

**AFFIDAVIT OF BRYAN STRAWSER**

STATE OF MINNESOTA                    )  
                                                          )ss.  
COUNTY OF RAMSEY                    )

BRYAN STRAWSER states:

1. My name is Bryan Strawser. I make this affidavit upon personal knowledge of the facts set forth herein except as otherwise expressly indicated herein.

2. I am the Chairman of the Minnesota Gun Owners Caucus (“MGOC”). MGOC is organized as a Minnesota non-profit corporation and is recognized by the IRS as a 501(c)(4) social welfare non-profit organization. Its registered office and principal place of business is in Ramsey County, Minnesota but its members reside across the State of Minnesota.

3. The MGOC’s annual revenues do not exceed \$7,000,000.

4. The MGOC advocates on behalf of its members to defend and restore the right to keep and bear arms.

5. As part of its mission, MGOC tracks all current legislation in Minnesota related to gun rights and related issues and informs the public of new pro- and anti-gun legislation on its Facebook and “X” (formerly known as “Twitter”) accounts, as well as through other media.

6. The MGOC tracked the passage of H.F. 5247 (“the Jumbo Omnibus Bill”) on May 19, 2024. I understand and believe it is a combination of nine, originally distinct, other omnibus bills.

7. MGOC monitored and opposed the passage of the Jumbo Omnibus Bill because of the inclusion of H.F. 2609, the Firearms Provisions, in addition to other concerning provisions.

8. I understand, based on our experience tracking the Jumbo Omnibus Bill, that the Legislature used the Tax Omnibus Bill (HF 5247) as its vehicle for the Jumbo Omnibus Bill.

9. It is my conclusion that the title alone identifies hundreds of different subjects.

10. It is my understanding and conclusion that the Jumbo Omnibus Bill has no core subject.

11. Instead, the Jumbo Omnibus Bill appears to aggregate the subjects of its nine constituent omnibus bills: state government, health, higher education, public safety, human services, taxation, and employees.

12. Additionally, it is my understanding that the Jumbo Omnibus Bill contains the subjects of commerce, transportation, housing, health occupations and licensing, labor, energy, and agriculture.

13. It is my understanding that the Jumbo Omnibus Bill contains dozens of unrelated provisions such as the criminalization of “binary triggers,” a mandate for health insurers to force corporations to cover abortion for their employees, rules related to classification of workers as employees or independent contractors, regulations for combative sports contests and their promoters, requirements for manufacturers and users of electric-assisted bicycles, and myriad changes to Minnesota’s tax laws related to child tax credits, tax treatment of discharges of indebtedness, political contribution refunds, allocation of housing credits, exemptions for taxes on tribal property, and on and on for thousands of pages.

14. It is my conclusion that the Jumbo Omnibus Bill violates the Single Subject Provision of Article IV, section 17 of the Minnesota Constitution.

15. For MGOC, the most concerning provision of the Jumbo Omnibus Bill is Article 36, which adds what are commonly known as “binary triggers” to the class of “trigger activators” prohibited for private ownership and makes merely owning or possessing one—even if it’s not installed in a gun—a felony crime.

16. It appears to me and MGOC that Article 36, Section 2 of the Jumbo Omnibus Bill (the “Binary Trigger Amendment”) amends the definition of “trigger activator” in Minn. Stat. § 609.67, subd. 1(d), to include “(3) a device that allows a firearm to shoot one shot on the pull of the trigger and a second shot on the release of the trigger without requiring a subsequent pull of the trigger.”

17. The Binary Trigger Amendment thus expands the definition of “trigger activator” to include what are known as “binary triggers.”

18. I understand that Minn. Stat. § 609.67, subd. 2(a) (2023) states, in part: “whoever owns, possesses, or operates ... any trigger activator ... may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$35,000, or both.”

19. I understand that the only relevant exception to this is found in Minn. Stat. § 609.67, subd. 5 (2023).

20. I understand that section 609.67, subd. 5 states: “[t]his section does not apply to members of the armed services of either the United States or the state of Minnesota for use in the course of their duties or to security guards employed by the Minnesota National Guard for use in accordance with applicable federal military regulations.”

21. Banning a type of gun trigger via the Binary Trigger Amendment has nothing to do with “the operation and financing of state government” or taxation. Including a binary-trigger ban in a bill dealing with so many different subjects tells me that the bill has no core, principal subject.

22. After the Jumbo Omnibus Bill’s enactment, because of our concern with the inclusion of a binary trigger ban in the law, MGOC publicly called for its members and supporters in Minnesota who own binary triggers, or firearms with binary triggers installed, to respond to MGOC.

23. More than 20 MGOC members and supporters in Minnesota responded to this public call.

24. Many MGOC members and supporters are affected by the Binary Trigger Amendment of the Jumbo Omnibus Bill. They include the three pseudonymous members and supporters identified in the Complaint who do not wish to be identified by name for fear of reprisal.

25. I have been informed and now believe that Member A, identified in ¶ 18a of the Complaint, is a member/supporter of MGOC and resident of Wright County, Minnesota. Member A owns and would like to continue to own a Fostech AR Echo II binary trigger. Member A lawfully purchased the binary trigger prior to January 1, 2025.

26. I have been informed and now believe that Member B, identified in ¶ 18b of the Complaint, is a member/supporter of MGOC and resident of Goodhue County, Minnesota. Member B owns and would like to continue to own three Franklin Armory BFSIII binary triggers. Member B lawfully purchased the binary triggers prior to January 1, 2025.

27. I have been informed and now believe that Member C, identified in ¶ 18c of the Complaint, is a member/supporter of MGOC and resident of Hennepin County, Minnesota. Member C owns and would like to continue to own two Fostech triggers for his or her AR-15 rifle and two Franklin Armory triggers for his or her 10/22 rifles. Member C lawfully purchased the binary triggers prior to January 1, 2025.

28. I understand that the Binary Trigger Amendment, which threatens MGOC members and supporters with felony crimes for the mere possession of uninstalled binary triggers, became effective January 1, 2025.

29. The MGOC has members who were previously in lawful possession of binary triggers, as they are defined by the Binary Trigger Amendment.

30. I understand that MGOC members, including but not limited to Members A, B, and C, who are currently in possession of binary triggers, as defined by the Binary Trigger Amendment, do not meet the requirements of the exceptions listed in Minn. Stat. § 609.67, subd. 5.

31. I am not aware of any exception, other than Minn. Stat. § 609.67, subd. 5, in the Minnesota Statutes that grants or could provide MGOC members who were in lawful possession of binary triggers, as defined by the Binary Trigger Amendment, with any form of exemption or waiver from the prohibitions listed in Minn. Stat. § 609.67, subd. 2(a).

32. Therefore, as of the Binary Trigger Amendment's effective date—January 1, 2025—I understand that those MGOC members who are currently in possession of binary triggers, as defined by the Binary Trigger Amendment, but who do not meet the exceptions listed in Minn. Stat. § 609.67, subd. 5, are in violation of Minn. Stat. § 609.67, subd. 2(a), and are therefore subject to felony prosecution.

33. These members are grievously harmed by the Binary Trigger Amendment, and MGOC advocates on their behalf.

34. The Jumbo Omnibus Bill affects the interests of MGOC and its members by expanding the definition of a trigger activator to include binary triggers without any grandfather-clause provision protecting those previously lawfully in possession of binary triggers.

35. MGOC itself is specifically harmed by the Binary Trigger Amendment because of MGOC's opposition to the Binary Trigger Amendment, the criminalization of previously lawful firearm component ownership that is contrary to MGOC's mission, and the potentially serious negative consequences for many MGOC members who lawfully purchased binary triggers before January 1, 2025. Those serious consequences include the chilling of MGOC members' rights to possess firearms under the United States Constitution, MGOC members' loss of liberty and

property threatened by prosecution of binary-trigger possession by the Defendants, confiscation of MGOC members' binary triggers by the Defendants, and MGOC members' loss of their ability to contribute and support MGOC because of criminal prosecution and confiscation of their property or the credible threats thereof.

36. The MGOC and its members are among the many individuals and businesses harmed by the Jumbo Omnibus Bill violating the Minnesota Constitution's Single Subject and Title Clause. I am aware of at least two other lawsuits raising the same constitutional problems with the Jumbo Omnibus Bill related to different, unrelated subjects included in the bill.

37. It is my understanding that, as amended in 2024, Minn. Stat. § 609.67 is enforced by the County Attorney pursuant to Minn. Stat. § 388.051, subd. 1(3).

38. It is my understanding that the Attorney General may prosecute felonies as requested by the County Attorney, and if the governor requests, pursuant to Minn. Stat. § 8.01.

39. It is my understanding that, based on these provisions of law, Attorney General and the Governor are connected to the enforcement of the law such that there is a credible threat of enforcement by them.

40. In fact, Governor Walz has demonstrated a credible threat of enforcement of the Binary Trigger Amendment by posting on his "X" (formerly "Twitter") account on December 31, 2024 that "Tomorrow, our law banning deadly binary gun triggers goes into effect. We're not hiding behind thoughts and prayers in Minnesota." To me, this indicates that Minnesota, and these Defendants, intend to enforce the Binary Trigger Amendment now and in the future.

41. It is also my understanding that, whether constitutional or not, Defendant Evans or his agency could attempt, under Minnesota law, to confiscate firearms which are possessed in violation of chapter 609 pursuant to Minn. Stat. § 609.531, *et seq.*

42. It is my conclusion that, whether constitutional or not, MGOC’s members who possess binary triggers contrary to the Binary Trigger Amendment could suffer confiscation or forfeiture of those devices by the Bureau of Criminal Apprehension and Defendant Evans.

43. MGOC has brought this lawsuit because the Jumbo Omnibus Bill harms its and its members’ interests by subjecting individual Minnesotans to potential criminal charges thrown into a “garbage” omnibus bill—purporting to regulate *taxes*—that nobody in the Legislature could have possibly read in its entirety in the hour after it was posted by the Revisor.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Executed in Ramsey County, Minnesota

On 15/04/25

Bryan Strawser  
Bryan Strawser (Apr 15, 2025 12:00 CDT)

Bryan Strawser

MINNESOTA  
JUDICIAL  
BRANCH