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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2726

03/08/2016 Authored by Drazkowski and Albright

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

1.1 A bill for an act  
1.2 relating to public safety; providing that certain federal laws restricting or limiting  
1.3 firearms are unenforceable in Minnesota; proposing coding for new law in  
1.4 Minnesota Statutes, chapter 624.

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

1.6 Section 1. [624.7121] PROHIBITION ON PARTICIPATION IN FEDERAL  
1.7 VIOLATIONS OF THE SECOND AMENDMENT.

1.8 Subdivision 1. Federal restrictions or limitations; void. Pursuant to the second  
1.9 amendment and tenth amendment of the United States Constitution, any attempt by the  
1.10 federal government to place restrictions or limitations on firearms, firearm magazines,  
1.11 ammunition, or components are null, void, and of no force or effect in the state.

1.12 Subd. 2. Prohibition. (a) Notwithstanding any law or rule to the contrary, a  
1.13 state agency or political subdivision of the state, or employee of an agency or political  
1.14 subdivision acting in an official capacity, or corporation providing services on behalf of  
1.15 the state or a political subdivision shall not knowingly assist an employee or entity of the  
1.16 federal government of the United States:

1.17 (1) in any investigation, prosecution, detention, arrest, or search and seizure  
1.18 relating to a criminal, civil, or administrative restriction on firearms, firearm magazines,  
1.19 ammunition, or components within state boundaries based on a federal statute enacted or  
1.20 an executive order or regulation issued on or after January 1, 2016; or

1.21 (2) in the conduct of, or the enforcement of a requirement for, a background check  
1.22 related to an intrastate sale, loan, gift, or other transfer of a firearm between citizens  
1.23 of Minnesota who do not possess a federal firearms license under United States Code,  
1.24 title 18, section 923.

2.1 (b) Nothing in this section shall affect an investigation, prosecution, detention,  
2.2 arrest, or search and seizure based on a federal statute enacted or an executive order or  
2.3 regulation issued before January 1, 2016.

2.4 Subd. 3. **Definitions.** (a) For the purposes of this section, the terms in paragraphs  
2.5 (b) and (c) have the meanings given them.

2.6 (b) "Political subdivision" means any county; statutory or home rule charter city;  
2.7 school district; special district; any town exercising powers under Minnesota Statutes,  
2.8 chapter 368, and located in the metropolitan area, as defined in Minnesota Statutes, section  
2.9 473.121, subdivision 2; and any board, commission, district, or authority created pursuant  
2.10 to law, local ordinance, or charter provision.

2.11 (c) "State agency" means the state, the University of Minnesota, and any office,  
2.12 officer, department, division, bureau, board, commission, authority, district, or agency of  
2.13 the state.