submit to a test of the person's blood,

1 breath, or urine for the purpose of determining the presence and
2 amount of alcohol or a controlled substance. The test shall be
3 administered at the direction of an officer authorized to make
4 arrests under section 624.7142. Taking or submitting to the
5 test is mandatory when requested by an officer who has probable
6 cause to believe the person was carrying a pistol in violation
7 of section 624.7142, and one of the following conditions exists:

8 (1) the person has been lawfully placed under arrest for
9 violating section 624.7142;

10 (2) the person has been involved while carrying a firearm
11 in a firearms-related accident resulting in property damage,
12 personal injury, or death;

13 (3) the person has refused to take the preliminary
14 screening test provided for in section 624.7142; or

15 (4) the screening test was administered and indicated an
16 ~~alcohol-concentration-of-0.04-or-more~~ the presence of alcohol in
17 the person's body.

18 Sec. 6. Minnesota Statutes 2004, section 624.7143,
19 subdivision 2, is amended to read:

20 Subd. 2. [PENALTIES; REFUSAL; REVOCATION.] (a) If a person
21 refuses to take a test required under subdivision 1, none must
22 be given but the officer shall report the refusal to the sheriff
23 and to the authority having responsibility for prosecution of
24 misdemeanor offenses for the jurisdiction in which the incident
25 occurred that gave rise to the test demand and refusal. On
26 certification by the officer that probable cause existed to
27 believe the person had been carrying a pistol on or about the
28 person's clothes or person in a public place ~~while-under-the~~
29 ~~influence-of-alcohol-or-a-controlled-substance~~ in violation of
30 section 624.7142, and that the person refused to submit to
31 testing, a court may impose a civil penalty of \$500 and may
32 revoke the person's authority to carry a pistol in a public
33 place on or about the person's clothes or person under the
34 ~~provisions of a permit or otherwise~~ for a period of one year
35 from the date of the refusal. The person shall be accorded
36 notice and an opportunity to be heard prior to imposition of the

1 civil penalty or the revocation.

2 (b) Revocations under this subdivision must be reported in
3 the same manner as in section 624.714, subdivision 12a."

4 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, after line 23, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714,
4 subdivision 8, is amended to read:

5 Subd. 8. [PERMIT TO CARRY VOIDED.] (a) The permit to carry
6 is void ~~and must be revoked~~ at the time that the holder becomes
7 prohibited by law from possessing a firearm, in which event the
8 holder must return the permit card to the issuing sheriff within
9 five business days after the holder knows or should know that
10 the holder is a prohibited person. If a permit ~~is~~
11 ~~revoked~~ becomes void under this subdivision paragraph, the
12 sheriff, if aware of this, must give notice to the permit holder
13 in writing in the same manner as a denial. Failure of the
14 holder to return the permit within the five days is a gross
15 misdemeanor unless the court finds that the circumstances or the
16 physical or mental condition of the permit holder prevented the
17 holder from complying with the return requirement.

18 (b) When a permit holder is convicted of an offense that
19 prohibits the permit holder from possessing a firearm, the court
20 must ~~revoke the permit and, if it is available,~~ take possession
21 of ~~it~~ the permit, if it is available, and send it to the issuing
22 sheriff.

23 (c) The sheriff of the county where the application was
24 submitted, or of the county of the permit holder's current
25 residence, may file a petition with the district court therein,
26 for an order revoking a permit to carry on the grounds set forth
27 in subdivision 6, paragraph (a), clause (3). An order shall be
28 issued only if the sheriff meets the burden of proof and
29 criteria set forth in subdivision 12. If the court denies the
30 petition, the court must award the permit holder reasonable
31 costs and expenses, including attorney fees.

32 (d) A permit revocation must be promptly reported to the
33 issuing sheriff.

34 [EFFECTIVE DATE.] This section is effective the day
35 following final enactment."

36 Renumber the sections in sequence and correct the internal

1 references

2 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Pages 1 to 3, delete section 2 and insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714, is
4 amended by adding a subdivision to read:

5 Subd. 17a. [PROPERTY OWNERS.] Property owners, including
6 landlords, private individuals, and state and local units of
7 government, retain the right to ban weapons from their property,
8 including parking lots and garages. Property owners may notify
9 the public by any reasonable means. Permit holders must give
10 notice that they are carrying a firearm and obtain permission
11 from the property owner.

12 (1) Permission is not required when:

13 (i) the property owner has consented and is present;

14 (ii) signs measuring 8-1/2 inches by 11 inches are posted
15 at all entrances stating "Guns Welcome" in no less than
16 200-point typeface; or

17 (iii) the firearm is in a motor vehicle and is unloaded and
18 contained in a closed and fastened case, gun box, or securely
19 tied package.

20 (2) Ignorance of property preferences is not a defense
21 under this subdivision.

22 [EFFECTIVE DATE.] This section is effective the day
23 following final enactment.

24 Sec. 3. [REPEALER.]

25 Minnesota Statutes 2004, section 624.714, subdivisions 17
26 and 18, are repealed.

27 [EFFECTIVE DATE.] This section is effective the day
28 following final enactment."

29 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Pages 1 to 3, delete section 2 and insert:

3 "Sec. 2. Minnesota Statutes 2004, section 624.714, is
4 amended by adding a subdivision to read:

5 Subd. 17a. [PROPERTY OWNERS.] Property owners, including
6 landlords, private individuals, and local units of government,
7 retain the right to ban weapons from their property, including
8 parking lots and garages. Property owners may notify the public
9 by any reasonable means. Permit holders must give notice that
10 they are carrying a firearm and obtain permission from the
11 property owner.

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15 at all entrances stating "Guns Welcome" in no less than
16 200-point typeface; or

17 (iii) the firearm is in a motor vehicle and is unloaded and
18 contained in a closed and fastened case, gun box, or securely
19 tied package.

20 (2) Ignorance of property preferences is not a defense
21 under this subdivision.

22 [EFFECTIVE DATE.] This section is effective the day
23 following final enactment.

24 Sec. 3. [REPEALER.]

25 Minnesota Statutes 2004, section 624.714, subdivisions 17
26 and 18, are repealed.

27 [EFFECTIVE DATE.] This section is effective the day
28 following final enactment."

29 Amend the title accordingly

1 Senator moves to amend S.F. No. 2259 as follows:

2 Page 1, after line 23, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 609.28, is
4 amended by adding a subdivision to read:

5 Subd. 2a. [TRESPASS WITH FIREARM.] (a) A person who, while
6 carrying, holding, or possessing a firearm, enters or remains in
7 a religious establishment is guilty of a gross misdemeanor
8 unless the establishment has given notice that firearms are
9 permitted within it. This penalty applies regardless of whether
10 the person has a permit to carry issued under section 624.714.
11 A firearm carried in violation of this subdivision is subject to
12 forfeiture under section 609.531.

13 (b) A religious establishment may give notice that firearms
14 are permitted within the establishment by any lawful means,
15 including the posting of signs at the entrance to the
16 establishment.

17 (c) This subdivision does not apply to a peace officer as
18 defined in section 626.84, subdivision 1.

19 Sec. 3. Minnesota Statutes 2004, section 609.28,
20 subdivision 3, is amended to read:

21 Subd. 3. [DEFINITION.] For purposes of subdivision
22 subdivisions 2 and 2a, a "religious establishment" is a building
23 used for worship services by a religious organization and
24 clearly identified as such by a posted sign or other means."

25 Page 2, line 26, after the period, insert "The term does
26 not include religious entities.

27 (5) "Religious entity" includes religious institutions,
28 religious assemblies, religious organizations, and religious
29 establishments."

30 Page 2, line 30, before the period, insert "or religious
31 entities"

32 Renumber the sections in sequence and correct the internal
33 references

34 Amend the title accordingly

ARNE H. CARLSON

1314 Marquette Avenue
Suite 3003
Minneapolis, MN 55403

May 2, 2005

Minnesota Senate, Crime Prevention and Public Safety Committee:

It is with a true sense of sadness that I write this letter relative to HF 2428. This sadness emanates from what is becoming a growing perception that Minnesota is moving away from its traditional standards regarding quality of life. This bill is just another instance of where a narrow interest will be allowed to prevail over the general good of the populace. Traditionally, our lawmakers understood the value of being able to balance local concerns with legitimate state interests. In this particular instance, years of division were resolved by enhancing the powers of local government thereby recognizing that attitudes towards weapons in Koochiching County may well be significantly different than attitudes that prevail in Hennepin. Local government was seen as that unit of government most able to be responsive to local attitudes. Local standards were respected.

Under the proposed legislation, the State will completely usurp the powers of local government and significantly expand the right of trespass with a concealed weapon. This seizing of power by the state is completely contrary to traditional conservative values.

Further, the argument for this legislation does not rest upon the normal premise that public policy changes should come about only in order to improve our quality of life. Rather, the strongest argument proponents make is that this change in law will not be as harmful as the critics declare. That hardly constitutes a standard of excellence.

But, what is particularly onerous is that the legislature exempts itself and the officers of the state from the very provisions of this bill that they declare will benefit the citizenry. This policy of exemption is comparable to one in which the Captain takes the first lifeboat off a sinking ship. Not only does this exemption suggest a lack of confidence in this new policy but it also will subject lawmakers to endless criticisms of hypocrisy. Citizens will inevitably raise questions such as: Does the legislature actually intend to suggest that this policy would, in fact, create a more dangerous situation and that they, therefore, would like to be exempt? Or, are they suggesting that their lives have greater value than the lives of the citizens they serve?

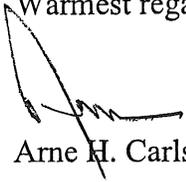
I have a suspicion that if this bill were a tax reduction proposal, the legislature would have an army of attorneys making absolutely certain that every reduction provision applied to them.

This is truly a flawed piece of public policy. I need not comment on the flood of signs that will become a permanent part of our daily life nor do I need to remind you that the bill raises enormous confusion relative to how a property owner can adequately protect his rights against trespass. I trust that the Committee will at least build some clarity into this new policy.

It would be my hope that the legislature will rethink this issue and truly allow local government to continue to play a lead role in this area. This balance is necessary in order to allow community standards to prevail.

I wish you the very best.

Warmest regards,

A handwritten signature in black ink, appearing to read 'Arne H. Carlson', written over the printed name below it.

Arne H. Carlson

AHC/sjk

REPUBLICAN CONTRACT WITH AMERICA

As Republican Members of the House of Representatives and as citizens seeking to join that body we propose not just to change its policies, but even more important, to restore the bonds of trust between the people and their elected representatives.

That is why, in this era of official evasion and posturing, we offer instead a detailed agenda for national renewal, a written commitment with no fine print.

This year's election offers the chance, after four decades of one-party control, to bring to the House a new majority that will transform the way Congress works. That historic change would be the end of government that is too big, too intrusive, and too easy with the public's money. It can be the beginning of a Congress that respects the values and shares the faith of the American family.

Like Lincoln, our first Republican president, we intend to act "with firmness in the right, as God gives us to see the right." To restore accountability to Congress. To end its cycle of scandal and disgrace. To make us all proud again of the way free people govern themselves.

On the first day of the 104th Congress, the new Republican majority will immediately pass the following major reforms, aimed at restoring the faith and trust of the American people in their government:

- **FIRST**, require all laws that apply to the rest of the country also apply equally to the Congress;
- **SECOND**, select a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud or abuse;
- **THIRD**, cut the number of House committees, and cut committee staff by one-third;
- **FOURTH**, limit the terms of all committee chairs;
- **FIFTH**, ban the casting of proxy votes in committee;
- **SIXTH**, require committee meetings to be open to the public;
- **SEVENTH**, require a three-fifths majority vote to pass a tax increase;
- **EIGHTH**, guarantee an honest accounting of our Federal Budget by implementing zero base-line budgeting.

Thereafter, within the first 100 days of the 104th Congress, we shall bring to the House Floor the following bills, each to be given full and open debate, each to be given a clear and fair vote and each to be immediately available this day for public inspection and scrutiny.

1. THE FISCAL RESPONSIBILITY ACT: A balanced budget/tax limitation amendment and a legislative line-item veto to restore fiscal responsibility to an out-of-control Congress, requiring them to live under the same budget constraints as families and businesses. ([Bill Text](#)) ([Description](#))

2. THE TAKING BACK OUR STREETS ACT: An anti-crime package including stronger truth-in-sentencing, "good faith" exclusionary rule exemptions, effective death penalty provisions, and cuts in social spending from this summer's "crime" bill to fund prison construction and additional law enforcement to keep people secure in their neighborhoods and kids safe in their schools. ([Bill Text](#)) ([Description](#))

3. THE PERSONAL RESPONSIBILITY ACT: Discourage illegitimacy and teen pregnancy by prohibiting welfare to minor mothers and denying increased AFDC for additional children while on

shall throw, deposit, place or dump, or cause to be thrown, deposited, placed or dumped upon any street or highway or upon any public or privately owned land adjacent thereto without the owner's consent any snow, ice, glass bottle, glass, nails, tacks, wire, cans, garbage, swill, papers, ashes, cigarette filters, debris from fireworks, refuse, carcass of any dead animal, offal, trash or rubbish or any other form of offensive matter or any other substance likely to injure any person, animal or vehicle upon any such street or highway.

Sec. 18. Minnesota Statutes 2002, section 169.421, subdivision 3, is amended to read:

Subd. 3. [CIVIL LIABILITY IMPOSED.] If any solid waste, including litter, glass, nails, tacks, wire, cans, bottles, garbage, papers, refuse, trash, cigarette filters, debris from fireworks, or any form of offensive matter is thrown, deposited, placed, or dumped from a vehicle upon any street or highway, public land, or upon private land without the consent of the owner of the land, a violation of this subdivision occurs and civil liability is imposed upon the owner of the vehicle. The driver and passengers riding in a vehicle are constituted as the agents of the owner of the vehicle for purposes of this subdivision. It is a defense to any action brought pursuant to this section that the vehicle was stolen. This section is not applicable to the owner of a vehicle transporting persons for hire or transporting school children.

Sec. 19. Minnesota Statutes 2002, section 609.68, is amended to read:

609.68 [UNLAWFUL DEPOSIT OF GARBAGE, LITTER, OR LIKE.]

Whoever unlawfully deposits garbage, rubbish, cigarette filters, debris from fireworks, offal, or the body of a dead animal, or other litter in or upon any public highway, public waters or the ice thereon, shoreland areas adjacent to rivers or streams as defined by section 103F.205, public lands, or, without the consent of the owner, private lands or water or ice thereon, is guilty of a misdemeanor.

Sec. 20. [REPEALER.]

Minnesota Statutes 2002, section 97A.051, subdivision 1, is repealed. Minnesota Rules, part 6262.0100, subpart 2, is repealed.

ARTICLE 2

PUBLIC SAFETY REGULATORY PROVISIONS

Section 1. Minnesota Statutes 2002, section 13.871, is amended by adding a subdivision to read:

Subd. 9. [PISTOL PERMIT DATA.] Data on persons permitted to carry pistols under the terms of a permit must be shared as required by section 624.714, subdivision 6.

Sec. 2. Minnesota Statutes 2002, section 609.66, subdivision 1d, is amended to read:

Subd. 1d. [~~FELONY~~, POSSESSION ON SCHOOL PROPERTY; PENALTY.] (a) Except as provided under paragraphs (c) and (e), whoever possesses, stores, or keeps a dangerous weapon or uses or brandishes a replica firearm or a BB gun while knowingly on school property is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(b) Whoever possesses, stores, or keeps a replica firearm or a BB gun on school property is guilty of a gross misdemeanor.

(c) Notwithstanding paragraph (a) or (b), it is a misdemeanor for a person authorized to carry a firearm under the

provisions of a permit or otherwise to carry a firearm on or about the person's clothes or person in a location the person knows is school property. Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.

(d) As used in this subdivision:

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

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

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

(4) "school property" means:

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

(ii) a child care center licensed under chapter 245A during the period children are present and participating in a child care program;

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

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

~~(d)~~ (e) This subdivision does not apply to:

(1) licensed peace officers, military personnel, or students participating in military training, who are on-duty, performing official duties;

(2) ~~persons who carry pistols according to the terms of a permit~~ authorized to carry a pistol under section 624.714 while in a motor vehicle or outside of a motor vehicle to directly place a firearm in, or retrieve it from, the trunk or rear area of the vehicle;

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

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

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

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

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

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

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

Sec. 3. Minnesota Statutes 2002, section 624.712, is

amended by adding a subdivision to read:

Subd. 11. [COMMISSIONER.] "Commissioner" means the commissioner of public safety unless otherwise indicated.

Sec. 4. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 1a. [PERMIT REQUIRED; PENALTY.] A person, other than a peace officer, as defined in section 626.84, subdivision 1, who carries, holds, or possesses a pistol in a motor vehicle, snowmobile, or boat, or on or about the person's clothes or the person, or otherwise in possession or control in a public place, as defined in section 624.7181, subdivision 1, paragraph (c), without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor. A person who is convicted a second or subsequent time is guilty of a felony.

Sec. 5. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 1b. [DISPLAY OF PERMIT; PENALTY.] (a) The holder of a permit to carry must have the permit card and a driver's license, state identification card, or other government-issued photo identification in immediate possession at all times when carrying a pistol and must display the permit card and identification document upon lawful demand by a peace officer, as defined in section 626.84, subdivision 1. A violation of this paragraph is a petty misdemeanor. The fine for a first offense must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.

(b) A citation issued for violating paragraph (a) must be dismissed if the person demonstrates, in court or in the office of the arresting officer, that the person was authorized to carry the pistol at the time of the alleged violation.

(c) Upon the request of a peace officer, a permit holder must write a sample signature in the officer's presence to aid in verifying the person's identity.

Sec. 6. Minnesota Statutes 2002, section 624.714, subdivision 2, is amended to read:

Subd. 2. [WHERE APPLICATION MADE; AUTHORITY TO ISSUE PERMIT; CRITERIA; SCOPE.] (a) Applications by Minnesota residents for permits to carry shall be made to the chief of police of an organized full-time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant resides. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application. Nonresidents, as defined in section 171.01, subdivision 42, may apply to any sheriff.

(b) Unless a sheriff denies a permit under the exception set forth in subdivision 6, paragraph (a), clause (3), a sheriff must issue a permit to an applicant if the person:

(1) has training in the safe use of a pistol;
(2) is at least 21 years old and a citizen or a permanent resident of the United States;

(3) completes an application for a permit;
(4) is not prohibited from possessing a firearm under the following sections:

- (i) 518B.01, subdivision 14;
- (ii) 609.224, subdivision 3;
- (iii) 609.2242, subdivision 3;
- (iv) 609.749, subdivision 8;
- (v) 624.713;

(vi) 624.719;

(vii) 629.715, subdivision 2; or

(viii) 629.72, subdivision 2; and

(5) is not listed in the criminal gang investigative data system under section 299C.091.

(c) A permit to carry a pistol issued or recognized under this section is a state permit and is effective throughout the state.

(d) A sheriff may contract with a police chief to process permit applications under this section. If a sheriff contracts with a police chief, the sheriff remains the issuing authority and the police chief acts as the sheriff's agent. If a sheriff contracts with a police chief, all of the provisions of this section will apply.

Sec. 7. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 2a. [TRAINING IN THE SAFE USE OF A PISTOL.] (a) An applicant must present evidence that the applicant received training in the safe use of a pistol within one year of the date of an original or renewal application. Training may be demonstrated by:

(1) employment as a peace officer in the state of Minnesota within the past year; or

(2) completion of a firearms safety or training course providing basic training in the safe use of a pistol and conducted by a certified instructor.

(b) Basic training must include:

(1) instruction in the fundamentals of pistol use;

(2) successful completion of an actual shooting qualification exercise; and

(3) instruction in the fundamental legal aspects of pistol possession, carry, and use, including self-defense and the restrictions on the use of deadly force.

(c) A person qualifies as a certified instructor if the person is certified as a firearms instructor within the past five years by:

(1) the bureau of criminal apprehension, training and development section;

(2) the Minnesota Association of Law Enforcement Firearms Instructors;

(3) the National Rifle Association;

(4) the American Association of Certified Firearms Instructors;

(5) the peace officer standards and training board of this state or a similar agency of another state that certifies firearms instructors; or

(6) the department of public safety of this state or a similar agency of another state that certifies firearms instructors.

(d) A sheriff must accept the training described in this subdivision as meeting the requirement in subdivision 2, paragraph (b), for training in the safe use of a pistol. A sheriff may also accept other satisfactory evidence of training in the safe use of a pistol.

Sec. 8. Minnesota Statutes 2002, section 624.714, subdivision 3, is amended to read:

Subd. 3. [FORM AND CONTENTS OF APPLICATION.] (a) Applications for permits to carry ~~shall~~ must be an official, standardized application form, adopted under section 624.7151, and must set forth in writing only the following information:

(1) the applicant's name, residence, telephone number, if any, and driver's license number or nonqualification certificate number, if any, of the applicant or state identification card number;

(2) the applicant's sex, date of birth, height, weight, and color of eyes and hair, and distinguishing physical characteristics, if any, of the applicant;

(3) all states of residence of the applicant in the last ten years, though not including specific addresses;

(4) a statement that the applicant authorizes the release to the local police authority sheriff of commitment information about the applicant maintained by the commissioner of human services or any similar agency or department of another state where the applicant has resided, to the extent that the information relates to the applicant's eligibility to possess a pistol or semiautomatic military style assault weapon under section 624.713, subdivision 1 firearm; and

(4) (5) a statement by the applicant that, to the best of the applicant's knowledge and belief, the applicant is not prohibited by section 624.713 from possessing a pistol or semiautomatic military style assault weapon, and law from possessing a firearm.

~~(5) a recent color photograph of the applicant.~~

~~The application shall be signed and dated by the applicant.~~ (b) The statement under paragraph (a), clause (2) (4), must comply with any applicable requirements of Code of Federal Regulations, title 42, sections 2.31 to 2.35, with respect to consent to disclosure of alcohol or drug abuse patient records.

(c) An applicant must submit to the sheriff an application packet consisting only of the following items:

(1) a completed application form, signed and dated by the applicant;

(2) an accurate photocopy of a certificate, affidavit, or other document that is submitted as the applicant's evidence of training in the safe use of a pistol; and

(3) an accurate photocopy of the applicant's current driver's license, state identification card, or the photo page of the applicant's passport.

(d) In addition to the other application materials, a person who is otherwise ineligible for a permit due to a criminal conviction but who has obtained a pardon or expungement setting aside the conviction, sealing the conviction, or otherwise restoring applicable rights, must submit a copy of the relevant order.

(e) Applications must be submitted in person.

(f) The sheriff may charge a new application processing fee in an amount not to exceed the actual and reasonable direct cost of processing the application or \$100, whichever is less. Of this amount, \$10 must be submitted to the commissioner of public safety and deposited into the general fund.

(g) This subdivision prescribes the complete and exclusive set of items an applicant is required to submit in order to apply for a new or renewal permit to carry. The applicant must not be asked or required to submit, voluntarily or involuntarily, any information, fees, or documentation beyond that specifically required by this subdivision. This paragraph does not apply to alternate training evidence accepted by the sheriff under subdivision 2a, paragraph (d).

(h) Forms for new and renewal applications must be

available at all sheriffs' offices and the commissioner of public safety must make the forms available on the Internet.

(i) Application forms must clearly display a notice that a permit, if granted, is void and must be immediately returned to the sheriff if the permit holder is or becomes prohibited by law from possessing a firearm. The notice must list the applicable state criminal offenses and civil categories that prohibit a person from possessing a firearm.

(j) Upon receipt of an application packet and any required fee, the sheriff must provide a signed receipt indicating the date of submission.

Sec. 9. Minnesota Statutes 2002, section 624.714, subdivision 4, is amended to read:

Subd. 4. [INVESTIGATION.] (a) The ~~application authority shall~~ sheriff must check, by means of electronic data transfer, criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System. ~~The chief of police or sheriff shall~~ and, to the extent necessary, the National Instant Check System. The sheriff shall also make a reasonable effort to check other available and relevant federal, state, or local record keeping systems. The sheriff must obtain commitment information from the commissioner of human services as provided in section 245.041 or, if the information is reasonably available, as provided by a similar statute from another state.

(b) When an application for a permit is filed under this section, the sheriff must notify the chief of police, if any, of the municipality where the applicant resides. The police chief may provide the sheriff with any information relevant to the issuance of the permit.

(c) The sheriff must conduct a background check by means of electronic data transfer on a permit holder through the Minnesota Crime Information System and, to the extent necessary, the National Instant Check System at least yearly to ensure continuing eligibility. The sheriff may conduct additional background checks by means of electronic data transfer on a permit holder at any time during the period that a permit is in effect.

Sec. 10. Minnesota Statutes 2002, section 624.714, subdivision 6, is amended to read:

Subd. 6. [~~FAILURE TO GRANT~~ GRANTING AND DENIAL OF PERMITS.] (a) The sheriff must, within 30 days after the date of receipt of the application packet described in subdivision 3:

(1) issue the permit to carry;

(2) deny the application for a permit to carry solely on the grounds that the applicant failed to qualify under the criteria described in subdivision 2, paragraph (b); or

(3) deny the application on the grounds that there exists a substantial likelihood that the applicant is a danger to self or the public if authorized to carry a pistol under a permit.

(b) Failure of the ~~chief police officer or the county sheriff to deny the application or issue a permit to carry a pistol~~ notify the applicant of the denial of the application within ~~21~~ 30 days ~~of~~ after the date of receipt of the application ~~shall be deemed to be a grant thereof.~~ packet constitutes issuance of the permit to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny the application, the ~~local police authority shall~~ sheriff must provide ~~an~~ the applicant with written notification of a ~~denial~~ and the specific ~~reason for~~ factual basis justifying the denial

under paragraph (a), clause (2) or (3), including the source of the factual basis. The sheriff must inform the applicant of the applicant's right to submit, within 20 business days, any additional documentation relating to the propriety of the denial. A chief of police or a sheriff may charge a fee to cover the cost of conducting a background check, not to exceed \$10. The permit shall specify the activities for which it shall be valid. Upon receiving any additional documentation, the sheriff must reconsider the denial and inform the applicant within 15 business days of the result of the reconsideration. Any denial after reconsideration must be in the same form and substance as the original denial and must specifically address any continued deficiencies in light of the additional documentation submitted by the applicant. The applicant must be informed of the right to seek de novo review of the denial as provided in subdivision 12.

(c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to the applicant by first class mail unless personal delivery has been made. Within five business days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to the commissioner of public safety for inclusion solely in the database required under subdivision 15, paragraph (a). The sheriff must transmit the information in a manner and format prescribed by the commissioner.

(d) Within five business days of learning that a permit to carry has been suspended or revoked, the sheriff must submit information to the commissioner of public safety regarding the suspension or revocation for inclusion solely in the databases required or permitted under subdivision 15.

(e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application process if a charge is pending against the applicant that, if resulting in conviction, will prohibit the applicant from possessing a firearm.

Sec. 11. Minnesota Statutes 2002, section 624.714, subdivision 7, is amended to read:

Subd. 7. [PERMIT CARD CONTENTS; EXPIRATION; RENEWAL.]
~~Permits to carry a pistol issued pursuant to this section shall expire after one year and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained, except that all renewed permits must comply with the standards adopted by the commissioner of public safety under section 624.7161.~~ (a) Permits to carry must be on an official, standardized permit card adopted by the commissioner of public safety, containing only the name, residence, and driver's license number or state identification card number of the permit holder, if any.

(b) The permit card must also identify the issuing sheriff and state the expiration date of the permit. The permit card must clearly display a notice that a permit, if granted, is void and must be immediately returned to the sheriff if the permit holder becomes prohibited by law from possessing a firearm.

(c) A permit to carry a pistol issued under this section expires five years after the date of issue. It may be renewed in the same manner and under the same criteria which the original permit was obtained, subject to the following procedures:

(1) no earlier than 90 days prior to the expiration date on the permit, the permit holder may renew the permit by submitting to the appropriate sheriff the application packet described in

subdivision 3 and a renewal processing fee not to exceed the actual and reasonable direct cost of processing the application or \$75, whichever is less. Of this amount, \$5 must be submitted to the commissioner of public safety and deposited into the general fund. The sheriff must process the renewal application in accordance with subdivisions 4 and 6; and

(2) a permit holder who submits a renewal application packet after the expiration date of the permit, but within 30 days after expiration, may renew the permit as provided in clause (1) by paying an additional late fee of \$10.

(d) The renewal permit is effective beginning on the expiration date of the prior permit to carry.

Sec. 12. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 7a. [CHANGE OF ADDRESS; LOSS OR DESTRUCTION OF PERMIT.] (a) Within 30 days after changing permanent address, or within 30 days of having lost or destroyed the permit card, the permit holder must notify the issuing sheriff of the change, loss, or destruction. Failure to provide notification as required by this subdivision is a petty misdemeanor. The fine for a first offense must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.

(b) After notice is given under paragraph (a), a permit holder may obtain a replacement permit card by paying \$10 to the sheriff. The request for a replacement permit card must be made on an official, standardized application adopted for this purpose under section 624.7151, and, except in the case of an address change, must include a notarized statement that the permit card has been lost or destroyed.

Sec. 13. Minnesota Statutes 2002, section 624.714, subdivision 8, is amended to read:

Subd. 8. [PERMIT TO CARRY VOIDED.] (a) The permit to carry ~~shall be~~ is void and must be revoked at the time that the holder becomes prohibited by law from possessing a ~~pistol under section 624.712~~ firearm, in which event the holder ~~shall~~ must return the permit card to the issuing sheriff within five business days ~~to the application authority~~ after the holder knows or should know that the holder is a prohibited person. If a permit is revoked under this subdivision, the sheriff must give notice to the permit holder in writing in the same manner as a denial. Failure of the holder to return the permit within the five days is a gross misdemeanor unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.

(b) When a permit holder is convicted of an offense that prohibits the permit holder from possessing a firearm, the court must revoke the permit and, if it is available, take possession of it and send it to the issuing sheriff.

(c) The sheriff of the county where the application was submitted, or of the county of the permit holder's current residence, may file a petition with the district court therein, for an order revoking a permit to carry on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall be issued only if the sheriff meets the burden of proof and criteria set forth in subdivision 12. If the court denies the petition, the court must award the permit holder reasonable costs and expenses, including attorney fees.

(d) A permit revocation must be promptly reported to the

issuing sheriff.

Sec. 14. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 8a. [PROSECUTOR'S DUTY.] Whenever a person is charged with an offense that would, upon conviction, prohibit the person from possessing a firearm, the prosecuting attorney must ascertain whether the person is a permit holder under this section. If the person is a permit holder, the prosecutor must notify the issuing sheriff that the person has been charged with a prohibiting offense. The prosecutor must also notify the sheriff of the final disposition of the case.

Sec. 15. Minnesota Statutes 2002, section 624.714, subdivision 10, is amended to read:

Subd. 10. [FALSE REPRESENTATIONS.] A person who gives or causes to be given any false material information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a gross misdemeanor.

Sec. 16. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 11a. [EMERGENCY ISSUANCE OF PERMITS.] A sheriff may immediately issue an emergency permit to a person if the sheriff determines that the person is in an emergency situation that may constitute an immediate risk to the safety of the person or someone residing in the person's household. A person seeking an emergency permit must complete an application form and must sign an affidavit describing the emergency situation. An emergency permit applicant does not need to provide evidence of training. An emergency permit is valid for 30 days, may not be renewed, and may be revoked without a hearing. No fee may be charged for an emergency permit. An emergency permit holder may seek a regular permit under subdivision 3 and is subject to the other applicable provisions of this section.

Sec. 17. Minnesota Statutes 2002, section 624.714, subdivision 12, is amended to read:

Subd. 12. [HEARING UPON DENIAL OR REVOCATION.] (a) Any person aggrieved by denial or revocation of a permit to carry may appeal ~~the denial~~ by petition to the district court having jurisdiction over the county or municipality ~~wherein the notification or denial occurred~~ where the application was submitted. The petition must list the sheriff as the respondent. The district court must hold a hearing at the earliest practicable date and in any event no later than 60 days following the filing of the petition for review. The court may not grant or deny any relief before the completion of the hearing. The record of the hearing must be sealed. The matter shall must be heard de novo without a jury.

(b) The court must issue written findings of fact and conclusions of law regarding the issues submitted by the parties. The court must issue its writ of mandamus directing that the permit be issued and order other appropriate relief unless the sheriff establishes by clear and convincing evidence:

(1) that the applicant is disqualified under the criteria described in subdivision 2, paragraph (b); or

(2) that there exists a substantial likelihood that the applicant is a danger to self or the public if authorized to carry a pistol under a permit. Incidents of alleged criminal misconduct that are not investigated and documented, and incidents for which the applicant was charged and acquitted, may not be considered.

(c) If an applicant is denied a permit on the grounds that

the applicant is listed in the criminal gang investigative data system under section 299C.091, the person may challenge the denial, after disclosure under court supervision of the reason for that listing, based on grounds that the person:

(1) was erroneously identified as a person in the data system;

(2) was improperly included in the data system according to the criteria outlined in section 299C.091, subdivision 2, paragraph (b); or

(3) has demonstrably withdrawn from the activities and associations that led to inclusion in the data system.

(d) If the court grants a petition brought under paragraph (a), the court must award the applicant or permit holder reasonable costs and expenses including attorney fees.

Sec. 18. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 12a. [SUSPENSION AS CONDITION OF RELEASE.] The district court may order suspension of the application process for a permit or suspend the permit of a permit holder as a condition of release pursuant to the same criteria as the surrender of firearms under section 629.715. A permit suspension must be promptly reported to the issuing sheriff. If the permit holder has an out-of-state permit recognized under subdivision 16, the court must promptly report the suspension to the commissioner of public safety for inclusion solely in the database under subdivision 15, paragraph (a).

Sec. 19. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 14. [RECORDS.] (a) A sheriff must not maintain records or data collected, made, or held under this section concerning any applicant or permit holder that are not necessary under this section to support a permit that is outstanding or eligible for renewal under subdivision 7, paragraph (b). Notwithstanding section 138.163, sheriffs must completely purge all files and databases by March 1 of each year to delete all information collected under this section concerning all persons who are no longer current permit holders or currently eligible to renew their permit.

(b) Paragraph (a) does not apply to records or data concerning an applicant or permit holder who has had a permit denied or revoked under the criteria established in subdivision 2, paragraph (b), clause (1), or subdivision 6, paragraph (a), clause (3), for a period of six years from the date of the denial or revocation.

Sec. 20. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 15. [COMMISSIONER OF PUBLIC SAFETY; CONTRACTS; DATABASE.] (a) The commissioner of public safety must maintain an automated database of persons authorized to carry pistols under this section that is available 24 hours a day, seven days a week, only to law enforcement agencies, including prosecutors carrying out their duties under subdivision 8a, to verify the validity of a permit.

(b) The commissioner of public safety may maintain a separate automated database of denied applications for permits to carry and of revoked permits that is available only to sheriffs performing their duties under this section containing the date of, the statutory basis for, and the initiating agency for any permit application denied or permit revoked for a period of six years from the date of the denial or revocation.

(c) The commissioner of public safety may contract with one or more vendors to implement the commissioner's duties under this section.

Sec. 21. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 16. [RECOGNITION OF PERMITS FROM OTHER STATES.] (a) The commissioner of public safety must annually establish and publish a list of other states that have laws governing the issuance of permits to carry weapons that are not substantially similar to this section. The list must be available on the Internet. A person holding a carry permit from a state not on the list may use the license or permit in this state subject to the rights, privileges, and requirements of this section.

(b) Notwithstanding paragraph (a), no license or permit from another state is valid in this state if the holder is or becomes prohibited by law from possessing a firearm.

(c) Any sheriff or police chief may file a petition under subdivision 12 seeking an order suspending or revoking an out-of-state permit holder's authority to carry a pistol in this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision 12. If the court denies the petition, the court must award the permit holder reasonable costs and expenses including attorney fees. The petition may be filed in any county in the state where a person holding a license or permit from another state can be found.

(d) The commissioner of public safety must, when necessary, execute reciprocity agreements regarding carry permits with jurisdictions whose carry permits are recognized under paragraph (a).

Sec. 22. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 17. [POSTING; TRESPASS.] (a) A person carrying a firearm on or about his or her person or clothes under a permit or otherwise who remains at a private establishment knowing that the operator of the establishment or its agent has made a reasonable request that firearms not be brought into the establishment may be ordered to leave the premises. A person who fails to leave when so requested is guilty of a petty misdemeanor. The fine for a first offense must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of this subdivision is not subject to forfeiture.

(b) As used in this subdivision, the terms in this paragraph have the meanings given.

(1) "Reasonable request" means a request made under the following circumstances:

(i) the requester has prominently posted a conspicuous sign at every entrance to the establishment containing the following language: "(INDICATE IDENTITY OF OPERATOR) BANS GUNS IN THESE PREMISES."; and

(ii) the requester or its agent personally informs the person of the posted request and demands compliance.

(2) "Prominently" means readily visible and within four feet laterally of the entrance with the bottom of the sign at a height of four to six feet above the floor.

(3) "Conspicuous" means lettering in black arial typeface at least 1-1/2 inches in height against a bright contrasting background that is at least 187 square inches in area.

(4) "Private establishment" means a building, structure, or

portion thereof that is owned, leased, controlled, or operated by a nongovernmental entity for a nongovernmental purpose.

(c) The owner or operator of a private establishment may not prohibit the lawful carry or possession of firearms in a parking facility or parking area.

(d) This subdivision does not apply to private residences. The lawful possessor of a private residence may prohibit firearms, and provide notice thereof, in any lawful manner.

(e) A landlord may not restrict the lawful carry or possession of firearms by tenants or their guests.

(f) Notwithstanding any inconsistent provisions in section 609.605, this subdivision sets forth the exclusive criteria to notify a permit holder when otherwise lawful firearm possession is not allowed in a private establishment and sets forth the exclusive penalty for such activity.

(g) This subdivision does not apply to an on-duty peace officer or security guard acting in the course and scope of employment.

Sec. 23. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 18. [EMPLOYERS; PUBLIC COLLEGES AND UNIVERSITIES.] (a) An employer, whether public or private, may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment related civil sanctions may be invoked for a violation.

(b) A public postsecondary institution regulated under chapter 136F or 137 may establish policies that restrict the carry or possession of firearms by its students while on the institution's property. Academic sanctions may be invoked for a violation.

(c) Notwithstanding paragraphs (a) and (b), an employer or a postsecondary institution may not prohibit the lawful carry or possession of firearms in a parking facility or parking area.

Sec. 24. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 19. [IMMUNITY.] Neither a sheriff, police chief, any employee of a sheriff or police chief involved in the permit issuing process, nor any certified instructor is liable for damages resulting or arising from acts with a firearm committed by a permit holder, unless the person had actual knowledge at the time the permit was issued or the instruction was given that the applicant was prohibited by law from possessing a firearm.

Sec. 25. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 20. [MONITORING.] (a) By March 1, 2004, and each year thereafter, the commissioner of public safety must report to the legislature on:

(1) the number of permits applied for, issued, suspended, revoked, and denied, further categorized by the age, sex, and zip code of the applicant or permit holder, since the previous submission, and in total;

(2) the number of permits currently valid;

(3) the specific reasons for each suspension, revocation, and denial and the number of reversed, canceled, or corrected actions;

(4) without expressly identifying an applicant, the number of denials or revocations based on the grounds under subdivision 6, paragraph (a), clause (3), the factual basis for each denial or revocation, and the result of an appeal, if any, including

the court's findings of fact, conclusions of law, and order;

(5) the number of convictions and types of crimes committed since the previous submission, and in total, by individuals with permits including data as to whether a firearm lawfully carried solely by virtue of a permit was actually used in furtherance of the crime;

(6) to the extent known or determinable, data on the lawful and justifiable use of firearms by permit holders; and

(7) the status of the segregated funds reported to the commissioner under subdivision 21.

(b) Sheriffs and police chiefs must supply the department of public safety with the basic data the department requires to complete the report under paragraph (a). Sheriffs and police chiefs may submit data classified as private to the department of public safety under this paragraph.

(c) Copies of the report under paragraph (a) must be made available to the public at the actual cost of duplication.

(d) Nothing contained in any provision of this section or any other law requires or authorizes the registration, documentation, collection, or providing of serial numbers or other data on firearms or on firearms' owners.

Sec. 26. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 21. [USE OF FEES.] Fees collected by sheriffs under this section and not forwarded to the commissioner of public safety must be used only to pay the direct costs of administering this section. Fee money may be used to pay the costs of appeals of prevailing applicants or permit holders under subdivision 8, paragraph (c); subdivision 12, paragraph (e); and subdivision 16, paragraph (c). Fee money may also be used to pay the reasonable costs of the county attorney to represent the sheriff in proceedings under this section. The revenues must be maintained in a segregated fund. Fund balances must be carried over from year to year and do not revert to any other fund. As part of the information supplied under subdivision 20, paragraph (b), by January 31 of each year, a sheriff must report to the commissioner on the sheriff's segregated fund for the preceding calendar year, including information regarding:

(1) nature and amount of revenues;

(2) nature and amount of expenditures; and

(3) nature and amount of balances.

Sec. 27. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 22. [SHORT TITLE; CONSTRUCTION; SEVERABILITY.] This section may be cited as the Minnesota Citizens' Personal Protection Act of 2003. The legislature of the state of Minnesota recognizes and declares that the second amendment of the United States Constitution guarantees the fundamental, individual right to keep and bear arms. The provisions of this section are declared to be necessary to accomplish compelling state interests in regulation of those rights. The terms of this section must be construed according to the compelling state interest test. The invalidation of any provision of this section shall not invalidate any other provision.

Sec. 28. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 23. [EXCLUSIVITY.] This section sets forth the complete and exclusive criteria and procedures for the issuance of permits to carry and establishes their nature and scope. No

sheriff, police chief, governmental unit, government official, government employee, or other person or body acting under color of law or governmental authority may change, modify, or supplement these criteria or procedures, or limit the exercise of a permit to carry.

Sec. 29. [624.7142] [CARRYING WHILE UNDER THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE.]

Subdivision 1. [ACTS PROHIBITED.] A person may not carry a pistol on or about the person's clothes or person in a public place:

(1) when the person is under the influence of a controlled substance, as defined in section 152.01, subdivision 4;

(2) when the person is under the influence of a combination of any two or more of the elements named in clauses (1) and (4);

(3) when the person is knowingly under the influence of any chemical compound or combination of chemical compounds that is listed as a hazardous substance in rules adopted under section 182.655 and that affects the nervous system, brain, or muscles of the person so as to impair the person's clearness of intellect or physical control;

(4) when the person is under the influence of alcohol;

(5) when the person's alcohol concentration is 0.10 or more; or

(6) when the person's alcohol concentration is less than 0.10, but more than 0.04.

Subd. 2. [ARREST.] A peace officer may arrest a person for a violation under subdivision 1 without a warrant upon probable cause, without regard to whether the violation was committed in the officer's presence.

Subd. 3. [PRELIMINARY SCREENING TEST.] When an officer authorized under subdivision 2 to make arrests has reason to believe that the person may be violating or has violated subdivision 1, the officer may require the person to provide a breath sample for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of the preliminary screening test must be used for the purpose of deciding whether an arrest should be made under this section and whether to require the chemical tests authorized in section 624.7143, but may not be used in any court action except: (1) to prove that the test was properly required of a person under section 624.7143, or (2) in a civil action arising out of the use of the pistol. Following the preliminary screening test, additional tests may be required of the person as provided under section 624.7143. A person who refuses a breath sample is subject to the provisions of section 624.7143 unless, in compliance with that section, the person submits to a blood, breath, or urine test to determine the presence of alcohol or a controlled substance.

Subd. 4. [EVIDENCE.] In a prosecution for a violation of subdivision 1, the admission of evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine is governed by section 169A.45.

Subd. 5. [SUSPENSION.] A person who is charged with a violation under this section may have their authority to carry a pistol in a public place on or about the person's clothes or person under the provisions of a permit or otherwise suspended by the court as a condition of release.

Subd. 6. [PENALTIES.] (a) A person who violates a prohibition under subdivision 1, clauses (1) to (5), is guilty of a misdemeanor. A second or subsequent violation is a gross

misdemeanor.

(b) A person who violates subdivision 1, clause (6), is guilty of a misdemeanor.

(c) In addition to the penalty imposed under paragraph (a), if a person violates subdivision 1, clauses (1) to (5), the person's authority to carry a pistol in a public place on or about the person's clothes or person under the provisions of a permit or otherwise is revoked and the person may not reapply for a period of one year from the date of conviction.

(d) In addition to the penalty imposed under paragraph (b), if a person violates subdivision 1, clause (6), the person's authority to carry a pistol in a public place on or about the person's clothes or person under the provisions of a permit or otherwise is suspended for 180 days from the date of conviction.

(e) Notwithstanding section 609.531, a firearm carried in violation of subdivision 1, clause (6), is not subject to forfeiture.

Subd. 7. [REPORTING.] Suspensions and revocations under this section must be reported in the same manner as in section 624.714, subdivision 12a.

Sec. 30. [624.7143] [CHEMICAL TESTING.]

Subdivision 1. [MANDATORY CHEMICAL TESTING.] A person who carries a pistol in a public place on or about the person's clothes or person is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 624.7142. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was carrying a pistol in violation of section 624.7142, and one of the following conditions exists:

(1) the person has been lawfully placed under arrest for violating section 624.7142;

(2) the person has been involved while carrying a firearm in a firearms-related accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 624.7142; or

(4) the screening test was administered and indicated an alcohol concentration of 0.04 or more.

Subd. 2. [PENALTIES; REFUSAL; REVOCATION.] (a) If a person refuses to take a test required under subdivision 1, none must be given but the officer shall report the refusal to the sheriff and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the incident occurred that gave rise to the test demand and refusal. On certification by the officer that probable cause existed to believe the person had been carrying a pistol on or about the person's clothes or person in a public place while under the influence of alcohol or a controlled substance, and that the person refused to submit to testing, a court may impose a civil penalty of \$500 and may revoke the person's authority to carry a pistol in a public place on or about the person's clothes or person under the provisions of a permit or otherwise for a period of one year from the date of the refusal. The person shall be accorded notice and an opportunity to be heard prior to imposition of the civil penalty or the revocation.

(b) Revocations under this subdivision must be reported in the same manner as in section 624.714, subdivision 12a.

Subd. 3. [RIGHTS AND OBLIGATIONS.] At the time a test is requested, the person must be informed that:

(1) Minnesota law requires a person to take a test to determine if the person is under the influence of alcohol or a controlled substance;

(2) if the person refuses to take the test, the person is subject to a civil penalty of \$500 and is prohibited for a period of one year from carrying a pistol in a public place on or about the person's clothes or person, as provided under subdivision 2; and

(3) that the person has the right to consult with an attorney, but that this right is limited to the extent it cannot unreasonably delay administration of the test or the person will be deemed to have refused the test.

Subd. 4. [REQUIREMENT OF BLOOD OR URINE TEST.] Notwithstanding subdivision 1, if there is probable cause to believe there is impairment by a controlled substance that is not subject to testing by a breath test, a blood or urine test may be required even after a breath test has been administered.

Subd. 5. [CHEMICAL TESTS.] Chemical tests administered under this section are governed by section 169A.51 in all aspects that are not inconsistent with this section.

Sec. 31. [APPROPRIATION.]

\$1,071,000 is appropriated in fiscal year 2004 and \$119,000 is appropriated in fiscal year 2005 from the general fund to the commissioner of public safety to implement the provisions of sections 1 to 30. The unencumbered balance in the first year does not cancel but is available for the second year.

Sec. 32. [TEMPORARY FEE PROVISION.]

Notwithstanding Minnesota Statutes, section 624.714, subdivision 3, paragraph (e), until July 1, 2004, the sheriff must submit \$21.50 to the commissioner of public safety for deposit into the general fund for each permit application submitted under Minnesota Statutes, section 624.714.

Sec. 33. [GRANDFATHER CLAUSE.]

Permits to carry pistols issued prior to the effective date of sections 1 to 30 remain in effect and are valid under the terms of issuance until the date of expiration applicable at the time of issuance. However, a person holding a permit that was issued prior to the effective date of sections 1 to 30 may nevertheless apply for a permit under the terms and conditions of sections 1 to 30.

Sec. 34. [REVISOR'S INSTRUCTION.]

In Minnesota Statutes, sections 624.713 to 624.717, the revisor of statutes shall change the term "commissioner of public safety" to "commissioner" wherever the term appears.

Sec. 35. [REPEALER.]

Minnesota Statutes 2002, section 624.714, subdivisions 1 and 5, are repealed.

Sec. 36. [EFFECTIVE DATE.]

Sections 1 to 35 are effective 30 days after final enactment and apply to crimes committed on or after that date, except that the commissioner of public safety must promulgate the list required under section 21 within 60 days of final enactment. The database required by section 20 must be operational within 180 days of the effective date.

ARTICLE 3

LIFETIME BAN ON FIREARM POSSESSION FOR VIOLENT FELONS

Section 1. Minnesota Statutes 2002, section 242.31,

subdivision 2a, is amended to read:

Subd. 2a. [CRIMES OF VIOLENCE; INELIGIBILITY TO POSSESS FIREARMS.] The order of discharge must provide that a person who has been convicted of a crime of violence, as defined in section 624.712, subdivision 5, is not entitled to ship, transport, possess, or receive a firearm ~~until ten years have elapsed since the person was restored to civil rights and during that time the person was not convicted of any other crime of violence for the remainder of the person's lifetime.~~ Any person who has received such a discharge and who thereafter has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d, shall not be subject to the restrictions of this subdivision.

Sec. 2. Minnesota Statutes 2002, section 260B.245, subdivision 1, is amended to read:

Subdivision 1. [EFFECT.] (a) No adjudication upon the status of any child in the jurisdiction of the juvenile court shall operate to impose any of the civil disabilities imposed by conviction, nor shall any child be deemed a criminal by reason of this adjudication, nor shall this adjudication be deemed a conviction of crime, except as otherwise provided in this section or section 260B.255. An extended jurisdiction juvenile conviction shall be treated in the same manner as an adult felony criminal conviction for purposes of the sentencing guidelines. The disposition of the child or any evidence given by the child in the juvenile court shall not be admissible as evidence against the child in any case or proceeding in any other court, except that an adjudication may later be used to determine a proper sentence, nor shall the disposition or evidence disqualify the child in any future civil service examination, appointment, or application.

(b) A person who was adjudicated delinquent for, or convicted as an extended jurisdiction juvenile of, a crime of violence as defined in section 624.712, subdivision 5, is not entitled to ship, transport, possess, or receive a firearm ~~until ten years have elapsed since the person was discharged and during that time the person was not convicted of any other crime of violence for the remainder of the person's lifetime.~~ A person who has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d, is not subject to the restrictions of this subdivision.

Sec. 3. Minnesota Statutes 2002, section 609.165, subdivision 1a, is amended to read:

Subd. 1a. [CERTAIN CONVICTED FELONS INELIGIBLE TO POSSESS FIREARMS.] The order of discharge must provide that a person who has been convicted of a crime of violence, as defined in section 624.712, subdivision 5, is not entitled to ship, transport, possess, or receive a firearm ~~until ten years have elapsed since the person was restored to civil rights and during that time the person was not convicted of any other crime of violence for the remainder of the person's lifetime.~~ Any person who has received such a discharge and who thereafter has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under subdivision 1d, shall not be subject to the restrictions of this subdivision.

Sec. 4. Minnesota Statutes 2002, section 609.165, subdivision 1b, is amended to read:

Subd. 1b. [VIOLATION AND PENALTY.] (a) Any person who has been convicted of a crime of violence, as defined in section 624.712, subdivision 5, and who ships, transports, possesses, or receives a firearm ~~before ten years have elapsed since the person was restored to civil rights~~, commits a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000, or both.

(b) ~~Nothing in this~~ A conviction and sentencing under this section shall be construed to bar a conviction and sentencing for a violation of section 624.713, subdivision 2.

(c) The criminal penalty in paragraph (a) does not apply to any person who has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under subdivision 1d.

Sec. 5. Minnesota Statutes 2002, section 609.165, is amended by adding a subdivision to read:

Subd. 1d. [JUDICIAL RESTORATION OF ABILITY TO POSSESS A FIREARM BY A FELON.] A person prohibited by state law from shipping, transporting, possessing, or receiving a firearm because of a conviction or a delinquency adjudication for committing a crime of violence may petition a court to restore the person's ability to possess, receive, ship, or transport firearms and otherwise deal with firearms.

The court may grant the relief sought if the person shows good cause to do so and the person has been released from physical confinement.

If a petition is denied, the person may not file another petition until three years have elapsed without the permission of the court.

Sec. 6. Minnesota Statutes 2002, section 609A.03, subdivision 5a, is amended to read:

Subd. 5a. [ORDER CONCERNING CRIMES OF VIOLENCE.] An order expunging the record of a conviction for a crime of violence as defined in section 624.712, subdivision 5, must provide that the person is not entitled to ship, transport, possess, or receive a firearm ~~until ten years have elapsed since the order was entered and during that time the person was not convicted of any other crime of violence for the remainder of the person's lifetime.~~ Any person whose record of conviction is expunged under this section and who thereafter receives a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d, is not subject to the restriction in this subdivision.

Sec. 7. Minnesota Statutes 2002, section 624.712, subdivision 5, is amended to read:

Subd. 5. [CRIME OF VIOLENCE.] "Crime of violence" ~~includes murder in the first, second, and third degrees, manslaughter in the first and second degrees, aiding suicide, aiding attempted suicide, felony violations of assault in the first, second, third, and fourth degrees, assaults motivated by bias under section 609.2231, subdivision 4, drive by shootings, terroristic threats, use of drugs to injure or to facilitate crime, crimes committed for the benefit of a gang, commission of a crime while wearing or possessing a bullet-resistant vest, simple robbery, aggravated robbery, kidnapping, false imprisonment, criminal sexual conduct in the first, second, third, and fourth degrees, theft of a firearm, felony theft involving the intentional taking or driving of a motor vehicle without the consent of the owner or the authorized agent of the owner, felony theft~~

~~involving the taking of property from a burning, abandoned, or vacant building, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle, felony theft involving the theft of a controlled substance, an explosive, or an incendiary device, arson in the first and second degrees, riot, burglary in the first, second, third, and fourth degrees, harassment and stalking, shooting at a public transit vehicle or facility, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, operating a machine gun or short-barreled shotgun, and an attempt to commit any of these offenses, as each of these offenses is defined in chapter 609. "Crime of violence" also includes felony violations of the following: malicious punishment of a child, neglect or endangerment of a child, and chapter 152. means: felony convictions of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree); 609.229 (crimes committed for the benefit of a gang); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 609.486 (commission of crime while wearing or possessing a bullet-resistant vest); 609.52 (involving theft of a firearm, theft involving the intentional taking or driving of a motor vehicle without the consent of the owner or authorized agent of the owner, theft involving the taking of property from a burning, abandoned, or vacant building, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle, and theft involving the theft of a controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.582, subdivision 1, 2, or 3 (burglary in the first through third degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic threats); 609.749 (harassment and stalking); 609.855, subdivision 5 (shooting at a public transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an attempt to commit any of these offenses.~~

Sec. 8. Minnesota Statutes 2002, section 624.713, subdivision 1, is amended to read:

Subdivision 1. [INELIGIBLE PERSONS.] The following persons shall not be entitled to possess a pistol or semiautomatic military-style assault weapon or, except for clause (a), any other firearm:

(a) a person under the age of 18 years except that a person under 18 may carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual presence or under the direct supervision of the person's parent or guardian,

(ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition, or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol or semiautomatic military-style assault weapon and approved by the commissioner of natural resources;

(b) except as otherwise provided in clause (i), a person who has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence ~~unless ten years have elapsed since the person has been restored to civil rights or the sentence or disposition has expired, whichever occurs first, and during that time the person has not been convicted of or adjudicated for any other crime of violence.~~ For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) a person who is or has ever been confined in Minnesota or elsewhere as a person who is mentally ill, mentally retarded, or mentally ill and dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has ever been found incompetent to stand trial or not guilty by reason of mental illness, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that the person is no longer suffering from this disability;

(d) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or gross misdemeanor violation of chapter 152, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years;

(e) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as chemically dependent as defined in section 253B.02, unless the person has completed treatment. Property rights may not be abated but access may be restricted by the courts;

(f) a peace officer who is informally admitted to a treatment facility pursuant to section 253B.04 for chemical dependency, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility. Property rights may not be abated but access may be restricted by the courts;

(g) a person, including a person under the jurisdiction of the juvenile court, who has been charged with committing a crime of violence and has been placed in a pretrial diversion program by the court before disposition, until the person has completed the diversion program and the charge of committing the crime of violence has been dismissed;

(h) except as otherwise provided in clause (i), a person who has been convicted in another state of committing an offense similar to the offense described in section 609.224, subdivision 3, against a family or household member or section 609.2242,

subdivision 3, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242, subdivision 3, or a similar law of another state;

(i) a person who has been convicted in this state or elsewhere of assaulting a family or household member and who was found by the court to have used a firearm in any way during commission of the assault is prohibited from possessing any type of firearm for the period determined by the sentencing court; ~~or~~

(j) a person who:

(1) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(2) is a fugitive from justice as a result of having fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding;

(3) is an unlawful user of any controlled substance as defined in chapter 152;

(4) has been judicially committed to a treatment facility in Minnesota or elsewhere as a person who is mentally ill, mentally retarded, or mentally ill and dangerous to the public, as defined in section 253B.02;

(5) is an alien who is illegally or unlawfully in the United States;

(6) has been discharged from the armed forces of the United States under dishonorable conditions; or

(7) has renounced the person's citizenship having been a citizen of the United States; ~~or~~

(k) a person who has been convicted of the following offenses at the gross misdemeanor level, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of these sections: section 609.229 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child); 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71 (riot); or 609.749 (harassment and stalking). For purposes of this paragraph, the specified gross misdemeanor convictions include crimes committed in other states or jurisdictions which would have been gross misdemeanors if conviction occurred in this state.

A person who issues a certificate pursuant to this subdivision in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than pistols and semiautomatic military-style assault weapons does not apply retroactively to persons who are prohibited from possessing a pistol or semiautomatic military-style assault weapon under this subdivision before August 1, 1994.

The lifetime prohibition on possessing, receiving, shipping, or transporting firearms for persons convicted or adjudicated delinquent of a crime of violence in clause (b), applies only to offenders who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993.

Sec. 9. Minnesota Statutes 2002, section 624.713, subdivision 2, is amended to read:

Subd. 2. [PENALTIES.] (a) A person named in subdivision 1, clause (a), who possesses a pistol or semiautomatic military-style assault weapon is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A person named in subdivision 1, clause (b), who possesses any type of firearm is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000, or both. This paragraph does not apply to any person who has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d.

(c) A person named in any other clause of subdivision 1 who possesses any type of firearm is guilty of a gross misdemeanor.

Sec. 10. Minnesota Statutes 2002, section 624.713, subdivision 3, is amended to read:

Subd. 3. [NOTICE.] (a) When a person is convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, a crime of violence as defined in section 624.712, subdivision 5, the court shall inform the defendant that the defendant is prohibited from possessing a pistol or semiautomatic military-style assault weapon for ~~a period of ten years after the person was restored to civil rights or since the sentence or disposition has expired, whichever occurs first~~ the remainder of the person's lifetime, and that it is a felony offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol or semiautomatic military-style assault weapon possession prohibition or the felony penalty to that defendant.

(b) When a person, including a person under the jurisdiction of the juvenile court, is charged with committing a crime of violence and is placed in a pretrial diversion program by the court before disposition, the court shall inform the defendant that: (1) the defendant is prohibited from possessing a pistol or semiautomatic military-style assault weapon until the person has completed the diversion program and the charge of committing a crime of violence has been dismissed; (2) it is a gross misdemeanor offense to violate this prohibition; and (3) if the defendant violates this condition of participation in the diversion program, the charge of committing a crime of violence may be prosecuted. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol or semiautomatic military-style assault weapon possession prohibition or the gross misdemeanor penalty to that defendant.

Sec. 11. Minnesota Statutes 2002, section 638.02, subdivision 2, is amended to read:

Subd. 2. Any person, convicted of a crime in any court of this state, who has served the sentence imposed by the court and has been discharged of the sentence either by order of court or by operation of law, may petition the board of pardons for the granting of a pardon extraordinary. Unless the board of pardons expressly provides otherwise in writing by unanimous vote, the application for a pardon extraordinary may not be filed until the applicable time period in clause (1) or (2) has elapsed:

(1) if the person was convicted of a crime of violence as defined in section 624.712, subdivision 5, ten years must have elapsed since the sentence was discharged and during that time

the person must not have been convicted of any other crime; and

(2) if the person was convicted of any crime not included within the definition of crime of violence under section 624.712, subdivision 5, five years must have elapsed since the sentence was discharged and during that time the person must not have been convicted of any other crime.

If the board of pardons determines that the person is of good character and reputation, the board may, in its discretion, grant the person a pardon extraordinary. The pardon extraordinary, when granted, has the effect of setting aside and nullifying the conviction and of purging the person of it, and the person shall never after that be required to disclose the conviction at any time or place other than in a judicial proceeding or as part of the licensing process for peace officers.

The application for a pardon extraordinary, the proceedings to review an application, and the notice requirements are governed by the statutes and the rules of the board in respect to other proceedings before the board. The application shall contain any further information that the board may require.

~~Unless the board of pardons expressly provides otherwise in writing by unanimous vote, if the person was convicted of a crime of violence, as defined in section 624.712, subdivision 5, the pardon extraordinary must expressly provide that the pardon does not entitle the person to ship, transport, possess, or receive a firearm until ten years have elapsed since the sentence was discharged and during that time the person was not convicted of any other crime of violence.~~

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective August 1, 2003. The provisions of sections 1 to 11 that impose a lifetime prohibition on possessing, receiving, shipping, or transporting firearms apply to persons who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993.

Presented to the governor April 28, 2003

Signed by the governor April 28, 2003, 9:10 p.m.



April 29, 2005

Members of the Senate Crime Prevention and Public Safety Committee
State Capitol
St. Paul, MN 55155

Members of the Senate Crime Prevention and Public Safety Committee

I urge you to support the amendment to allow local governments the right to ban guns on their property just as private property owners do now. Libraries are concerned about the safety and welfare of the customers they serve. Extending libraries the privilege to ban guns on their premises provides us the same opportunity as private property owners to limit our customers' potential exposure to violence.

Your vote to allow local governments to ban guns on their premises will help ensure that libraries remain welcoming community centers. Thank you for support.

Sincerely,


Marlene Moulton Janssen
MLA President



MINNESOTA COUNCIL OF CHURCHES
MINNESOTA CATHOLIC CONFERENCE
JEWISH COMMUNITY RELATIONS COUNCIL

122 West Franklin Avenue
Room 315
Minneapolis, MN, 55404

Phone: 612.870.3670
Fax: 612.870.3671
E-Mail: info@jrlc.org
Website: www.jrlc.org

May 2, 2005

Senator Leo Foley, Chair
Senate Crime Prevention Committee
State Capitol
St. Paul, MN 55155

Dear Sen. Foley and Committee Members,

We are gravely concerned that the Conceal and Carry Bill may go forward without necessary improvements. We urge you and your committee to work on this bill and improve it using the best of your judgement and collective wisdom.

JRLC is very much opposed to several aspects of the House version of this bill and we urge Senators to take up these issues:

- Carrying loaded handguns should not be allowed on religious organizations' property;
- We should have higher standards regarding gun safety training and accountability of certification
- We should have zero tolerance toward carrying and alcohol
- There should be no prescription for signage or verbal notification to ban guns on property. The burden should be on the carrier to gain permission on private property.
- In general we think we should be more strict regarding who may get permits. We like the idea of law enforcement retaining discretion but with more carefully drawn standards to alleviate the disparity of issuance across the counties.

Thank you for your consideration.

Sincerely,

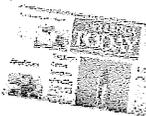
JOINT RELIGIOUS LEGISLATIVE COALITION

Brian A. Rusche
Executive Director

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April 25, 2005

Sticking to their guns

Whether for safety, skill or sport, pistol packin' mamas are everywhere

BY LEE NESSEL DASZUTA
FLORIDA TODAY

You see them every day, shopping or dining with children, stopped at traffic lights next to you or walking alone at night through store parking lots.

Chances are, a woman you saw today was carrying a gun.

In fact, nearly 50,000 women in Florida are licensed to carry a weapon concealed on their person or in their vehicle.

Whether for personal protection, sport or hobby, women around Brevard County are considering options for pursuing firearm ownership and shooting proficiency.

"I was at a point in my life where I was trying to conquer some fears, and guns were one of them," says Jackie Speed-Isom, a 48-year-old mother of three and grandmother of four.

Speed-Isom took a certification course at a recent Melbourne gun show, where participants were allowed to send off for their carry permit after sitting through a few hours of instruction, and



Ready to fire. Jackie Speed-Isom of Cocoa gets some instruction with her new Baretta 9mm from Elizabeth Beckley of Melbourne, an Air Force weapons instructor and part-time range master at the American Police Hall of Fame shooting range in Titusville. Craig Rubadoux, FLORIDA TODAY

[Enlarge this image](#)

Permit requirements

To carry a concealed weapon license, which is valid for five years, the licensee:

- Must carry the license and valid identification at all times when in possession of a concealed weapon or firearm.
- Must be 21 years of age or older
- Cannot suffer from a physical infirmity that prevents the safe handling of a weapon or firearm
- Cannot be convicted of a felony.
- Has not been committed for the abuse of a controlled substance or found guilty of a crime relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted.
- Demonstrates competence with a firearm.

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after firing one bullet.

While Speed-Isom of Cocoa waits for her carry permit to arrive in the mail, she practices shooting her Beretta 9 mm once a week with the shooting league at the American Police Hall of Fame and Museum in Titusville.

"I wasn't really hitting the target," she says about the early experiences that earned her the nickname, "Ricochet Rabbit."

"I have learned to respect the gun, and I would not be afraid to use it now, whereas before I was," adds Speed-Isom, who has since been designated "Most Improved Shooter" by her league companions.

Class in session

Women generally make better students, according to Andy Stanford, founder and director of Options for Personal Security, a private training company in Indialantic.

"They don't bring a lot of macho baggage," says Stanford.

And they often are better shots than men.

"Ninety-nine percent of women turn out to be better shooters because they take direction better," says Elizabeth Beckley, an Air Force firearm instructor for 13 years and part-time range master at the shooting range where Speed-Isom practices.

Restrictions on concealed weapons

Places you cannot carry a concealed weapon:

- Airport terminals
- Prisons, jails or courtrooms
- Police, sheriff, or highway patrol stations
- Meetings of legislature, municipality or special district
- Schools, colleges or sporting events not related to firearms
- Sections of establishments that sell alcohol

Where to take aim

Places to shoot in Brevard and Indian River counties:

Action Gun Outfitters Inc.

Where: 2787 Aurora Road, Melbourne

Facilities include: Indoor pistol (50 feet)

Range access: Public

Call: 242-1114

American Police Hall of Fame and Museum

Where: 6350 Horizon Drive, Titusville.

Facilities include: Indoor pistol (50 feet)

Hours: noon to 8 p.m. Monday through Friday; noon to 5 p.m. Saturday and Sunday.

Range access: Public

Call: (321) 264-0911 or www.aphf.org

The Gun Site Range

Where: 125 S. Banana River Drive, Merritt Island

Facilities include: Indoor pistol (25 yards), pistol silhouette

Hours: 10 a.m. to 6 p.m. Wednesday through Monday.

Range access: Public

Call: 453-2071 or

www.home.earthlink.net/~thegunsite/

Port Malabar Rifle & Pistol Club, Palm Bay

Where: 610 Hurley Road, Palm Bay

Facilities include: Outdoor pistol, outdoor rifle, trap, skeet, sporting clays, archery and airgun

Range access: private

Call: 956-8300 or

www.portmalabarrpclub.com/

Beckley, with her perfectly French-manicured nails, does not appear to be the typical firearm instructor.

"I get the stares, I get the looks," Beckley says. "You have to stand your ground."

But she says as an instructor at a public range, where anyone can walk in off the street with no firearm experience, women see her presence as positive.

"It gives them confidence when they see a woman here who can do it."

The Police Hall of Fame range will certify you to carry a concealed weapon in a three-hour Saturday morning course taught by a National Rifle Association-certified instructor.

No gun? No problem. The range will provide one at no additional charge.

"This gets anybody comfortable to the point where they can clean (the gun), load it, shoot it safely and shoot what they're aiming at," says Jerry Riley, instructor and range master in Titusville.

"There is ample firearms training in all areas of the state," says Marion Hammer, director of Unified Sportsmen of Florida.

Hammer, the first female president and current board member of the NRA, has been lobbying for firearms rights and freedom issues in Florida for more than 30 years. She was inducted into the Florida Women's Hall of Fame on March 15 and carries concealed weapons license No. 0000001.

"I fought for seven years to pass the concealed weapons licensing reform law," Hammer says. "We passed it overwhelmingly in 1986, but Gov. Bob Graham vetoed it. That year, we elected a new governor

Sebastian Indian River County Shooting Range

Where: Near Interstate 95 and State Road 512 in Vero Beach.

Facilities include: Outdoor pistol (15 and 25 yards), outdoor rifle (50, 100 and 200 yards), rifle silhouette, pistol silhouette, muzzleloading, trap, sporting clays, archery and airgun

Range access: Public

Call: (561) 581-4944

Titusville Rifle and Pistol Club

Where: 2299 Gun Club Lane, Mims

Facilities include: Outdoor pistol (25, 50 and 100 yards), outdoor rifle (25, 50, 100 and 200 yards), rifle silhouette, pistol silhouette, muzzleloading, trap and archery

Hours: 9 a.m. to 1 p.m. daily.

Range access: Public

Call: 268-1312 or www.titusvillegun.com

For more information

- Florida Division of Licensing <http://licgweb.doacs.state.fl.us/>
- Unified Sportsmen of Florida www.scqaa.org/usf.html
- National Rifle Association www.nra.org/
- Options for Personal Security www.opstraining.com

WEB EXTRAS

MULTIMEDIA:

- 📺 [Elizabeth Beckley instructs a first-time shooter. - QuickTime](#)
- 📺 [Elizabeth Beckley instructs a first-time shooter. - Windows Media](#)
- 📺 [Lesley Morgan, 17, practices for the Titusville Police Explorers' pistol team. - Windows Media](#)
- 📺 [Lesley Morgan, 17, practices for the Titusville Police Explorers' pistol team. - QuickTime](#)

and passed it again."

"The only reason in Florida for a complete application to be denied is a criminal history," says Buddy Bevis, assistant director of the Florida Division of licensing. Advanced training isn't a requirement to get a concealed weapons license in Florida.

As of March 31, more than 1 million concealed weapon/firearm licenses had been issued in Florida since the program started in 1987.

There are 341,974 current licenses in the state. About 15 percent of those are carried by women.

Hammer is among 15,693 women ages 51 to 65 with carry permits in Florida. "(I carry) sometimes on my person, sometimes in my purse, but always somewhere. It depends on what I'm wearing and where I'm going," says the 65-year-old grandmother who chooses between a .38 caliber Colt Detective Special and a Ruger .357.

Training days

Carrying a weapon is one thing, but being prepared to shoot it is another.

Once a woman obtains a license to carry a firearm, it is her responsibility to continue training and stay comfortable with her weapon. It also is important to think about and practice real-life scenarios.

Options for Personal Security is a corporate sponsor of the American Women's Self Defense Association. In addition to a women's self-defense class, all their hand-to-hand combat, defensive knife, handgun, shotgun and rifle courses are open to women.

Chuck Helmke, OPS director of operations, who recently taught the OPS Defensive Handgun 101 at the Titusville range, says the defensive handgun class is a great class for women.

The full-day course covers the staple skills needed to effectively employ a semiautomatic pistol or revolver in real-life scenarios, including firearm safety, mindset, the four primary handgun fighting positions and use of force considerations.

The OPS motto is to "avoid, deter and de-escalate." Basically, avoid using your weapon if at all possible.

As an instructor of men and women, OPS' Stanford says there is no beating around the bush about the brutality of using a weapon. "The reality of using a gun is every bit as brutal and violent as using a knife. There is no nice way to shoot holes in people."

Tactical practice is key in gaining comfort with the weapon, but preparing for the mental aspects of using it are most important.

"It's a matter of life and death," Stanford says. "People don't take this seriously enough. Shooting skills are perishable and they must be a reflex in order to be effective."

Stanford and Helmke say new gun owners should not stop after the initial one-day certification class. Monthly practice keeps shooting



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2005 Policy Statement Firearms on City Properties

Issue: The Minnesota Citizens Personal Protection Act of 2003 removes authority from police chiefs to issue permits to carry handguns, and mandates sheriffs to issue permits to all applicants over age 21 who have not been convicted of a serious crime. The act, also known as “conceal-and-carry,” prohibits guns on most school properties and gives private entities the right to prohibit guns in their establishments, but preserves the longstanding law forbidding local units of government from restricting permit holders from bringing loaded firearms to local public places. The inconsistencies in the law’s treatment of different kinds of properties have caused confusion about how the law applies to multi-use facilities, such as municipal ice arenas used for school-sponsored programs.

Response: The League requests an amendment to the Citizens Personal Protection Act that would allow cities to prohibit handguns in city-owned buildings, facilities, and parks. The League is not seeking a repeal of the Personal Protection Act nor authority to prohibit legal weapons in parking lots or on city streets and sidewalks.



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State of Minnesota Department of Public Safety

Bureau of Criminal Apprehension



2003 Permit to Carry Report [MN State Statute 624.714, Subd. 20]

Original Report Date: March 1, 2004
Amended Report Date: March 15, 2004

Per M.S. § 3.197 cost of this report was approximately \$5,000.00

Prepared by:
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Introduction

Minnesota State Statute 624.714, Subdivision 20 mandates that by March 1, 2004, and each year thereafter, the commissioner of public safety must report to the legislature on:

- (1) the number of permits applied for, issued, suspended, revoked, and denied, further categorized by age, sex and zip code of the applicant or permit holder;
- (2) the number of permits currently valid;
- (3) the specific reasons for each suspension, revocation, and denial and the number of reversed, canceled or corrected actions;
- (4) the number of denials based on the grounds under subdivision 6, paragraph (a), clause (3), the factual basis for each denial or revocation, and the result of an appeal, if any, including the court's findings of fact, conclusions of law and order;
- (5) the number of convictions and types of crimes committed since the previous submission, and in total, by individuals with permits including data as to whether a firearm lawfully carried solely by virtue of a permit was actually used in furtherance of the crime;
- (6) to the extent known or determinable, data on the lawful and justifiable use of firearms by permit holders; and
- (7) the status of the segregated funds reported to the commissioner under subdivision 21.

This report contains data collected for the time period May 28, 2003 through December 31, 2003.

This report is a summary of the data reported by the Minnesota county sheriffs.

Background

The BCA created a web site on May 28, 2003 that allowed sheriffs to enter their permit to carry applications into a centralized database. This database was created as an interim until the final database is built as outlined in MN State Statute 624.714, Subdivision 15. All sheriffs were given access to the temporary database that would be used to produce this report. Since some of the reporting requirements of sheriffs could not be handled by the interim database, a data collection form was created to capture the required information. A copy of the data collection form may be found in Appendix B.

Permit to Carry Summary Data

[The information collected covers the period May 28, 2003 through December 31, 2003]

Statewide Data

Number of Agencies Reporting: 87 Minnesota county sheriffs

- 1) **Number of permits applied for, issued, suspended, revoked, and denied, further categorized by age, sex and zip code of the applicant or permit holder:**

Number of Applications	15,873
-------------------------------	---------------

Status of Applications

Issued	15,677
Denied	139
Suspended	2
Revoked	8
Cancelled	10
Emergency/Expired	31
On-Hold	6

1a) **Age, Sex and Zip Code of applicant or permit holder:** See Appendix C.

- 2) **Total Valid Permits as of December 31, 2003:** 15,677

- 3) **Specific reasons for permit denials, suspensions and revocations (there may be multiple reasons for an applicant/permit holder):**

Reasons	Denials	Revocations	Suspensions
Submitted an incomplete application for a permit. [609.714, Subd. 2b(3)]	8		
Is less than 21 years of age. [624.714, Subd. 2b(2)]	1		
Is not a citizen or a permanent resident of the United States. [624.714, Subd. 2b(2)]	1		
Does not hold a firearms safety certificate or has not satisfactorily completed a practical test of ability to use and care for firearms as approved by this law enforcement agency. [624.714, Subd. 2b (1)]	19		
Carrying under the influence. [624.7142]		1	2
Violation of an Order for Protection. [518B.01, Subd. 14]	3	1	1
Assault in the 1 st through 5 th Degree with firearms in Minnesota or elsewhere. [609.224, Subd. 3]	2		
Domestic assaults with firearms. [609.2242, Subd. 3]	3		
Has been convicted in any court of a crime of domestic violence.	15		

Reasons	Denials	Revocations	Suspensions
Has a court order that restrains them from harassing, stalking, or threatening an intimate partner, the child of an intimate partner, or own child.	6		2
Surrender of firearms as condition of release. [629.715, Subd. 2]	1		2
Judicial review that prohibits person from possessing a firearm,[629.714, Subd. 2)		1	
Prohibited by Federal Law from possessing a firearm.	7		
Has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing a crime of violence in Minnesota or elsewhere and not been restored to civil rights. [624.713, Subd. 1 (b)]	12		
Has been committed to a treatment facility in Minnesota or elsewhere as “chemically dependent” as defined in MN § 253B.02. [624.713, Subd. 1(f)]	3		
Has been convicted in any court of a crime punishable by imprisonment for more than one year. [624.713, Subd. 1 (j) (1)]	4		
Has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceedings. [624.713, Subd. 1 (j) 2)]	2		
Is an unlawful user of any controlled substance as defined in Chapter 152. [624.713, Subd. 1, (j) (3)]	9		
Has been committed to a treatment facility in Minnesota or elsewhere as a “mentally ill,” “mentally retarded,” or “mentally ill and dangerous to the public” person as defined in Minnesota Statute § 253B.02. [624.713, Subd. 1 (j) (4)]	2		
Has been convicted of a gross misdemeanor for the crime of assault motivated by bias (609.255). [624.713, Subd. 1 (k)]	1		
Danger to self or others. [624.714, Subd. 6 (a) (3)]	84	2	2
Charges pending. [624.713, Subd. 1a]			4
Other Reasons – See list of “Other” reasons below	20	2	5

Other Reason	Denials	Revocations	Suspensions
Marijuana conviction in Texas.	1		
Resident of MN but not county.	4		1
Crim. History states "disqualified for Firearms.	1	1	
Warrant out of another state (ND).	1		
Mailed application, did not come in person.	1		
Applicant lied regarding current address.	1		
Convicted in WI of Misdemeanor drug charge. Conviction Date 1-11-02. Per law. Must show have not abused any substances for 2 years from conviction date by certificate before can reapply.	1		
DL address incorrect.	1		
Three people applied that lived in another Minnesota county.	3		
Reckless discharge of firearms.			1

Other Reason	Denials	Revocations	Suspensions
Did not pass background check.	1		
Provided NSF Check.			2
Unable to get required info from Iowa.	1		
Wrote bad check for permit.			1
No longer works for security company.		1	
Applied too early.	2		

Number of reversed, canceled or corrected actions associated with denials, revocations and suspensions:

Action	Reversed	Canceled	Corrected
Denied	23	2	3
Revoked	0	0	0
Suspended	3	0	0

- 4) **The number of denials based on the grounds under subdivision 6, paragraph (a), clause (3), the factual basis for each denial or revocation, and the result of an appeal, if any, including the court's findings of fact, conclusions of law and order;**

Denial Reason	Appeal	Result
Several law enforcement contacts for mental health issues. Two commitments by county and one self commitment.	No	N/A
Pending case involving a loaded uncased handgun in a motor vehicle. Found during a traffic stop on a driving complaint.	No	N/A
Charged in WI with Carrying a Concealed Weapon, pled to Transporting a Loaded/Uncased Firearm. Involved a traffic stop, had 2 handguns in vehicle, one loaded under the driver's seat, the other unloaded in the glove box. Subject had a large knife on self and another one located in the driver's side door pocket.	Yes	Subject questioned denial. Sheriff denied again after reconsideration 1-23-04. Waiting to see if pursued further.
Unable to receive required info from Iowa	No	N/A
Continued assaultive behavior pattern with alcohol use.	No	N/A
Arrested & placed in treatment.	Yes	Received documentation from attending physician that he was no longer a threat to himself or others.
Arrested for 2 nd degree assault, domestic assault and animal cruelty	Yes	Denied – by Sheriff's Department and District Court.
Interviews with people that know the applicant revealed explosive temper and brought illegal weapons to work place.	No	N/A
Charged and investigated for CSC with the use of a firearm	Yes	Denied

Denial Reason	Appeal	Result
Sent out violent, threatening e-mails.	Yes	Denied – waiting for decision from District Court.
Investigated and arrested for terroristic threats.	Yes	Denied
Convicted for possession of a pistol without a permit, threatened wife and child during incident.	No	N/A
Applicant divulged he had shot a person in the past.	Yes	Denied
Convicted for multiple DWI and history of assaultive behavior.	No	N/A
Threatened mother with a rifle.	No	N/A
Convicted for domestic assault.	Yes	Permit Issued
Threatened Co-worker.	Yes	Permit Issued
History of suicidal thoughts and threats.	No	N/A
Multiple DWI convictions and history of assaultive behavior.	No	N/A
Suspected gang member, arrested and charged for firearms violations.	Yes	Denied
CSC 5 conviction.	Yes	Permit Issued
Multiple loitering arrests.	No	N/A
Harassment charges.	Yes	Denied
GM theft conviction as armed security.	Yes	Permit Issued
Multiple alcohol related offenses.	No	N/A
Suicide attempt, conviction for criminal damage to property and auto theft arrests.	No	N/A
History of assaultive behavior, and burglary arrests and convictions.	No	N/A
Conviction for GM possession of a firearm and assault 4.	Yes	Permit Issued – county attorney dismissed court case.
Arrests for firing gun in city limits, suspected gang member.	No	N/A
Incidents of threatening behavior, history of alcohol abuse.	No	N/A
Assault 5 conviction, felony theft arrest.	Yes	Denied
Incident involving terroristic threats with the use of a firearm.	Yes	Permit issued
Felony shoplifting convictions, history of emotionally unstable.	No	N/A
Arrests for loitering petty misdemeanor conviction for firearms violation.	Yes	Permit Issued
Multiple DWI arrests	Yes	Denied
Terroristic threats arrest.	Yes	Permit Issued – county attorney dismissed court case.

Denial Reason	Appeal	Result
Suspected gang member, domestic assault arrest.	No	N/A
Arrest for assault 1, criminal vehicular injury related DWI conviction.	No	N/A
Unauthorized use of a motor vehicle conviction and arrest for robbery.	No	N/A
Gross misdemeanor theft conviction and numerous pending investigations.	No	N/A
Six DWI convictions.	Yes	Permit Issued
Disorderly conduct conviction, arrest for domestic assault.	Yes	Permit Issued
Extensive history of criminal behavior including gross misdemeanor theft and assault.	No	N/A
Conviction for reckless discharge of a firearm and threatened suicide with a firearm.	Yes	Denied
Convicted for possession of a pistol without a permit.	Yes	Denied
Domestic related arrest, felony burglary conviction.	Yes	Permit Issued
Domestic assault conviction.	Yes	Permit Issued
Felony theft conviction.	Yes	Permit Issued
Convicted possession of a pistol without a permit, attempted burglary and assault arrest.	Yes	Permit Issued
DWI conviction.	Yes	Denied
Aggravated DWI conviction assault arrest.	Yes	Denied
Assault conviction.	No	N/A
Arrest for criminal sexual contact and domestic assault.	Yes	Permit Issued
Arrested for assault and possession of an assault weapon.	Yes	Permit Issued
Multiple DWI convictions.	Yes	Permit Issued
Arrests for firearm violation and assault.	Yes	Permit Issued
Violation of order of protection and domestic assault incident.	No	Denied
Alleged threats to neighbors.	Yes	Permit Issued
Facts for revocations - danger to self/public.	Appealed (Yes or No)	Results of Appeal
Continuing course of criminal conduct and charge pending in court system.	No	N/A
Criminal conviction record indicates a repeated pattern of criminal behavior over the course of more than a decade with the most recent conviction within past three years.	No	N/A
History of aggressive behavior, threats and harassment.	No	Visit with sheriff, sheriff reversed

Denial Reason	Appeal	Result
Extensive record, thefts, disorderly, suicide attempt, arson.	No	N/A
Extensive record, assaults, weapons violation, larceny, disorderly.	No	N/A
Crim sex conduct	Yes	Denial upheld by court
Extensive record, violation of OFP, terr. threats, weapons violation.	No	N/A
Applicant mentally unstable, suffering from dementia.	No	N/A
Alcohol abuse	No	N/A
Police reports documenting threats of violence.	No	N/A
Police reports documenting threats to harm police.	No	N/A
DL canceled, considered threat to public safety.	No	N/A
Felony criminal history (assault)	No	N/A
Alcohol Use/attempted suicide	Yes	Reviewed, 2 nd Denial issued
Police contact for road rage, suspicious activity	Yes	No convictions – county attorney advised to issue.
1999 suicidal/homicidal intentions to police	No	N/A
3 contacts where applicant advised he was paranoid schizophrenic, 1 preventive hold.	No	N/A
Assaultive behavior pattern.	Yes	Reviewed, no convictions, county attorney advised to issue.
Probation prohibits possession of weapon.	No	N/A
Prior suicide threats	No	N/A
Articulated to police intention to shoot a certain person.	Yes	Reviewed with county attorney 2 nd denial issued.
Numerous contacts for assault and weapons.	Yes	Reviewed, 2 nd denial issued.
Numerous contacts for assault, theft and harassment.	No	N/A
Pattern of assaultive behavior, illegal weapon use and substance abuse	No	N/A

Revoked Reasons	Appeal	Result
Danger to self or others	No	N/A
Danger to self or others	No	N/A
Incident with law enforcement led to court ordered mental commitment	No	N/A

5) The number of convictions and types of crimes committed since the previous submission, and in total, by individuals with permits including data as to whether a firearm lawfully carried solely by virtue of a permit was actually used in furtherance of the crime

Crime Type	Number of Persons	Used Pistol
Violation of order for protection	1	0
Reckless discharge of firearm	1	1

6) Number of lawful and justifiable use of firearms by permit holders: 0

7) Status of the segregated funds reported to the commissioner under subdivision 21: See Appendix A

Permit Status by County

County	Number of Applications	Issued	Denied	Emergency ¹ (Issued/Expired)	Suspended	Revoked	On-hold	Canceled
TOTAL	15,873	15,677	139	31	2	8	6	10
AITKIN	95	95	-	-	-	-	-	-
ANOKA	1274	1262	7	-	-	2	1	2
BECKER	92	92	-	-	-	-	-	-
BELTRAMI	85	85	-	-	-	-	-	-
BENTON	90	89	1	-	-	-	-	-
BIG STONE	17	16	1	-	-	-	-	-
BLUE EARTH	170	164	5	-	-	-	-	1
BROWN	41	41	-	-	-	-	-	-
CARLTON	132	131	1	-	-	-	-	-
CARVER	246	245	1	-	-	-	-	-
CASS	122	122	-	-	-	-	-	-
CHIPPEWA	17	16	-	1	-	-	-	-
CHISAGO	232	232	-	-	-	-	-	-
CLAY	94	92	2	-	-	-	-	-
CLEARWATER	23	23	-	-	-	-	-	-
COOK	13	13	-	-	-	-	-	-
COTTONWOOD	36	36	-	-	-	-	-	-
CROW WING	255	250	3	1	-	-	1	-
DAKOTA	1153	1138	-	15	-	-	-	-
DODGE	43	43	-	-	-	-	-	-
DOUGLAS	103	102	1	-	-	-	-	-
FARIBAUT	38	38	-	-	-	-	-	-
FILLMORE	45	45	-	-	-	-	-	-
FREEBORN	71	70	1	-	-	-	-	-
GOODHUE	89	85	4	-	-	-	-	-
GRANT	29	29	-	-	-	-	-	-
HENNEPIN	2742	2710	30	-	-	1	1	-
HOUSTON	22	21	1	-	-	-	-	-
HUBBARD	64	64	-	-	-	-	-	-
ISANTI	182	181	-	-	-	-	1	-
ITASCA	292	282	1	8	-	1	-	-
JACKSON	22	22	-	-	-	-	-	-
KANABEC	91	89	1	-	1	-	-	-
KANDIYOHI	124	124	-	-	-	-	-	-
KITSON	4	4	-	-	-	-	-	-
KOOCHICHING	62	61	-	-	-	-	-	1
LAC QUI PARLE	6	6	-	-	-	-	-	-
LAKE	62	62	-	-	-	-	-	-
LAKE OF THE WOODS	4	4	-	-	-	-	-	-
LESUEUR	62	62	-	-	-	-	-	-
LINCOLN	7	3	3	-	-	-	1	-
LYON	31	30	1	-	-	-	-	-
MCLEOD	168	167	-	1	-	-	-	-
MAHNOMEN	9	9	-	-	-	-	-	-
MARSHALL	30	29	-	-	-	1	-	-
MARTIN	33	32	-	-	-	-	-	1

¹ Emergency/Expired – Permits that were issued as Emergency permits are only valid for 30 days. For the reporting period May 28 – Dec. 31, 2003, there were 31 emergency permits issued but all were expired as of 12/31/03.

County	Number of Applications	Issued	Denied	Emergency (Issued/Expired)	Suspended	Revoked	On-hold	Canceled
MEEKER	91	90	1	-	-	-	-	-
MILLE LACS	120	119	-	-	-	-	-	1
MORRISON	142	139	1	2	-	-	-	-
MOWER	75	73	2	-	-	-	-	-
MURRAY	28	28	-	-	-	-	-	-
NICOLLET	94	94	-	-	-	-	-	-
NOBLES	52	52	-	-	-	-	-	-
NORMAN	18	18	-	-	-	-	-	-
OLMSTED	407	403	4	-	-	-	-	-
OTTER TAIL	294	294	-	-	-	-	-	-
PENNINGTON	26	26	-	-	-	-	-	-
PINE	126	126	-	-	-	-	-	-
PIPESTONE	8	8	-	-	-	-	-	-
POLK	61	58	2	-	-	1	-	-
POPE	19	19	-	-	-	-	-	-
RAMSEY	1232	1188	44	-	-	-	-	-
RED LAKE	3	3	-	-	-	-	-	-
REDWOOD	27	27	-	-	-	-	-	-
RENVILLE	51	50	1	-	-	-	-	-
RICE	181	181	-	-	-	-	-	-
ROCK	12	12	-	-	-	-	-	-
ROSEAU	22	21	1	-	-	-	-	-
ST. LOUIS	1351	1341	9	-	-	-	-	1
SCOTT	468	467	-	-	1	-	-	-
SHERBURNE	313	312	-	-	-	-	-	1
SIBLEY	35	35	-	-	-	-	-	-
STEARNS	273	268	3	-	-	-	-	2
STEELE	114	114	-	-	-	-	-	-
STEVENS	29	29	-	-	-	-	-	-
SWIFT	22	22	-	-	-	-	-	-
TODD	65	64	1	-	-	-	-	-
TRAVERSE	33	33	-	-	-	-	-	-
WABASHA	125	124	1	-	-	-	-	-
WADENA	30	30	-	-	-	-	-	-
WASECA	48	47	1	-	-	-	-	-
WASHINGTON	796	790	4	2	-	-	-	-
WATONWAN	24	24	-	-	-	-	-	-
WILKIN	11	11	-	-	-	-	-	-
WINONA	112	111	-	1	-	-	-	-
WRIGHT	296	293	-	-	-	2	1	-
YELLOW MEDICINE	17	17	-	-	-	-	-	-

Appendix A

Expenditure Report

Minnesota State Statute 624.714, Subdivision 21 mandates that each county sheriff shall submit to the commissioner of public safety the following summary data related to the revenue for applications for permits to carry pistols under Minnesota Statutes, section 624.714, for the preceding calendar year:

Nature and amount of revenues;
Nature and amount of expenditures; and
Nature and amount of balances.

Number of Agencies Reporting:

87	Total County Sheriffs
85	County sheriffs that submitted expenditure report.
2	County sheriffs that did not submit expenditure report.

County Expenditure Totals

Total revenue	\$1,424,133.47
Total expenditures	<u>\$1,275,503.44</u>
Total balance	\$148,630.03
DPS Fees	
Total fees received by DPS	\$218,848.50

County Expenditure Information

Aitkin County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,425.00	Permit cards	\$122.12	
		Dept. of Public Safety fee	\$1,247.00	
Total	\$9,425.00		\$1,369.12	\$8,055.88

Anoka County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$133,600.00	Dept. of Public Safety fees	\$28,724.00	
Change of address/replacement fee	\$160.00	Equipment	\$9,881.54	
		Printing	\$630.44	
		Office Supplies	\$2,707.71	
		R & M Office Machines	\$141.09	
		Books & Software	\$137.39	
		Salaries	\$26,158.72	
Total	\$133,760.00		\$68,380.89	\$65,379.11

Becker County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$6,422.50	Dept. of Public Safety fees	\$2,064.00	
Total	\$6,422.50		\$2,064.00	\$4,358.50

Beltrami County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$8,500.00	Dept. of Public Safety fees	\$1,827.50	
Total	\$8,500.00		\$1,827.50	\$6,672.00

Benton County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$7,030.00	Dept. of Public Safety fees	\$1,935.00	
		Overpayment	\$10.00	
Total	\$7,030.00		\$1,945.00	\$5,085.00

Big Stone County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,275.00	Dept. of Public Safety fees	\$365.50	
Total	\$1,275.00		\$365.50	\$909.50

Blue Earth County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$16,900.00	Dept. of Public Safety fees	\$3,633.50	
Reissue/change	\$50.00	Address stamp	\$26.02	
		Software to print permits	\$201.29	
		Permit forms	\$53.16	
Total	\$16,950.00		\$3,913.37	\$13,036.63

Brown County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$4,100.00	Dept. of Public Safety fees	\$881.50	
Total	\$4,100.00		\$881.50	\$3,218.50

Carlton County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$10,786.00	Dept. of Public Safety fees	\$2,386.50	
		Purchase of permit forms	\$151.59	
Total	\$10,786.00		\$2,538.09	\$8,247.91

Carver County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$24,320.00	Dept. of Public Safety fees	\$5,074.00	
		PTC Office supplies	\$453.14	
		PCT Office equipment	\$266.15	
Total	\$24,320.00		\$5,793.29	\$18,526.71

Cass County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$12,121.50	Dept. of Public Safety fees	\$2,623.00	
		MIS	\$485.26	
		Sheriff/Admin.	\$1,941.02	
		Dispatch	\$2,318.00	
		Product Cost	\$1,220.00	
		Records	\$406.26	
Total	\$12,121.50		\$8,993.54	\$3,127.96

Chippewa County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,600.00	Dept. of Public Safety fees	\$344.00	
Total	\$1,600.00		\$344.00	\$1,256.00

Chisago County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$22,830.00	Supplies	\$219.87	
Total	\$22,830.00		\$219.87	\$22,610.13

Clay County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,400.00	Dept. of Public Safety fees	\$2,021.00	
		Reg. salary	\$829.82	
		Part time salary	\$382.80	
		Permit cards	\$101.40	
Total	\$9,400.00		\$3,335.02	\$6,064.98

Clearwater County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,300.00	Dept. of Public Safety fees	\$494.50	
		Permit cards	\$8.05	
		Salaries	\$400.00	
Total	\$2,300.00		\$902.55	\$494.50

Cook County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,300.00	Dept. of Public Safety fees	\$279.50	
Total	\$1,300.00		\$279.50	\$1,020.50

Cottonwood County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,046.50	Dept. of Public Safety fees	\$709.50	
Total	\$3,046.50		\$709.50	\$2,337.00

Crow Wing County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$22,604.00	Dept. of Public Safety fees	\$5,461.00	
		Software setup	\$500.00	
		Cash register	\$150.00	
		Materials/cards	\$278.00	
		Refunds	\$250.00	
		Salaries	\$15,965.00	
Total	\$22,604.00		\$22,604.00	\$0

Dakota County – Not available.

Dodge County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$4,200.00	Dept. of Public Safety fees	\$903.00	
		Laminating machine and supplies	\$408.53	
		Administrative costs	\$1,050.00	
Total	\$4,200.00		\$2,361.53	\$1,838.47

Douglas County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,200.00	Dept. of Public Safety fees	\$1,956.50	
Total	\$9,200.00		\$1,956.50	\$7,244.00

Faribault County – Not available

Fillmore County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$4,400.00	Dept. of Public Safety fees	\$967.50	
		Administration-Processing Permits	\$2,200.00	
		Permit Cards	\$61.06	
Total	\$4,400.00		\$3,228.56	\$1,171.44

Freeborn County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$7,100.00	Dept. of Public Safety fees	\$1,526.50	
Permit fees	\$330.00	Permit Cards	\$47.93	
Total	\$7,430.00		\$1,574.43	\$5,855.57

Goodhue County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$6,000.00	Dept. of Public Safety fees	\$1,311.50	
Total	\$6,000.00		\$1,311.50	\$4,688.50

Grant County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,900.00	Dept. of Public Safety fees	\$623.50	
		Sheriff's fees	\$2,276.50	
Total	\$2,900.00		\$2,900.00	\$0.00

Hennepin County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$276,130.00	Dept. of Public Safety fees	\$59,297.00	
		Labor costs	\$461,957	
		Equipment/Supplies	\$8,417.00	
Total	\$276,130.00		\$529,671.00	-\$253,541.00

Houston County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,100.00	Dept. of Public Safety fees	\$451.50	
		Permit cards	\$52.50	
		Administrative fees	\$840.00	
Total	\$2,100.00		\$1,344.00	\$756.00

Hubbard County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$5,449.50	Dept. of Public Safety fees	\$1,354.00	
		Permit cards	\$117.07	
Total	\$5,449.50		\$1,471.07	\$3,978.43

Isanti County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$11,700.00	Dept. of Public Safety fees	\$3,827.00	
		Permit cards	\$80.10	
		Laminating pouches	\$17.80	
Total	\$11,700.00		\$3,924.90	\$8,346.00

Itasca County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Renewal permits	\$15,970.00	Admin. Services	\$5,928.00	
New Permits	\$7,700.00	Admin. Services	\$2,143.00	
Total	\$23,670.00		\$8,071.00	\$15,599.00

Jackson County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,336.50	Dept. of Public Safety fees	\$537.50	
		Wages, postage, cards, misc.	\$799.00	
Total	\$1,336.50		\$1,336.50	\$0

Kanabec County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$7,245.00	Dept. of Public Safety fees	\$1,848.00	
		Permit Cards	\$103.66	
		Stamps	\$15.72	
		Laminating supplies	\$9.81	
		Mailing supplies	\$8.99	
		Receipt book	\$4.95	
Total	\$7,245.00		\$1,991.13	\$5,253.87

Kandiyohi County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$12,100.00	Dept. of Public Safety fees	\$1,827.50	
Replacement card	\$10.00	Permit cards	\$101.13	
Total	\$12,110.00		\$1,928.63	\$10,181.37

Kittson County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$400.00	Dept. of Public Safety fees	\$86.00	
Total	\$400.00		\$86.00	\$314.00

Koochiching County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$6,100.00	Dept. of Public Safety fees	\$1,311.50	
Total	\$6,100.00		\$1,311.50	\$4,788.50

Lac Qui Parle County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$600.00	Software Program	\$250.00	
		Training Salary	\$300.00	
		Permit Cards	\$47.93	
		Lamination machine	\$66.00	
		Staff Time	\$360.00	
Total	\$600.00		\$1,023.93	-\$423.93

Lake County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$6,200.00	Dept. of Public Safety fees	\$1,333.00	
Total	\$6,200.00		\$1,333.00	\$4,867.00

Lake of the Woods County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$400.00	Dept. of Public Safety fees	\$86.00	
		Tech. process/background checks	\$260.00	
		Other	\$54.00	
Total	\$400.00		\$400.00	\$0.00

LeSueur County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$6,300.00	Dept. of Public Safety fees	\$1,354.00	
Total	\$6,300.00		\$1,354.00	\$4,945.50

Lincoln County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$300.00	Dept. of Public Safety fees	\$64.50	
Total	\$300.00		\$64.43	\$235.50

Lyon County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,100.00	Dept. of Public Safety fees	\$666.50	
		Permit cards	\$47.93	
Total	\$3,100.00		\$714.43	\$2,385.57

McLeod County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$16,520.00	Dept. of Public Safety fees	\$3,547.50	
		Permit cards	\$143.78	
Total	\$16,520.00		\$3,691.28	\$12,828.72

Mahnomen County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$900.00	Dept. of Public Safety fees	\$193.50	
Total	\$900.00		\$193.50	\$706.50

Marshall County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,000.00	Dept. of Public Safety fees	\$645.50	
Total	\$3,000.00		\$645.50	\$2,354.50

Martin County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,300.00	Dept. of Public Safety fees	\$709.50	
		Laminator	\$336.89	
		Permit cards	\$53.10	
Total	\$3,300.00		\$1,099.49	2,200.51

Meeker County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,100.00	Dept. of Public Safety fees	\$1,956.50	
Total	\$9,100.00		\$1,956.50	\$7,143.50

Mille Lacs County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$10,720.00	Dept. of Public Safety fees	\$2,558.50	
		Permit cards	\$137.99	
Total	\$10,720.00		\$2,696.49	\$8,023.51

Morrison County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$11,277.47	Dept. of Public Safety fees	3,053.00	
		Permit cards	\$102.53	
		Clerical/Dispatch fees	\$8,121.94	
Total	\$11,277.47		\$11,277.47	\$0

Mower County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$7,380.00		\$0	
Total	\$7,380.00		\$0	\$7,380.00

Murray County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,942.00	Dept. of Public Safety fee	\$666.50	
Total	\$2,942.00		\$666.50	\$2,275.50

Nicollet County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,600.00	Dept. of Public Safety fees	\$2,064.00	
Replacements	\$20.00			
Total	\$9,620.00		\$2,064.00	\$7,556.00

Nobles County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$5,200.00		\$0	
Total	\$5,200.00		\$0	\$5,200.00

Norman County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,800.00	Dept. of Public Safety fees	\$387.00	
Total	\$1,800.00		\$387.00	\$1,413.00

Olmsted County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees- State	\$8,750.50	Staff salaries	\$45,558.00	
Permit application fees - Cty	\$30,163.00	Office supplies	\$2,000.00	
		Admin/Overhead	\$1,804.00	
Total	\$38,913.50		\$49,362.50	-\$10,448.50

Otter Tail County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$21,775.00	Dept. of Public Safety fees	\$5,267.50	
		Permit cards	\$344.14	
Total	\$21,775.00		\$5,611.64	\$16,163.36

Pennington County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,700.00	Permit cards	\$53.23	
Total	\$1,700.00		\$53.23	\$1,646.77

Pine County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$12,600.00	Permit cards	\$115.00	
		Admin. Expense	\$5,603.00	
		Office supplies	\$3.00	
Total	\$12,600.00		\$6,018.00	\$5,721.00

Pipestone County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$800.00	Dept. of Public Safety fees	\$172.00	
Total	\$800.00		\$172.00	\$628.00

Polk County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$5,743.00	Dept. of Public Safety fees	\$1,268.50	
Total	\$5,743.00		\$1,268.50	\$4,474.50

Pope County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,900.00	Dept. of Public Safety fees	\$408.50	
Total	\$1,900.00		\$408.50	\$1,491.50

Ramsey County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$123,600.00	Dept. of Public Safety fees	\$26,574.00	
NSF fee	\$25.00	Salaries	\$228,089.34	
Permit replacement fee	\$150.00	Printing	\$315.24	
		Postage	482.54	
		Phone service	\$627.20	
		Long Distance	\$990.78	
		Copier rental	\$5,582.69	
		Office supplies	\$5,033.73	
		Equipment	\$3,328.66	
Total	\$123,775.00		\$271,024.18	- \$147,249.18

Red Lake County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$150.00	Dept. of Public Safety fees	\$64.50	
Permit fee	\$25.00			
Total	\$175.00		\$64.50	\$110.50

Redwood County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,700.00	Dept. of Public Safety fees	\$580.50	
Total	\$2,700.00		\$580.50	\$2,119.50

Renville County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$5,100.00	Dept. of Public Safety fees	\$1,096.50	
		Salaries	\$2,550.00	
		Office supplies, card, laminator	\$469.27	
Total	\$5,100.00		\$4,115.77	\$984.23

Rice County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$17,650.00	Dept. of Public Safety fees	\$3,827.00	
		Public meetings & training	\$1,945.00	
		Sheriff reviews	\$2,287.50	
		Secretarial – Reg. & Overtime	\$3,220.00	
		400 Permits	\$202.21	
		Lamination materials	\$77.97	
Total	\$17,650.00		\$11,559.68	\$6,090.32

Rock County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,200.00	Dept. of Public Safety fees	\$258.00	
		Background checks	\$400.00	
		Lamination	\$60.00	
		Out of state background checks	\$300.00	
Total	\$1,200.00		\$1,018.00	\$182.00

Roseau County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,100.00	Dept. of Public Safety fees	\$451.50	
		Copies	\$73.50	
		Permits	\$10.50	
		Laminating	\$21.00	
		BCA access fees, bookkeeping, accounting, postage & reporting	\$200.00	
		Year end checks	\$273.00	
		Faxing	\$21.00	
Total	\$2,100.00		\$1,050.50	\$1,049.50

St. Louis County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$133,323.00	Expenditures	\$8,790.14	
Total	\$133,323.00		\$87,940.14	\$45,383.00

Scott County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$45,916.50	Dept. of Public Safety fees	\$10,062.00	
		Permit cards	\$238.00	
		Laminate	\$76.16	
		Booklet	\$37.44	
		Application forms	\$18.20	
		Postage	\$173.16	
		Envelopes	\$37.44	
		Background check data	\$72.79	
		File folders	\$28.08	
		File boxes	\$19.10	
		Equipment for setup	\$6,138.78	
		Staffing	\$16,310.19	
		Long distance phone/fax	\$20.00	
Total	\$45,916.50		\$33,231.34	\$12,685.16

Sherburne County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$30,850.50	Dept. of Public Safety fees	\$6,729.50	
		"	508.01	
Total	\$30,850.50		\$7,237.51	\$23,612.99

Sibley County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,343.00	Dept. of Public Safety fees	\$752.50	
		Laminator	\$293.95	
		Permits	\$47.50	
Total	\$3,343.00		\$1,094.38	\$2,248.62

Stearns County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$25,700.00	Dept. of Public Safety fee	\$5,525.50	
		Supplies	\$421.59	
Total	\$25,700.00		\$5,947.09	\$19,752.91

Steele County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$11,000.00	Dept. of Public Safety fees	\$2,365.00	
Address changes	\$20.00			
Total	\$11,020.00		\$2,365.00	\$8,655.00

Stevens County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,900.00	Dept. of Public Safety fees	\$623.50	
Total	\$2,900.00		\$623.50	\$2,276.50

Swift County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$22,00.00	Dept. of Public Safety fees	\$473.00	
		Laminator	\$356.28	
		Permit pouches	\$19.05	
		Staff hours	\$520.74	
Total	\$2,200.00		\$1,369.07	\$830.93

Todd County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$7,300.00	Dept. of Public Safety fees	\$1,569.50	
Total	\$7,300.00		\$1,569.504	\$5,730.50

Traverse County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,590.50	Dept. of Public Safety fees	\$709.50	
Total	\$2,590.50		\$709.50	\$1,880.50

Wabasha County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$12,600.00	Dept. of Public Safety fees	\$2,709.00	
Total	\$12,600.00		\$2,709.00	\$9,891.00

Wadena County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$3,000.00	Dept. of Public Safety fees	\$645.00	
		Permit cards	\$53.10	
Total	\$3,000.00		\$698.10	\$2,301.90

Waseca County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$4,700.00	Dept. of Public Safety fees	\$1,010.50	
Total	\$4,700.00		\$1,010.50	\$3,689.50

Washington County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$79,600.00	Dept. of Public Safety fees	\$17,114.00	
Name and/or address change	\$120.00	Payroll	\$30,636.00	
		Supplies	\$96.00	
		Postage	\$301.00	
		Printing (cards)	\$1,150.00	
		Book	\$116.00	
		Printer	\$306.00	
		Scanner & facility	\$971.00	
Total	\$79,720.00		\$50,690.00	\$29,030.00

Watonwan County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$2,400.00	Dept. of Public Safety fees	\$516.00	
Total	\$2,400.00		\$516.00	\$1,884.00

Wilkin County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,000.00	Dept. of Public Safety fees	86.00	
		Sheriff fees	\$785.00	
Total	\$1,000.00		\$871.00	\$129.00

Winona County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$9,900.00	Dept. of Public Safety fees	\$2,300.50	
Total	\$9,900.00		\$2,300.50	\$7,599.50

Wright County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$31,037.50	Permit cards	582.60	
		Training video	550.00	
		Laminating pouches	108.94	
		Permit refunds	\$157.00	
Total	\$31,037.50		\$1,398.54	\$29,638.96

Yellow Medicine County

Nature of Revenue	Amount	Nature of Expenditures	Expenditures	Balance
Permit application fees	\$1,700.00	Dept. of Public Safety fees	\$365.50	
		Permit cards	\$47.00	
Total	\$1,700.00		\$412.50	\$1,287.50

Appendix B

**Data Collection Form for
Applications for Permits to Carry Pistols
Under Minnesota Statutes, Section 624.714**

(1) Reporting Calendar Year: _____

(2) Agency: _____ (3) ORI: _____

4. List the number of denials, revocations and/or suspensions under each column below. If multiple reasons, list all. [624.714, Subd. 20 (3)]:

	Reasons	Denials	Revocations	Suspensions
1.	Submitted an incomplete application for a permit. [609.714, Subd. 2b(3)]			
2.	Is less than 21 years of age. [624.714, Subd. 2b(2)]			
3.	Is not a citizen or a permanent resident of the United States. [624.714, Subd. 2b(2)]			
4.	Does not hold a firearms safety certificate or has not satisfactorily completed a practical test of ability to use and care for firearms as approved by this law enforcement agency. [624.714, Subd. 2b (1)]			
5.	Carrying under the influence. [624.7142]			
6.	Violation of an Order for Protection. [518B.01, Subd. 14]			
7.	Assault in the 1 st through 5 th Degree with firearms in Minnesota or elsewhere. [609.224, Subd. 3]			
8.	Domestic assaults with firearms. [609.2242, Subd. 3]			
9.	Has been convicted in any court of a crime of domestic violence.			
10.	Violation of harassment; stalking; with firearms. [609.749, Subd. 8]			
11.	Has a court order that restrains them from harassing, stalking, or threatening an intimate partner, the child of an intimate partner, or own child.			
12.	Possession of a firearm by non-resident alien. [624.719]			
13.	Surrender of firearms as condition of release. [629.715, Subd. 2]			
14.	Judicial review that prohibits person from possessing a firearm. [629.72, Subd. 2]			
15.	Is listed in the criminal gang investigation system. [299C.091]			
16.	Prohibited by Federal Law from possessing a firearm.			
17.	Has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing a crime of violence in Minnesota or elsewhere and not been restored to civil rights. [624.713, Subd. 1 (b)] <i>See Definitions of Violent Crimes on page 4.</i>			

	Reasons	Denials	Revocations	Suspensions
18.	Has been committed for treatment for the habitual use of a controlled substance or marijuana. [624.713, Subd. 1(d)]			
19.	Has been committed to a treatment facility in Minnesota or elsewhere as “chemically dependent” as defined in MN § 253B.02. [624.713, Subd. 1(f)]			
20.	Has been convicted in any court of a crime punishable by imprisonment for more than one year. [624.713, Subd. 1 (j) (1)]			
21.	Has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceedings. [624.713, Subd. 1 (j) 2)]			
22.	Is an unlawful user of any controlled substance as defined in Chapter 152. [624.713, Subd. 1, (j) (3)]			
23.	Has been committed to a treatment facility in Minnesota or elsewhere as a “mentally ill,” “mentally retarded,” or “mentally ill and dangerous to the public” person as defined in Minnesota Statute § 253B.02. [624.713, Subd. 1 (j) (4)]			
24.	Is an alien who is illegally or unlawfully in the United States. [624.713, Subd. 1 (j) (5)]			
25.	Has been discharged from the armed forces of the United States under dishonorable conditions. [624.713, Subd. 1, (j) (6)]			
26.	Person has renounced their citizenship, having been a citizen of the United States. [624.713, Subd. 1, (j) (7)]			
27.	Has been convicted of a gross misdemeanor for crimes committed for the benefit of a gang (609.229). [624.713, Subd. 1 (k)]			
28.	Has been convicted of a gross misdemeanor for the crime of assault motivated by bias (609.2231, Subd. 4). [624.713, Subd. 1 (k)]			
29.	Has been convicted of a gross misdemeanor for the crime of false imprisonment (609.255). [624.713, Subd. 1 (k)]			
30.	Has been convicted of a gross misdemeanor for the crime of neglect or endangerment of a child (609.378). [624.713, Subd. 1 (k)]			
31.	Has been convicted of a gross misdemeanor for the crime of burglary in the fourth degree (609.582). [624.713, Subd. 1 (k)]			
32.	Has been convicted of a gross misdemeanor for the crime of riot (609.71). [624.713, Subd. 1 (k)]			
33.	Has been convicted of a gross misdemeanor for the crime of setting a spring gun (609.665). [624.713, Subd. 1 (k)]			
34.	Has been convicted of a gross misdemeanor for the crime of harassment and stalking (609.749). [624.713, Subd. 1 (k)]			
35.	Danger to self or others. [624.714, Subd. 6 (a) (3)]			
36.	Charges pending. [624.713, Subd. 1a]			
37.	Other Reasons – List <i>(use separate sheet if necessary)</i>			

**Data Collection Form – Part B
for Applications for Permits to Carry Pistols
Under Minnesota Statutes, Section 624.714**

(1) Reporting Calendar Year: _____

(2) Agency: _____ (3) ORI _____

1. List the number of reversed, canceled and corrected actions associated with denials, revocations and suspensions. [624.714, Subd. 20 (a) (3)]:

Of the total permits **denied** how many were: Reversed _____ Canceled _____ Corrected _____

Of the total permits **revoked** how many were: Reversed _____ Canceled _____ Corrected _____

Of the total permits **suspended**, how many were: Reversed _____ Canceled _____ Corrected _____

2. For permits denied or revoked under 624.714, Subd. 6, (a) (3) (danger to self or others), please indicate the factual basis for each denial or revocation, whether there was an appeal and the results of the appeal, if any, including the court's findings of fact, conclusions of law, and order:

Facts for denial - danger to self/public	Appealed	Results of Appeal
Facts for revocations - danger to self/public	Appealed	Results of Appeal

Use separate sheet if additional lines are needed.

Completed by: _____

Date: _____

Return to:
 BCA – Permit to Carry
 1430 Maryland Ave. E.
 St. Paul, MN 55106
 FAX: 651-793-2401

Violent Crimes as defined by MSS 624.712 (to be used for the ‘Reasons for Denial, Revocation or Suspension of Permits above):

- 1) Murder in the first degree
- 2) Murder in the second degree
- 3) Murder in the third degree
- 4) Manslaughter in the first degree
- 5) Manslaughter in the second degree
- 6) Aiding suicide,
- 7) Aiding attempted suicide
- 8) Felony violations of assault in the first degree
- 9) Felony violations of assault in the second degree
- 10) Felony violations of assault in the, third degree
- 11) Felony violations of assault in the fourth degree
- 12) Assaults motivated by bias under section [609.2231](#), subdivision 4
- 13) Drive-by shootings
- 14) Terroristic threats
- 15) Use of drugs to injure or to facilitate crime
- 16) Crimes committed for the benefit of a gang
- 17) Commission of a crime while wearing or possessing a bullet-resistant vest
- 18) Simple robbery
- 19) Aggravated robbery
- 20) Kidnapping
- 21) False imprisonment
- 22) Criminal sexual conduct in the first degree
- 23) Criminal sexual conduct in the second degree
- 24) Criminal sexual conduct in the third degrees,
- 25) Criminal sexual conduct in the fourth degree
- 26) Theft of a firearm
- 27) Felony theft involving the intentional taking or driving of a motor vehicle without the consent of the owner or the authorized agent of the owner
- 28) Felony theft involving the taking of property from a burning, abandoned, or vacant building, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle
- 29) Felony theft involving the theft of a controlled substance, an explosive, or an incendiary device,
- 30) Arson in the first and second degrees
- 31) Riot
- 32) Burglary in the first degrees
- 33) Burglary in the second degree
- 34) Burglary in the third degree
- 35) Burglary in the fourth degree
- 36) Harassment and stalking
- 37) Shooting at a public transit vehicle or facility
- 38) Reckless use of a gun or dangerous weapon
- 39) Intentionally pointing a gun at or towards a human being
- 40) Setting a spring gun, and unlawfully owning, possessing, operating a machine gun or short-barreled shotgun
- 41) Attempt to commit any of these offenses, as each of those offenses is defined in chapter 609.
- 42) Felony violations of the following: malicious punishment of a child
- 43) Neglect or endangerment of a child
- 44) Chapter 152