



FAQs

“What does this bill do?”

Closes the 3 loopholes in current MN law when buying and selling guns so our laws are evenly enforced and applied to every Minnesotan. Current loopholes are for sales from unlicensed sellers at 1.) gun shows; 2.) online; and 3.) between two individuals. People who buy guns these ways are not required to get a criminal background check before purchasing. Unlicensed sellers are currently allowed to sell guns virtually anywhere and to anyone—as long as they simply ask if the buyer is a prohibited purchaser or not. This bill requires all sales by unlicensed sellers to take place at a FFL (FFL=Federal Firearm Licensee—essentially any bricks and mortar store that sells guns) so a federal NICS criminal background check can first take place before the sale is allowed to legally proceed.

Some bonuses of this bill are:

1. There are no new steps added to the buying and selling of guns in MN that people are not already used to. Buy a pistol or a long gun at a FFL and you already get a NICS check at the point of sale.
2. No unfunded mandates: we are not extending the permit to transfer/purchase/acquire for these sales. This is a baby step, but at least currently unregulated transactions will have the minimum: a NICS check at point of sale.
3. Not reinventing the wheel: this bill stems from the Oregon bill. NRA has already argued points in this bill. A similar bill is on the ballot in both ME and NV in the fall of 2016. 18 states and DC already have criminal background checks on all gun purchases. 48.8% of all Americans currently live in states that require criminal background checks on all gun sales.
4. This bill has consequences for both buyer and seller in the penalties section on page 6. This is good because now we can hold all individuals who sell guns accountable—and no longer can people sell guns in parking lots, out of backpacks, etc. This is also a tool to hold straw purchasers accountable.
5. This bill has 1 issue: background checks only. The more complicated bills get the more likely they are to fail.

“Does it create a registry?”

No registry. This bill clearly states that no report of transfer is required. FFLs will continue to fill out form 4473 like they have since 1968—and we do not currently have a registry.

“Isn't it a burden to require all sales to first get a background check at a FFL?”

No. There are 1440 FFLs in MN. 25% have already signed up on a website called GunBroker.com as willing to do NICS check for individual sales. 98.1% of all

Minnesotans live within 10 miles of a FFL. There are more FFLs in MN than McDonalds. If someone orders a gun online, it is already sent to FFL instead of directly to the buyer. These individuals must first go through NICS check in order to get the gun they already paid for.

“How will background checks reduce mass shootings?”

38% of all mass shooters were prohibited purchasers.

<http://everytownresearch.org/documents/2015/09/analysis-mass-shootings.pdf> See page 5. Criminal background checks are the tool our system uses to weed out prohibited purchasers, so we should be making everyone take it before buying. We can impact the number of mass shootings with criminal background checks as it will limit access to guns of those prohibited.

“What about mental health?”

Yes, we need to make changes to how we deal with mental health and guns, but that is a complicated issue that will involve many, many stakeholders. We need to separate the issues as they are both important. Everytown tried to move the dial on the critical intersection of mental health and guns last session, but MN was not ready for it. Background checks are another piece of the complicated puzzle to make gun ownership safer and reduce gun violence in our communities—and we believe we can get consensus on it as 84% of all Minnesotans support criminal background checks on all purchases.

“We have enough laws and we need to enforce those we have....”

True, but we currently exempt some people from following them. We have to level the playing field and require all gun sales to have a basic criminal background check to ensure that buyers are not prohibited purchasers. We have to close the loopholes that exist for individual, online and gun show sales in Minnesota to standardize our purchasing process. *We are not adding new laws or processes, just extending who has obey it to a fair point where it applies to all.* This bill shifts the focus from where one buys a gun to who is buying the gun, thus leveling the playing field for sellers. We think responsible gun ownership and the 2nd Amendment go hand in hand. We know there is a safe way to buy and sell guns and we’d like to see everyone follow that process. This bill will also allow law enforcement to hold sellers accountable if they sell to prohibited purchasers.

“Show me the data!”

The numbers listed in supporting documents come from Everytown’s ongoing research in the states that have criminal background checks on all purchases—18 states and DC. We also take data from Johns Hopkins, Harvard, etc. Contrast that data to the data out of MO after they repealed all permitting laws.

“Are online sales really a problem?”

Armslist.com is really a virtual gun show that we need to pay better attention to. Every day in MN there are over 1000 guns listed for sale on this site by unlicensed sellers with no background check needed. Additionally, Everytown did a study of Vermont online gun sales and found that as many as 1 in 24 were prohibited purchasers. Here is that study.

<http://everytownresearch.org/documents/2015/04/hiding-in-plain->

[sight.pdf](#) (Everytown has started a 10 month study on online sales in MN for us so we will have MN specific data.)

“Gun violence is only an inner-city gang related problem....”

Actually, gun violence is everyone’s problem. In 2014, 82% of all gun deaths in Minnesota were suicide—much higher than the national average of 62%. Most gun deaths in MN occur outstate. Attached is a map of the gun deaths in MN for the last 10 years.

“What are Everytown & Moms?”

Everytown for Gun Safety is data driven and focuses on saving lives through better gun policy. Everytown is a nonpartisan group—the only side of the aisle we choose is that focused on better gun safety. ET thinks responsible gun ownership and the 2nd amendment go hand-in. We want to make sure the existing laws apply to every gun buyer to keep guns out of the hands of dangerous people. ET has hired local folks so MN can pass a common sense bill on criminal background checks as [84% of all Minnesota residents support](#) the issue. We do not need to change the culture in MN, rather we need to change the conversation to make it less polarizing.

Our sister group, Moms Demand Action, is also growing rapidly in MN. They have over 75,000 MN members and more than 500 active volunteers are have just built out their state structure to motivate people to make this a priority. We have hired an additional 2 FT organizers and will be hiring 3 more to build a stronger coalition of Minnesotans who are willing to stand up for common-sense gun laws. ***They also have a [BeSmartforKids.org](#) campaign for locked guns, accidental death prevention and teen suicide awareness. [Momsdemandaction.org](#)***

“What are the Exclusions on the last 2 pages of the bill draft?”

These always get questions. Subd 12 applies to Exclusions to completing the Report of Transfer **ONLY**. No paperwork beyond the Form 4473 the FFL completes and maintains and has been doing so since 1968.

“What is the reality of this bill’s success?”

2016 presents us the opportunity to see the bill introduced and testify in the Senate, but we don’t really see it passing until 2017. We do not see any action possible in the House this upcoming session. 2016 is an opportunity to educate leaders and the public and build a coalition to drive toward success in 2017 together.