

1.1 A bill for an act

1.2 relating to public safety; establishing penalty for heads of law enforcement  
1.3 agencies who allow employees and agents who are nonlicensed peace officers to  
1.4 carry a firearm; amending Minnesota Statutes 2008, section 626.84, subdivision  
1.5 2.

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

1.7 Section 1. Minnesota Statutes 2008, section 626.84, subdivision 2, is amended to read:

1.8 Subd. 2. **Scope.** (a) Notwithstanding sections 12.03, subdivision 4, 12.25, or any  
1.9 other law to the contrary, no individual employed or acting as an agent of any political  
1.10 subdivision shall be authorized to carry a firearm when on duty unless the individual  
1.11 has been licensed under sections 626.84 to 626.863. Nothing herein shall be construed  
1.12 as requiring licensure of a security guard as that term is defined in section 626.88,  
1.13 subdivision 1, paragraph (c).

1.14 (b) The board shall suspend for a minimum of 30 days the license of the head of a  
1.15 law enforcement agency who allows an unlicensed employee or agent of the agency to  
1.16 carry a firearm while on duty. The board shall investigate violations of this subdivision  
1.17 following the procedures set forth in section 214.10, except that the board shall not direct  
1.18 the appropriate law enforcement agency, as defined in section 214.10, subdivision 13, to  
1.19 conduct the initial investigation as required under section 214.10, subdivision 10. The  
1.20 board shall perform all phases of investigations of violations of this subdivision.

1.21 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to  
1.22 violations committed on or after that date.