

SE MN ALLIANCE OF PEACEMAKERS

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Dear Business Owner/ Manager,

As you may know, the Minnesota legislature recently passed a concealed handgun law. It is expected that an additional 2500 people in Rochester, MN will carry concealed handguns.

In its effort to promote nonviolence, the SE MN Alliance of Peacemakers is asking Rochester businesses to become "handgun free." A business can do this by posting a sign that prohibits handguns at each entrance. The law about posting such a sign is on the reverse side of this page.

In addition to posting a sign, the law requires "the requester or its agent to personally inform persons of the posted request and demand compliance." This section has been interpreted by Olmsted County Sheriff Borchardt to mean that it is unnecessary to verbally inform each patron of the sign but that a verbal request to comply must precede a written ticket. It should be noted that attorneys who specialize in employment law also recommend that workplace violence policies include a clause that addresses weapons.

While you may think that posting a "no handguns sign" is either "too political" or "unnecessary" there are several reasons why your business should promote a handgun free environment (taken from www.workviolence.com):

- From 1999-2000, retail homicides increased by 17%
- Homicide is the leading cause of death for women in the workplace.
- Two million workers were physically attacked in 2002.
- In 1996, workplace violence cost businesses \$35.4 billion.

We cannot take peace for granted. Therefore, the SE MN Alliance of Peacemakers is hoping that you will post signs that prohibit handguns at the entrances to your business.

Thank you for considering this important matter. If you have additional questions or want to notify us that your business posted "no handgun" signs, visit our website (www.semnpeacemakers.org), contact us via e-mail (seminnap@aol.com) or phone us at 507-289-4154.

Concealed Carry Handgun Legislation S.F. #842

How to Request that Firearms not be Brought into an Establishment

Sec. 22. Minnesota Statutes 2002, section 624.714, is amended by adding a subdivision to read:

Subd. 17. [POSTING; TRESPASS.]

- (a)** A person carrying a firearm on or about his or her property or clothes under a permit or otherwise who remains at a private establishment knowing that the operator of the establishment or its agent has made a reasonable request that firearms not be brought into the establishment may be ordered to leave the premises. A person who fails to leave when so requested is guilty of a petty misdemeanor. The fine for a first offense must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of this subdivision is not subject to forfeiture.
- (b)** As used in this subdivision, the terms in this paragraph have the meanings given.
- (1) "Reasonable request" means a request made under the following circumstances:
- (i) the requester has prominently posted a conspicuous sign at every entrance to the establishment containing the following language: "(INDICATE IDENTITY OF OPERATOR) BANS GUNS IN THESE PREMISES." And
 - (ii) the requester or its agent personally informs the person of the posted request and demands compliance¹.
- (2) "Prominently" means readily visible and within four feet laterally of the entrance with the bottom of the sign at the height of four to six feet above the floor.
- (3) "Conspicuous" means lettering in black arial typeface at least 1-1/2 inches in height against a bright contrasting background that is at least 187 square inches in area.
- (4) "Private establishment" means a building, structure, or portion thereof that is owned, leased, controlled, or operated by a nongovernmental entity for a nongovernmental purpose.
- (c)** The owner or operator of a private establishment may not prohibit the lawful carry or possession of firearms in a parking facility or parking area.
- (d)** This subdivision does not apply to private residences. The lawful possessor of a private residence may prohibit firearms, and provide notice thereof, in any lawful manner.
- (e)** A landlord may not restrict the lawful carry or possession of firearms by tenants or their guests.
- (f)** Notwithstanding any inconsistent provisions in section 609.605, this subdivision sets forth the exclusive criteria to notify a permit holder when otherwise lawful firearm possession is not allowed in a private establishment and sets forth the exclusive penalty for such activity.

¹ This section has been interpreted by Olmsted County Sheriff Borchardt to mean that it is unnecessary to verbally inform each patron of the sign but that a verbal request to comply must precede a written ticket."