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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **307**

02/04/2013 Authored by Simonson

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

1.1 A bill for an act  
1.2 relating to public safety; requiring persons to first make application for a permit  
1.3 to carry to a chief of police of a municipality and if no chief of police to a county  
1.4 sheriff; amending Minnesota Statutes 2012, sections 624.714, subdivisions  
1.5 2, 2a, 3, 4, 6, 7, 7a, 8, 8a, 11a, 12, 12a, 14, 15, 16, 19, 20, 21, 23; 624.7143,  
1.6 subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2012, section 624.714, subdivision 2, is amended to read:

1.9 Subd. 2. **Where application made; authority to issue permit; criteria; scope.**

1.10 (a) Applications by Minnesota residents for permits to carry shall be made to the chief  
1.11 of police of an organized full-time police department of the municipality where the  
1.12 applicant resides or to the county sheriff where the applicant resides if there is no local  
1.13 chief of police. Nonresidents, as defined in section 171.01, subdivision 42, may apply  
1.14 to any chief of police or sheriff.

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

- 1.18 (1) has training in the safe use of a pistol;
- 1.19 (2) is at least 21 years old and a citizen or a permanent resident of the United States;
- 1.20 (3) completes an application for a permit;
- 1.21 (4) is not prohibited from possessing a firearm under the following sections:
- 1.22 (i) 518B.01, subdivision 14;
- 1.23 (ii) 609.224, subdivision 3;
- 1.24 (iii) 609.2242, subdivision 3;
- 1.25 (iv) 609.749, subdivision 8;

- 2.1 (v) 624.713;
- 2.2 (vi) 624.719;
- 2.3 (vii) 629.715, subdivision 2;
- 2.4 (viii) 629.72, subdivision 2; or
- 2.5 (ix) any federal law; and
- 2.6 (5) is not listed in the criminal gang investigative data system under section 299C.091.
- 2.7 (c) A permit to carry a pistol issued or recognized under this section is a state permit
- 2.8 and is effective throughout the state.
- 2.9 ~~(d) A sheriff may contract with a police chief to process permit applications under~~
- 2.10 ~~this section. If a sheriff contracts with a police chief, the sheriff remains the issuing~~
- 2.11 ~~authority and the police chief acts as the sheriff's agent. If a sheriff contracts with a police~~
- 2.12 ~~chief, all of the provisions of this section will apply.~~

2.13 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to

2.14 applicants for a permit to carry on or after that date.

2.15 Sec. 2. Minnesota Statutes 2012, section 624.714, subdivision 2a, is amended to read:

2.16 Subd. 2a. **Training in the safe use of a pistol.** (a) An applicant must present

2.17 evidence that the applicant received training in the safe use of a pistol within one year of

2.18 the date of an original or renewal application. Training may be demonstrated by:

- 2.19 (1) employment as a peace officer in the state of Minnesota within the past year; or
- 2.20 (2) completion of a firearms safety or training course providing basic training in the
- 2.21 safe use of a pistol and conducted by a certified instructor.

2.22 (b) Basic training must include:

- 2.23 (1) instruction in the fundamentals of pistol use;
- 2.24 (2) successful completion of an actual shooting qualification exercise; and
- 2.25 (3) instruction in the fundamental legal aspects of pistol possession, carry, and use,
- 2.26 including self-defense and the restrictions on the use of deadly force.

2.27 (c) The certified instructor must issue a certificate to a person who has completed

2.28 a firearms safety or training course described in paragraph (b). The certificate must be

2.29 signed by the instructor and attest that the person attended and completed the course.

2.30 (d) A person qualifies as a certified instructor if the person is certified as a firearms

2.31 instructor within the past five years by an organization or government entity that has been

2.32 approved by the Department of Public Safety in accordance with the department's standards.

2.33 (e) A chief of police or sheriff must accept the training described in this subdivision

2.34 as meeting the requirement in subdivision 2, paragraph (b), for training in the safe use

3.1 of a pistol. A chief of police or sheriff may also accept other satisfactory evidence of  
3.2 training in the safe use of a pistol.

3.3 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
3.4 applicants for a permit to carry on or after that date.

3.5 Sec. 3. Minnesota Statutes 2012, section 624.714, subdivision 3, is amended to read:

3.6 Subd. 3. **Form and contents of application.** (a) Applications for permits to carry  
3.7 must be an official, standardized application form, adopted under section 624.7151, and  
3.8 must set forth in writing only the following information:

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

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

3.13 (3) the township or statutory city or home rule charter city, and county, of all  
3.14 Minnesota residences of the applicant in the last five years, though not including specific  
3.15 addresses;

3.16 (4) the township or city, county, and state of all non-Minnesota residences of the  
3.17 applicant in the last five years, though not including specific addresses;

3.18 (5) a statement that the applicant authorizes the release to the chief of police or  
3.19 sheriff of commitment information about the applicant maintained by the commissioner of  
3.20 human services or any similar agency or department of another state where the applicant  
3.21 has resided, to the extent that the information relates to the applicant's eligibility to  
3.22 possess a firearm; and

3.23 (6) a statement by the applicant that, to the best of the applicant's knowledge and  
3.24 belief, the applicant is not prohibited by law from possessing a firearm.

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

3.28 (c) An applicant must submit to the chief of police or sheriff an application packet  
3.29 consisting only of the following items:

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

3.31 (2) an accurate photocopy of the certificate described in subdivision 2a, paragraph  
3.32 (c), that is submitted as the applicant's evidence of training in the safe use of a pistol; and

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

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

4.5 (e) Applications must be submitted in person.

4.6 (f) The chief of police or sheriff may charge a new application processing fee in an  
4.7 amount not to exceed the actual and reasonable direct cost of processing the application or  
4.8 \$100, whichever is less. Of this amount, \$10 must be submitted to the commissioner and  
4.9 deposited into the general fund.

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

4.16 (h) Forms for new and renewal applications must be available at all chiefs' of police  
4.17 or sheriffs' offices and the commissioner must make the forms available on the Internet.

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

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

4.24 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
4.25 applicants for a permit to carry on or after that date.

4.26 Sec. 4. Minnesota Statutes 2012, section 624.714, subdivision 4, is amended to read:

4.27 Subd. 4. **Investigation.** (a) The chief of police or sheriff must check, by means  
4.28 of electronic data transfer, criminal records, histories, and warrant information on  
4.29 each applicant through the Minnesota Crime Information System and the National  
4.30 Instant Criminal Background Check System. The chief of police or sheriff shall  
4.31 also make a reasonable effort to check other available and relevant federal, state, or  
4.32 local record-keeping systems. The chief of police or sheriff must obtain commitment  
4.33 information from the commissioner of human services as provided in section 245.041 or, if  
4.34 the information is reasonably available, as provided by a similar statute from another state.

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

5.4           (e) (b) The chief of police or sheriff must conduct a background check by means  
5.5 of electronic data transfer on a permit holder through the Minnesota Crime Information  
5.6 System and the National Instant Criminal Background Check System at least yearly to  
5.7 ensure continuing eligibility. The chief of police or sheriff may also conduct additional  
5.8 background checks by means of electronic data transfer on a permit holder at any time  
5.9 during the period that a permit is in effect.

5.10           **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
5.11 applicants for a permit to carry on or after that date.

5.12           Sec. 5. Minnesota Statutes 2012, section 624.714, subdivision 6, is amended to read:

5.13           Subd. 6. **Granting and denial of permits.** (a) The chief of police or sheriff must,  
5.14 within 30 days after the date of receipt of the application packet described in subdivision 3:

5.15           (1) issue the permit to carry;

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

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

5.20           (b) Failure of the chief of police or sheriff to notify the applicant of the denial of the  
5.21 application within 30 days after the date of receipt of the application packet constitutes  
5.22 issuance of the permit to carry and the chief of police or sheriff must promptly fulfill the  
5.23 requirements under paragraph (c). To deny the application, the chief of police or sheriff  
5.24 must provide the applicant with written notification and the specific factual basis justifying  
5.25 the denial under paragraph (a), clause (2) or (3), including the source of the factual basis.  
5.26 The chief of police or sheriff must inform the applicant of the applicant's right to submit,  
5.27 within 20 business days, any additional documentation relating to the propriety of the  
5.28 denial. Upon receiving any additional documentation, the chief of police or sheriff must  
5.29 reconsider the denial and inform the applicant within 15 business days of the result of the  
5.30 reconsideration. Any denial after reconsideration must be in the same form and substance  
5.31 as the original denial and must specifically address any continued deficiencies in light of  
5.32 the additional documentation submitted by the applicant. The applicant must be informed  
5.33 of the right to seek de novo review of the denial as provided in subdivision 12.

5.34           (c) Upon issuing a permit to carry, the chief of police or sheriff must provide a  
5.35 laminated permit card to the applicant by first class mail unless personal delivery has been

6.1 made. Within five business days, the chief of police or sheriff must submit the information  
6.2 specified in subdivision 7, paragraph (a), to the commissioner for inclusion solely in the  
6.3 database required under subdivision 15, paragraph (a). The chief of police or sheriff must  
6.4 transmit the information in a manner and format prescribed by the commissioner.

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

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

6.12 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
6.13 applicants for a permit to carry on or after that date.

6.14 Sec. 6. Minnesota Statutes 2012, section 624.714, subdivision 7, is amended to read:

6.15 Subd. 7. **Permit card contents; expiration; renewal.** (a) Permits to carry must be  
6.16 on an official, standardized permit card adopted by the commissioner, containing only  
6.17 the name, residence, and driver's license number or state identification card number of  
6.18 the permit holder, if any.

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

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

6.26 (1) no earlier than 90 days prior to the expiration date on the permit, the permit  
6.27 holder may renew the permit by submitting to the appropriate chief of police or sheriff the  
6.28 application packet described in subdivision 3 and a renewal processing fee not to exceed  
6.29 the actual and reasonable direct cost of processing the application or \$75, whichever  
6.30 is less. Of this amount, \$5 must be submitted to the commissioner and deposited into  
6.31 the general fund. The chief of police or sheriff must process the renewal application in  
6.32 accordance with subdivisions 4 and 6; and

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

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

7.3 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
7.4 applicants for a permit to carry on or after that date.

7.5 Sec. 7. Minnesota Statutes 2012, section 624.714, subdivision 7a, is amended to read:

7.6 Subd. 7a. **Change of address; loss or destruction of permit.** (a) Within 30 days  
7.7 after changing permanent address, or within 30 days of having lost or destroyed the permit  
7.8 card, the permit holder must notify the issuing chief of police or sheriff of the change, loss,  
7.9 or destruction. Failure to provide notification as required by this subdivision is a petty  
7.10 misdemeanor. The fine for a first offense must not exceed \$25. Notwithstanding section  
7.11 609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.

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

7.17 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
7.18 applicants for a permit to carry on or after that date.

7.19 Sec. 8. Minnesota Statutes 2012, section 624.714, subdivision 8, is amended to read:

7.20 Subd. 8. **Permit to carry voided.** (a) The permit to carry is void at the time that the  
7.21 holder becomes prohibited by law from possessing a firearm, in which event the holder  
7.22 must return the permit card to the issuing chief of police or sheriff within five business  
7.23 days after the holder knows or should know that the holder is a prohibited person. If the  
7.24 chief of police or sheriff has knowledge that a permit is void under this paragraph, the chief  
7.25 of police or sheriff must give notice to the permit holder in writing in the same manner as a  
7.26 denial. Failure of the holder to return the permit within the five days is a gross misdemeanor  
7.27 unless the court finds that the circumstances or the physical or mental condition of the  
7.28 permit holder prevented the holder from complying with the return requirement.

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

7.32 (c) The chief of police or sheriff of the county where the application was submitted,  
7.33 or of the county of the permit holder's current residence, may file a petition with the

8.1 district court therein, for an order revoking a permit to carry on the grounds set forth in  
8.2 subdivision 6, paragraph (a), clause (3). An order shall be issued only if the chief of police  
8.3 or sheriff meets the burden of proof and criteria set forth in subdivision 12. If the court  
8.4 denies the petition, the court must award the permit holder reasonable costs and expenses,  
8.5 including attorney fees.

8.6 (d) A permit revocation must be promptly reported to the issuing chief of police  
8.7 or sheriff.

8.8 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
8.9 applicants for a permit to carry on or after that date.

8.10 Sec. 9. Minnesota Statutes 2012, section 624.714, subdivision 8a, is amended to read:

8.11 Subd. 8a. **Prosecutor's duty.** Whenever a person is charged with an offense that  
8.12 would, upon conviction, prohibit the person from possessing a firearm, the prosecuting  
8.13 attorney must ascertain whether the person is a permit holder under this section. If the  
8.14 person is a permit holder, the prosecutor must notify the issuing chief of police or sheriff  
8.15 that the person has been charged with a prohibiting offense. The prosecutor must also  
8.16 notify the chief of police or sheriff of the final disposition of the case.

8.17 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
8.18 applicants for a permit to carry on or after that date.

8.19 Sec. 10. Minnesota Statutes 2012, section 624.714, subdivision 11a, is amended to read:

8.20 Subd. 11a. **Emergency issuance of permits.** A chief of police or sheriff may  
8.21 immediately issue an emergency permit to a person if the chief of police or sheriff  
8.22 determines that the person is in an emergency situation that may constitute an immediate  
8.23 risk to the safety of the person or someone residing in the person's household. A person  
8.24 seeking an emergency permit must complete an application form and must sign an affidavit  
8.25 describing the emergency situation. An emergency permit applicant does not need to  
8.26 provide evidence of training. An emergency permit is valid for 30 days, may not be  
8.27 renewed, and may be revoked without a hearing. No fee may be charged for an emergency  
8.28 permit. An emergency permit holder may seek a regular permit under subdivision 3 and is  
8.29 subject to the other applicable provisions of this section.

8.30 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
8.31 applicants for a permit to carry on or after that date.

8.32 Sec. 11. Minnesota Statutes 2012, section 624.714, subdivision 12, is amended to read:



9.1 Subd. 12. **Hearing upon denial or revocation.** (a) Any person aggrieved by denial  
9.2 or revocation of a permit to carry may appeal by petition to the district court having  
9.3 jurisdiction over the county or municipality where the application was submitted. The  
9.4 petition must list the chief of police or sheriff as the respondent. The district court must  
9.5 hold a hearing at the earliest practicable date and in any event no later than 60 days  
9.6 following the filing of the petition for review. The court may not grant or deny any relief  
9.7 before the completion of the hearing. The record of the hearing must be sealed. The  
9.8 matter must be heard de novo without a jury.

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

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

9.15 (2) that there exists a substantial likelihood that the applicant is a danger to self or  
9.16 the public if authorized to carry a pistol under a permit. Incidents of alleged criminal  
9.17 misconduct that are not investigated and documented may not be considered.

9.18 (c) If an applicant is denied a permit on the grounds that the applicant is listed in  
9.19 the criminal gang investigative data system under section 299C.091, the person may  
9.20 challenge the denial, after disclosure under court supervision of the reason for that listing,  
9.21 based on grounds that the person:

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

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

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

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

9.29 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
9.30 applicants for a permit to carry on or after that date.

9.31 Sec. 12. Minnesota Statutes 2012, section 624.714, subdivision 12a, is amended to read:

9.32 Subd. 12a. **Suspension as condition of release.** The district court may order  
9.33 suspension of the application process for a permit or suspend the permit of a permit holder  
9.34 as a condition of release pursuant to the same criteria as the surrender of firearms under  
9.35 section 629.715. A permit suspension must be promptly reported to the issuing chief

10.1 of police or sheriff. If the permit holder has an out-of-state permit recognized under  
10.2 subdivision 16, the court must promptly report the suspension to the commissioner for  
10.3 inclusion solely in the database under subdivision 15, paragraph (a).

10.4 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
10.5 applicants for a permit to carry on or after that date.

10.6 Sec. 13. Minnesota Statutes 2012, section 624.714, subdivision 14, is amended to read:

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

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

10.18 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
10.19 applicants for a permit to carry on or after that date.

10.20 Sec. 14. Minnesota Statutes 2012, section 624.714, subdivision 15, is amended to read:

10.21 Subd. 15. **Commissioner; contracts; database.** (a) The commissioner must  
10.22 maintain an automated database of persons authorized to carry pistols under this section that  
10.23 is available 24 hours a day, seven days a week, only to law enforcement agencies, including  
10.24 prosecutors carrying out their duties under subdivision 8a, to verify the validity of a permit.

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

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

10.32 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
10.33 applicants for a permit to carry on or after that date.

11.1 Sec. 15. Minnesota Statutes 2012, section 624.714, subdivision 16, is amended to read:

11.2 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
 11.3 annually establish and publish a list of other states that have laws governing the issuance  
 11.4 of permits to carry weapons that are not substantially similar to this section. The list  
 11.5 must be available on the Internet. A person holding a carry permit from a state not on  
 11.6 the list may use the license or permit in this state subject to the rights, privileges, and  
 11.7 requirements of this section.

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

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

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

11.21 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
 11.22 applicants for a permit to carry on or after that date.

11.23 Sec. 16. Minnesota Statutes 2012, section 624.714, subdivision 19, is amended to read:

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

11.29 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
 11.30 applicants for a permit to carry on or after that date.

11.31 Sec. 17. Minnesota Statutes 2012, section 624.714, subdivision 20, is amended to read:

11.32 Subd. 20. **Monitoring.** (a) By March 1, 2004, and each year thereafter, the  
 11.33 commissioner must report to the legislature on:

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

12.4 (2) the number of permits currently valid;

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

12.7 (4) without expressly identifying an applicant, the number of denials or revocations  
 12.8 based on the grounds under subdivision 6, paragraph (a), clause (3), the factual basis for  
 12.9 each denial or revocation, and the result of an appeal, if any, including the court's findings  
 12.10 of fact, conclusions of law, and order;

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

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

12.16 (7) the status of the segregated funds reported to the commissioner under subdivision  
 12.17 21.

12.18 (b) Sheriffs and ~~police~~ chiefs of police must supply the Department of Public Safety  
 12.19 with the basic data the department requires to complete the report under paragraph (a).  
 12.20 Sheriffs and ~~police~~ chiefs of police may submit data classified as private to the Department  
 12.21 of Public Safety under this paragraph.

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

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

12.27 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
 12.28 applicants for a permit to carry on or after that date.

12.29 Sec. 18. Minnesota Statutes 2012, section 624.714, subdivision 21, is amended to read:

12.30 Subd. 21. **Use of fees.** Fees collected by chiefs of police or sheriffs under this  
 12.31 section and not forwarded to the commissioner must be used only to pay the direct costs of  
 12.32 administering this section. Fee money may be used to pay the costs of appeals of prevailing  
 12.33 applicants or permit holders under subdivision 8, paragraph (c); subdivision 12, paragraph  
 12.34 (e); and subdivision 16, paragraph (c). Fee money may also be used to pay the reasonable  
 12.35 costs of the county attorney to represent the chief of police or sheriff in proceedings under

13.1 this section. The revenues must be maintained in a segregated fund. Fund balances must  
 13.2 be carried over from year to year and do not revert to any other fund. As part of the  
 13.3 information supplied under subdivision 20, paragraph (b), by January 31 of each year,  
 13.4 a chief of police or sheriff must report to the commissioner on the chief's of police or  
 13.5 sheriff's segregated fund for the preceding calendar year, including information regarding:

- 13.6 (1) nature and amount of revenues;  
 13.7 (2) nature and amount of expenditures; and  
 13.8 (3) nature and amount of balances.

13.9 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
 13.10 applicants for a permit to carry on or after that date.

13.11 Sec. 19. Minnesota Statutes 2012, section 624.714, subdivision 23, is amended to read:

13.12 Subd. 23. **Exclusivity.** This section sets forth the complete and exclusive criteria  
 13.13 and procedures for the issuance of permits to carry and establishes their nature and scope.  
 13.14 No sheriff, ~~police~~ chief of police, governmental unit, government official, government  
 13.15 employee, or other person or body acting under color of law or governmental authority  
 13.16 may change, modify, or supplement these criteria or procedures, or limit the exercise  
 13.17 of a permit to carry.

13.18 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to  
 13.19 applicants for a permit to carry on or after that date.

13.20 Sec. 20. Minnesota Statutes 2012, section 624.7143, subdivision 2, is amended to read:

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

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

14.3 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies, on or  
14.4 after that date, to persons refusing to submit to a test of the person's blood, breath, or urine  
14.5 for the purpose of determining the presence and amount of alcohol or a controlled substance.