

1.1 A bill for an act
1.2 relating to game and fish; allowing use of scopes on muzzleloaders to take deer;
1.3 amending Minnesota Statutes 2016, section 97B.031, subdivision 6; repealing
1.4 Minnesota Statutes 2016, section 97B.031, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2016, section 97B.031, subdivision 6, is amended to read:

1.7 Subd. 6. **Scopes; ~~age 60 or over~~**. A person ~~age 60 or over~~ may use a muzzleloader with
1.8 a scope to take deer during the muzzleloader season. The scope may have magnification
1.9 capabilities.

1.10 Sec. 2. **REPEALER.**

1.11 Minnesota Statutes 2016, section 97B.031, subdivision 5, is repealed.

97B.031 USE AND POSSESSION OF FIREARMS.

Subd. 5. **Scopes; visually impaired hunters.** (a) Notwithstanding any other law to the contrary, the commissioner may issue a special permit, without a fee, to use a muzzleloader with a scope to take deer during the muzzleloader season to a person who is under age 60, who obtains the required licenses, and who has a visual impairment. The scope may not have magnification capabilities.

(b) The visual impairment must be to the extent that the applicant is unable to identify targets and the rifle sights at the same time without a scope. The visual impairment and specific conditions must be established by medical evidence verified in writing by (1) a licensed physician or a certified nurse practitioner or certified physician assistant acting under the direction of a licensed physician; (2) a licensed ophthalmologist; or (3) a licensed optometrist. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility for the permit.

(c) A permit issued under this subdivision may be valid for up to five years, based on the permanence of the visual impairment as determined by the licensed physician, ophthalmologist, or optometrist.

(d) The permit must be in the immediate possession of the permittee when hunting under the special permit.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this subdivision for cause, including a violation of the game and fish laws or rules.

(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this subdivision is guilty of a misdemeanor. A physician, certified nurse practitioner, certified physician assistant, ophthalmologist, or optometrist who fraudulently certifies to the commissioner that a person is visually impaired as described in this subdivision is guilty of a misdemeanor.

(g) A permit is not required under this subdivision to use an electronic range finder according to section 97B.081, subdivision 3, paragraph (c).