



Committee on Public Safety Finance and Policy
Minnesota House of Representatives
Saint Paul, Minnesota

February 23, 2026

Re: Opposition to HF 3433 and HF 3402

Chairs and Members of the Committee:

On behalf of the Minnesota Gun Owners Caucus, the state's largest grassroots Second Amendment organization representing thousands of law-abiding firearm owners across Minnesota, we respectfully submit this letter in strong opposition to HF 3433 and HF 3402.

These bills do not merely regulate firearms. They ban some of the most commonly owned firearms and magazines in the United States. They then allow citizens to beg the government for permission to retain lawfully acquired property — subject to warrantless home inspections, uncapped fees, and felony penalties for noncompliance.

These measures would convert peaceful Minnesotans into felons for possession of mainstream, commonly owned firearms and magazines.

HF 3433 Imposes a Ban and Conditions Property Rights on Warrantless Home Entry

HF 3433 prohibits the future sale and transfer of commonly owned semiautomatic rifles based on cosmetic features. For current owners, the bill provides only one path: seek government permission to retain existing arms protected under the Second Amendment.

That approval is conditioned on payment of a government-imposed fee for which no statutory maximum is specified. It is further conditioned on a citizen's submission to warrantless inspections of the citizen's home to verify storage compliance.

The bill does not clearly limit the frequency or scope of such inspections.

This requirement is deeply troubling.

Law-abiding citizens who have committed no crime should not be forced to allow law enforcement entry into their homes without probable cause or a warrant simply to preserve possession of lawfully acquired property. Conditioning the exercise of a constitutional right on surrendering Fourth Amendment protections raises serious constitutional concerns.



Failure to comply is not a civil infraction. It is a felony offense punishable by imprisonment.

HF 3402 Criminalizes Possession of Standard Magazines

HF 3402 bans possession of magazines capable of holding more than ten rounds, even though such magazines are factory standard for many of the most popular handguns and rifles in circulation today.

No violent act must occur. No misuse must take place. Mere possession alone becomes a felony.

Millions of Americans — and hundreds of thousands of Minnesotans — lawfully own semiautomatic rifles such as the AR-15 platform and standard-capacity magazines. These are not unusual or exotic weapons. They are among the most common firearms and components owned in the country.

These bills target ordinary citizens, not violent criminals.

Supreme Court Precedent Prohibits These Bans

The constitutional framework governing these bills is not unsettled.

In *District of Columbia v. Heller*, the United States Supreme Court held that the Second Amendment protects arms “in common use” for lawful purposes such as self-defense and that categorical bans on such arms are unconstitutional.

In *McDonald v. City of Chicago*, the Court confirmed that this protection applies fully to the states.

Most recently, in *New York State Rifle & Pistol Association v. Bruen*, the Court rejected interest-balancing approaches and held that when the Second Amendment’s text covers the conduct at issue, the government must demonstrate that the regulation is consistent with the Nation’s historical tradition of firearm regulation.

There is no historical tradition of banning commonly possessed firearms. There is no historical tradition of prohibiting standard ammunition feeding devices. There is no historical tradition of conditioning firearm possession on warrantless home inspections.

Under controlling precedent, categorical bans on arms in common use cannot stand.



Law Enforcement Exemptions Disturb the Constitutional Balance

Both HF 3433 and HF 3402 exempt law enforcement and government agents from the prohibitions imposed on ordinary citizens.

The Second Amendment was not adopted as a sporting regulation. It exists in part to preserve a structural balance between the people and the state.

Reserving commonly possessed arms for government agents while denying them to law-abiding citizens undermines that constitutional structure.

Litigation Will Follow

The Minnesota Gun Owners Caucus has successfully challenged unconstitutional firearm restrictions before.

In **Worth v. Jacobson**, the United States Court of Appeals for the Eighth Circuit struck down Minnesota's age-based restriction on permits to carry under the Supreme Court's Bruen framework. The Supreme Court declined review, and Minnesota now issues permits consistent with the Constitution.

We have also defended Minnesotans' rights in:

- **Minnesota Gun Owners Caucus v. City of Saint Paul**, challenging improper municipal firearm regulation; and
- **Minnesota Gun Owners Caucus v. Walz**, challenging Minnesota's prohibition on firearm components under the Supreme Court's text-and-history standard.

If HF 3433 or HF 3402 is enacted, litigation will follow promptly. Given the clarity of Supreme Court precedent, preliminary injunctive relief is likely. Minnesota taxpayers will bear the cost of defending laws that directly conflict with binding constitutional authority.



Conclusion

HF 3433 and HF 3402:

- Ban arms and components in common use.
- Impose warrantless home inspection requirements.
- Condition constitutional rights on government permission and uncapped fees.
- Convert ordinary possession into felony conduct.
- Conflict directly with binding United States Supreme Court precedent.

Public safety is a serious responsibility. Expanding felony law to punish peaceful possession of mainstream property does not meaningfully address violent offenders. It expands government authority while eroding constitutional protections.

For these reasons, we respectfully urge you to vote NO on HF 3433 and HF 3402.

Sincerely,

Bryan Strawser
Chair

Anna Leamy
Director, Government Relations & Advocacy