

Minnesota Gun Owners Caucus;

Plaintiff,

v.

Tim Walz, Governor of Minnesota, in his official capacity;

Keith Ellison, Attorney General of Minnesota, in his official capacity;

Mary Moriarty, Hennepin County Attorney, in her official capacity;

Drew Evans, Superintendent of the Minnesota Bureau of Criminal Apprehension, in his official capacity,

Defendants.

Case Type: Civil Other/Miscellaneous

Court File No. _____

COMPLAINT

**DECLARATORY AND INJUNCTIVE
RELIEF REQUESTED**

INTRODUCTION

1. Banning a type of gun trigger has nothing to do with “the operation and financing of state government.” It violates Article IV, section 17 of the Minnesota Constitution for the Legislature to pass a single bill that embraces both.

2. In May 2024, the Minnesota Legislature ignored the clear directive of the Minnesota Constitution and logrolled dozens of unrelated provisions into the same Frankenstein’s monster of an *omnibus tax bill*, such as (a) the criminalization of “binary triggers,” (b) a mandate for health insurers to force corporations to cover abortion for their employees, (c) rules related to classification of workers as employees or independent contractors, (d) regulations for combative sports contests and their promoters, (e) requirements for manufacturers and users of electric-assisted

bicycles, and (f) 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.

3. The Single Subject and Title Clause of the Minnesota Constitution, Article IV, section 17, states that “No law shall embrace more than one subject, which shall be expressed in its title.”

4. The Single Subject Provision is designed “to prevent what is called ‘logrolling legislation’ or ‘omnibus bills,’ by which a number of different and disconnected subjects are united in one bill, and then carried through by a combination of interests.” *Johnson v. Harrison*, 50 N.W. 923, 924 (Minn. 1891).

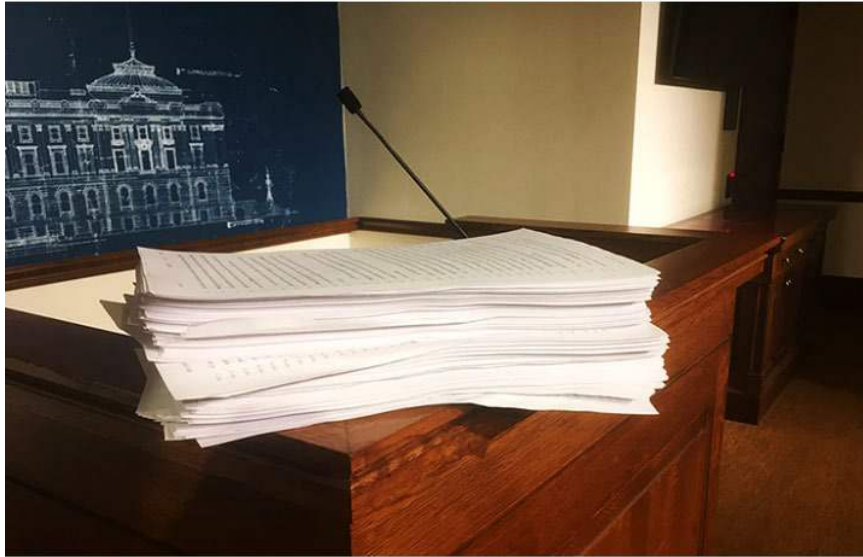
5. The Title Provision is designed “to prevent surprise and fraud upon the people and the legislature by including provisions in a bill whose title gives no intimation of the nature of the proposed legislation, or of the interests likely to be affected by its becoming a law.” *Id.*

6. The Minnesota Supreme Court has repeatedly warned the Legislature to follow the Single Subject and Title Clause, expressing increasing concern about its violation and the chaos that could result in the “likely possibility [...] that if an improper provision is included in a major appropriation law the entire law could fall.” *Blanch v. Suburban Hennepin Reg’l Park Dist.*, 449 N.W.2d 150, 156 (Minn. 1989) (Popovich, C.J., concurring specially).

7. This year, the Legislature ignored the Supreme Court’s repeated warnings against this kind of fraud on the people of Minnesota and passed H.F. 5247 (Chapter 127;¹ the “Jumbo Omnibus Bill”).

¹ Minnesota Session Laws - 2024, Regular Session, Chapter 127, H.F. No. 5247, available at <https://www.revisor.mn.gov/laws/2024/0/Session+Law/Chapter/127/>.

8. To fit so many subjects of legislation into one monster bill, the Jumbo Omnibus Bill had to be massive. And it is—it spans 1,400-plus pages:



A copy of the 1,430-page mega-omnibus bill the Minnesota Legislature passed right before deadline. Credit: MinnPost photo by Peter Callaghan

2

9. The Jumbo Omnibus Bill embraces more than one subject, as its hundreds-of-lines-long title, reprinted below without edits, conclusively shows:

A bill for an act

relating to the operation and financing of state government; modifying trunk highway bonds, transportation policy, combative sports, construction codes and licensing, the Bureau of Mediation Services, the Public Employee Labor Relations Act, employee misclassification, earned sick and safe time, University of Minnesota collective bargaining, broadband and pipeline safety, housing policy, and transportation network companies; expediting rental assistance; establishing registration for transfer care specialists; establishing licensure for behavior analysts; establishing licensure for veterinary technicians and a veterinary institutional license; modifying provisions of veterinary supervision; modifying specialty dentist licensure and dental assistant licensure by credentials; removing additional collaboration requirements for physician assistants to provide certain psychiatric treatment; modifying social worker provisional licensure; establishing guest licensure for marriage and

² Peter Callaghan and Ava Kian, *MinnPost's massive list of what the Minnesota Legislature passed (and didn't pass) in 2024*, MinnPost (May 20, 2024), <https://www.minnpost.com/state-government/2024/05/minnposts-massive-list-of-what-the-minnesota-legislature-passed-and-didnt-pass-in-2024/>.

family therapists; modifying pharmacy provisions for certain reporting requirements and change of ownership or relocation; modifying higher education policy provisions; amending the definition of trigger activator; increasing penalties for transferring firearms to certain persons who are ineligible to possess firearms; amending agriculture policy provisions; establishing and modifying agriculture programs; providing broadband appropriation transfer authority; requiring an application for federal broadband aid; adding and modifying provisions governing energy policy; establishing the Minnesota Energy Infrastructure Permitting Act; modifying provisions related to disability services, aging services, substance use disorder treatment services, priority admissions to state-operated programs and civil commitment, and Direct Care and Treatment; modifying provisions related to licensing of assisted living facilities; modifying provisions governing the Department of Human Services, human services health care policy, health care finance, and licensing policy; modifying provisions governing the Department of Health, health policy, health insurance, and health care; modifying provisions governing pharmacy practice and behavioral health; establishing an Office of Emergency Medical Services and making conforming changes; modifying individual income taxes, minerals taxes, tax-forfeited property, and miscellaneous tax provisions; modifying state employee compensation; modifying paid leave provisions; imposing penalties; authorizing administrative rulemaking; making technical changes; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 3.7371, subdivisions 2, 3, by adding subdivisions; 13.46, subdivisions 1, as amended, 10, as amended; 13.6905, by adding a subdivision; 13.824, subdivision 1, by adding a subdivision; 16A.055, subdivision 1a, by adding a subdivision; 17.116, subdivision 2; 17.133, subdivision 1; 18B.01, by adding a subdivision; 18B.26, subdivision 6; 18B.28, by adding a subdivision; 18B.305, subdivision 2; 18B.32, subdivisions 1, 3, 4, 5; 18B.33, subdivisions 1, 5, 6; 18B.34, subdivisions 1, 4; 18B.35, subdivision 1; 18B.36, subdivisions 1, 2; 18B.37, subdivisions 2, 3; 18C.005, subdivision 33, by adding a subdivision; 18C.115, subdivision 2; 18C.215, subdivision 1; 18C.221; 18C.70, subdivisions 1, 5; 18C.71, subdivisions 1, 2, 4, by adding a subdivision; 18C.80, subdivision 2; 18D.301, subdivision 1; 28A.10; 28A.151, subdivisions 1, 2, 3, 5, by adding a subdivision; 28A.21, subdivision 6; 31.74; 31.94; 32D.30; 41B.039, subdivision 2; 41B.04, subdivision 8; 41B.042, subdivision 4; 41B.043, subdivision 1b; 41B.045, subdivision 2; 41B.047, subdivision 1; 43A.05, subdivision 3; 43A.18, subdivisions 2, 3, 9; 43A.24, by adding a subdivision; 62A.0411; 62A.15, subdivision 4, by adding a subdivision; 62A.28, subdivision 2; 62D.02, subdivision 7; 62D.04, subdivision 5; 62D.12, subdivision 19; 62D.14, subdivision 1; 62D.20, subdivision 1; 62D.22, subdivision 5, by adding a subdivision; 62J.49, subdivision 1; 62J.61, subdivision 5; 62M.01, subdivision 3; 62M.02, subdivisions 1a, 5, 11, 12, 21, by adding a subdivision; 62M.04, subdivision 1; 62M.05, subdivision 3a; 62M.07, subdivisions 2, 4, by adding a subdivision; 62M.10, subdivisions 7, 8; 62M.17, subdivision 2; 62Q.097, by adding a subdivision; 62Q.14; 62Q.19, subdivisions 3, 5, by adding a

subdivision; 62Q.73, subdivision 2; 62V.05, subdivision 12; 62V.08; 62V.11, subdivision 4; 65B.472; 103I.621, subdivisions 1, 2; 116C.83, subdivision 6; 116J.395, subdivision 6, by adding subdivisions; 116J.396, by adding a subdivision; 116J.871, subdivision 4; 123B.53, subdivision 1; 134A.09, subdivision 2a; 134A.10, subdivision 3; 135A.15, as amended; 136A.091, subdivision 3; 136A.1241, subdivision 3; 136A.1701, subdivisions 4, 7; 136A.29, subdivision 9; 136A.62, by adding subdivisions; 136A.63, subdivision 1; 136A.646; 136A.65, subdivision 4; 136A.675, subdivision 2; 136A.69, subdivision 1; 136A.821, subdivision 5, by adding a subdivision; 136A.822, subdivisions 1, 2, 6, 7, 8; 136A.824, subdivisions 1, 2; 136A.828, subdivision 3, by adding a subdivision; 136A.829, subdivision 3, by adding a subdivision; 144.05, subdivisions 6, 7, by adding a subdivision; 144.0572, subdivision 1; 144.058; 144.0724, subdivisions 2, 3a, 4, 6, 7, 8, 9, 11; 144.1464, subdivisions 1, 2, 3; 144.1501, subdivision 5; 144.1911, subdivision 2; 144.212, by adding a subdivision; 144.216, subdivision 2, by adding subdivisions; 144.218, by adding a subdivision; 144.292, subdivision 6; 144.293, subdivisions 2, 4, 9, 10; 144.493, by adding a subdivision; 144.494, subdivision 2; 144.551, subdivision 1; 144.555, subdivisions 1a, 1b, 2, by adding subdivisions; 144.605, by adding a subdivision; 144.7067, subdivision 2; 144.99, subdivision 3; 144A.10, subdivisions 15, 16; 144A.471, by adding a subdivision; 144A.474, subdivision 13; 144A.61, subdivision 3a; 144A.70, subdivisions 3, 5, 6, 7; 144A.71, subdivision 2, by adding a subdivision; 144A.72, subdivision 1; 144A.73; 144E.001, subdivision 3a, by adding subdivisions; 144E.101, by adding a subdivision; 144E.16, subdivisions 5, 7; 144E.19, subdivision 3; 144E.27, subdivisions 3, 5, 6; 144E.28, subdivisions 3, 5, 6, 8; 144E.285, subdivisions 1, 2, 4, 6, by adding subdivisions; 144E.287; 144E.305, subdivision 3; 144G.08, subdivision 29; 144G.10, by adding a subdivision; 144G.16, subdivision 6; 144G.41, subdivision 1, by adding subdivisions; 144G.63, subdivisions 1, 4; 144G.64; 145.61, subdivision 5; 146B.03, subdivision 7a; 146B.10, subdivisions 1, 3; 148.511; 148.512, subdivision 17a; 148.513, subdivisions 1, 2, 3, by adding a subdivision; 148.514, subdivision 2; 148.515, subdivision 1; 148.518; 148.519, subdivision 1, by adding a subdivision; 148.5191, subdivision 1, by adding a subdivision; 148.5192, subdivisions 1, 2, 3; 148.5193, subdivision 1, by adding a subdivision; 148.5194, subdivision 8, by adding a subdivision; 148.5195, subdivisions 5, 6; 148.5196, subdivision 3; 148D.061, subdivisions 1, 8; 148D.062, subdivisions 3, 4; 148D.063, subdivisions 1, 2; 148E.055, by adding subdivisions; 149A.01, subdivision 3; 149A.02, subdivisions 3, 3b, 13a, 16, 23, 26a, 27, 35, 37c, by adding subdivisions; 149A.03; 149A.09; 149A.11; 149A.60; 149A.61, subdivisions 4, 5; 149A.62; 149A.63; 149A.65; 149A.70, subdivisions 1, 2, 3, 4, 5, 7; 149A.71, subdivisions 2, 4; 149A.72, subdivisions 3, 9; 149A.73, subdivision 1; 149A.74, subdivision 1; 149A.90, subdivisions 2, 4, 5; 149A.93, subdivision 3; 149A.94, subdivisions 1, 3, 4; 149A.97, subdivision 2; 150A.06, subdivisions 1c, 8; 151.01, subdivisions 23, 27; 151.065, subdivision 7, by adding subdivisions; 151.066, subdivisions 1, 2, 3; 151.212, by adding a subdivision; 151.37, by adding a subdivision; 151.74, subdivision 6; 156.001, by adding subdivisions;

156.07; 156.12, subdivisions 2, 4; 161.089; 161.14, by adding a subdivision; 161.3203, subdivision 4; 161.45, by adding subdivisions; 161.46, subdivision 1; 162.02, by adding a subdivision; 162.081, subdivision 4; 162.09, by adding a subdivision; 162.145, subdivision 5; 168.09, subdivision 7; 168.092; 168.127; 168.301, subdivision 3; 168.33, by adding a subdivision; 168A.10, subdivision 2; 168A.11, subdivisions 1, 2; 168B.035, subdivision 3; 169.011, by adding subdivisions; 169.04; 169.06, by adding subdivisions; 169.14, subdivision 10, by adding subdivisions; 169.18, by adding a subdivision; 169.21, subdivision 6; 169.222, subdivisions 2, 6a, 6b; 169.346, subdivision 2; 169.974, subdivision 5; 169.99, subdivision 1; 171.01, by adding subdivisions; 171.06, subdivision 3b; 171.061, by adding a subdivision; 171.12, by adding a subdivision; 171.13, subdivision 9; 171.16, subdivision 3; 174.02, by adding a subdivision; 174.185, subdivisions 2, 3, by adding subdivisions; 174.40, subdivision 3; 174.75, subdivisions 1, 2, by adding a subdivision; 177.27, subdivision 3; 179A.041, subdivision 2; 179A.09, by adding subdivisions; 179A.11, subdivisions 1, 2, by adding a subdivision; 179A.12, subdivision 5; 179A.13, subdivisions 1, 2; 179A.40, subdivision 1; 179A.54, subdivision 5; 181.171, subdivision 1; 181.722; 181.723; 181.960, subdivision 3; 214.025; 214.04, subdivision 2a; 214.29; 214.31; 214.355; 216A.037, subdivision 1; 216A.07, subdivision 3; 216B.098, by adding a subdivision; 216B.16, subdivisions 6c, 8; 216B.17, by adding a subdivision; 216B.2402, subdivisions 4, 10, by adding a subdivision; 216B.2403, subdivisions 2, 3, 5, 8; 216B.241, subdivisions 1c, 2, 11, 12; 216B.2421, subdivision 2; 216B.2425, subdivisions 1, 2, by adding a subdivision; 216B.2427, subdivision 1, by adding a subdivision; 216B.243, subdivisions 3, 3a, 4, 9; 216B.246, subdivision 3; 216C.10; 216C.435, subdivisions 3a, 3b, 4, 10, by adding subdivisions; 216C.436, subdivisions 1, 4, 7, 8, 10; 216E.02, subdivision 1; 216E.08, subdivision 2; 216E.11; 216E.13; 216E.14; 216E.15; 216E.16; 216E.18, subdivision 2a; 221.0255, subdivisions 4, 9, by adding a subdivision; 232.21, subdivisions 3, 7, 11, 12, 13; 245.462, subdivision 6; 245.4663, subdivision 2; 245.821, subdivision 1; 245.825, subdivision 1; 245A.043, subdivisions 2, 4, by adding subdivisions; 245A.07, subdivision 6; 245A.11, subdivision 2a; 245C.05, subdivision 5; 245C.10, subdivision 18; 245C.14, subdivision 1, by adding a subdivision; 245C.15, subdivisions 3, 4; 245C.22, subdivision 4; 245C.24, subdivisions 2, 5; 245C.30, by adding a subdivision; 245F.09, subdivision 2; 245F.14, by adding a subdivision; 245F.17; 245G.07, subdivision 4; 245G.08, subdivisions 5, 6; 245G.10, by adding a subdivision; 245G.22, subdivisions 6, 7; 245I.02, subdivisions 17, 19; 245I.04, subdivision 6; 245I.10, subdivision 9; 245I.11, subdivision 1, by adding a subdivision; 245I.20, subdivision 4; 245I.23, subdivisions 14, 19a; 246.018, subdivision 3, as amended; 246.129, as amended; 246.13, subdivision 2, as amended; 246.234, as amended; 246.36, as amended; 246.511, as amended; 252.27, subdivision 2b; 252.282, subdivision 1, by adding a subdivision; 254B.01, by adding subdivisions; 256.01, subdivision 41, by adding a subdivision; 256.88; 256.89; 256.90; 256.91; 256.92; 256.9657, subdivision 8, by adding a subdivision; 256.969, by adding subdivisions; 256.9755, subdivisions 2, 3; 256B.02, subdivision

11; 256B.035; 256B.056, subdivisions 1a, 10; 256B.0622, subdivisions 2a, 3a, 7a, 7d; 256B.0623, subdivision 5; 256B.0625, subdivisions 10, 12, 32, 39, by adding subdivisions; 256B.0757, subdivisions 4a, 4d; 256B.076, by adding a subdivision; 256B.0911, subdivisions 12, 17, 20; 256B.0913, subdivision 5a; 256B.0924, subdivision 3; 256B.0943, subdivisions 3, 12; 256B.0947, subdivision 5; 256B.434, by adding a subdivision; 256B.49, subdivision 16, by adding a subdivision; 256B.4911, by adding subdivisions; 256B.4912, subdivision 1; 256B.69, subdivisions 2, 4; 256B.76, subdivision 6; 256B.77, subdivision 7a; 256B.795; 256I.04, subdivision 2f; 256K.45, subdivision 2; 256L.12, subdivision 7; 256R.02, subdivision 20; 256S.07, subdivision 1; 256S.205, subdivisions 2, 3, 5, by adding a subdivision; 259.52, subdivisions 2, 4; 260E.33, subdivision 2, as amended; 270B.14, subdivision 17, by adding a subdivision; 270C.21; 273.135, subdivision 2; 275.065, by adding a subdivision; 276.04, by adding a subdivision; 276A.01, subdivision 17; 276A.06, subdivision 8; 279.06, subdivision 1; 281.23, subdivision 2; 282.01, subdivision 6; 282.241, subdivision 1; 282.301; 289A.08, subdivision 1; 297A.815, subdivision 3; 297F.01, subdivisions 10b, 19; 298.17; 298.2215, subdivision 1; 298.28, subdivision 8; 298.282, subdivision 1; 298.292, subdivision 2; 299E.01, subdivision 2; 317A.811, subdivision 1; 326B.081, subdivisions 3, 6, 8; 326B.082, subdivisions 1, 2, 4, 6, 7, 10, 11, 13, by adding a subdivision; 326B.701; 326B.89, subdivision 5; 341.28, by adding a subdivision; 341.29; 383B.145, subdivision 5; 430.01, subdivision 2; 430.011, subdivisions 1, 2, 3; 430.023; 430.031, subdivision 1; 430.13; 447.42, subdivision 1; 462A.02, subdivision 10; 462A.05, subdivisions 14a, 14b, 15, 15b, 21, 23; 462A.07, by adding subdivisions; 462A.21, subdivision 7; 462A.35, subdivision 2; 462A.37, by adding a subdivision; 462A.40, subdivisions 2, 3; 473.13, by adding a subdivision; 473.3927; 473.452; 480.15, by adding a subdivision; 524.3-801, as amended; 604A.04, subdivision 3; 624.7141; 626.892, subdivision 10; Minnesota Statutes 2023 Supplement, sections 3.855, subdivisions 2, 3, 6; 10.65, subdivision 2; 13.43, subdivision 6; 13.46, subdivision 2, as amended; 15.01; 15.06, subdivision 1, as amended; 15A.0815, subdivision 2; 15A.082, subdivisions 1, 3, 7; 17.055, subdivision 3; 17.133, subdivision 3; 17.134, subdivision 3, by adding a subdivision; 17.710; 18C.425, subdivision 6; 18K.06; 43A.08, subdivisions 1, 1a; 62J.84, subdivision 10; 62Q.46, subdivision 1; 62Q.473, by adding subdivisions; 82.75, subdivision 8; 116C.779, subdivision 1; 116C.7792; 116J.871, subdivisions 1, as amended, 2; 123B.935, subdivision 1; 135A.121, subdivision 2; 135A.161, by adding a subdivision; 135A.162, subdivision 2; 136A.1241, subdivision 5; 136A.1465, subdivisions 1, 2, 3, 4, 5; 136A.62, subdivision 3; 136A.833, subdivision 2; 136F.38, subdivision 3; 142A.03, by adding a subdivision; 144.0526, subdivision 1; 144.1501, subdivision 2; 144.1505, subdivision 2; 144.651, subdivision 10a; 144A.4791, subdivision 10; 144E.101, subdivisions 6, 7, as amended; 145.561, subdivision 4; 145D.01, subdivision 1; 148.5195, subdivision 3; 148.5196, subdivision 1; 148B.392, subdivision 2; 151.555, subdivisions 1, 4, 5, 6, 7, 8, 9, 11, 12; 151.74, subdivision 3; 152.126, subdivision 6; 161.178; 161.46, subdivision 2; 162.146, by adding a subdivision;

168.1259; 168.29; 169.011, subdivision 27; 169.223, subdivision 4; 171.06, subdivision 3; 171.0705, subdivision 2; 171.301, subdivisions 3, 6; 174.49, subdivision 6; 174.634, subdivision 2, by adding a subdivision; 177.27, subdivisions 1, 2, 4, 7; 177.50, by adding subdivisions; 179A.03, subdivisions 14, 18; 179A.041, subdivision 10; 179A.06, subdivision 6; 179A.07, subdivisions 8, 9; 179A.10, subdivision 2; 179A.12, subdivisions 2a, 6, 11; 181.032; 181.9445, subdivisions 4, 5, by adding a subdivision; 181.9446; 181.9447, subdivisions 1, 3, 5, 10, 11, by adding a subdivision; 181.9448, subdivisions 1, 2, 3; 216B.243, subdivision 8; 216C.08; 216C.09; 216C.331, subdivision 1; 216C.435, subdivision 8; 216C.436, subdivisions 1b, 2; 216E.06; 216E.07; 216E.10, subdivisions 1, 2, 3; 219.015, subdivision 2; 245.4889, subdivision 1; 245.735, subdivision 3; 245.91, subdivision 4; 245.991, subdivision 1; 245A.03, subdivisions 2, as amended, 7, as amended; 245A.043, subdivision 3; 245A.07, subdivision 1, as amended; 245A.11, subdivision 7; 245A.16, subdivision 1, as amended; 245A.211, subdivision 4; 245A.242, subdivision 2; 245C.02, subdivision 13e; 245C.031, subdivision 4; 245C.08, subdivision 1; 245C.15, subdivisions 2, 4a; 245C.31, subdivision 1; 245G.07, subdivision 2; 245G.22, subdivisions 2, 17; 245I.04, subdivision 19; 246.54, subdivisions 1a, 1b; 246C.01; 246C.02, as amended; 246C.04, as amended; 246C.05, as amended; 253B.10, subdivision 1, as amended; 254B.04, subdivision 1a; 254B.05, subdivisions 1, 5, as amended; 254B.19, subdivision 1; 256.043, subdivision 3; 256.0471, subdivision 1, as amended; 256.4764, subdivision 3; 256.9631; 256.969, subdivision 2b; 256.9756, subdivisions 1, 2; 256B.0622, subdivisions 7b, 8; 256B.0625, subdivisions 3a, 5m, 9, 13e, as amended, 13f, 13k, 16; 256B.064, subdivision 4; 256B.0671, subdivisions 3, 5; 256B.0701, subdivision 6; 256B.0911, subdivision 13; 256B.0913, subdivision 5, as amended; 256B.092, subdivision 1a; 256B.0947, subdivision 7; 256B.0949, subdivision 15; 256B.49, subdivision 13; 256B.764; 256B.766; 256D.01, subdivision 1a; 256I.05, subdivisions 1a, 11; 256L.03, subdivision 1; 256L.04, subdivision 10; 256R.55; 260.761, by adding a subdivision; 268B.01, subdivisions 3, 5, 8, 15, 23, 44, by adding subdivisions; 268B.04; 268B.06, subdivisions 2, 3, 4, 5, by adding a subdivision; 268B.07, subdivisions 1, 2, 3; 268B.085, subdivision 3; 268B.09, subdivisions 1, 6, 7; 268B.10, subdivisions 1, 2, 3, 6, 12, 16, 17, by adding subdivisions; 268B.14, subdivisions 3, 7, by adding subdivisions; 268B.15, subdivision 7; 268B.155, subdivision 2; 268B.185, subdivision 2; 268B.19; 268B.26; 268B.27, subdivision 2; 268B.29; 270B.14, subdivision 1; 290.0661, subdivisions 4, 8, by adding a subdivision; 297A.993, subdivision 2a; 298.018, subdivision 1; 298.28, subdivisions 7a, 16; 299A.642, subdivision 15; 326B.106, subdivision 1; 341.25; 341.28, subdivision 5; 341.30, subdivision 4; 341.321; 341.33, by adding a subdivision; 341.355; 357.021, subdivision 6; 462A.05, subdivisions 14, 45; 462A.22, subdivision 1; 462A.37, subdivisions 2, 5; 462A.38, subdivision 2; 462A.39, subdivision 2; 462A.395; 473.145; 473.3999; 473.4051, by adding a subdivision; 473.412, subdivisions 2, 3; 473.4465, subdivision 4; 477A.35, subdivisions 2, 4, 5, 6, by adding a subdivision; 477A.36, subdivisions 1, as amended, 4, 5, 6, as amended, by adding a subdivision; 609.67,

subdivision 1; Laws 2020, chapter 73, section 8; Laws 2021, First Special Session chapter 5, article 1, section 2, subdivision 2; Laws 2021, First Special Session chapter 7, article 13, section 68; article 17, section 19, as amended; Laws 2022, chapter 42, section 2; Laws 2023, chapter 22, section 4, subdivision 2; Laws 2023, chapter 37, article 1, section 2, subdivisions 2, 5, 18, 25, 29, 32; article 2, sections 6, subdivisions 1, 2, 4, 5, by adding subdivisions; 12, subdivision 2; Laws 2023, chapter 41, article 1, sections 2, subdivisions 35, 36, 49, as amended; 4, subdivision 2; Laws 2023, chapter 43, article 1, sections 2; 4; article 2, section 142, subdivision 9; Laws 2023, chapter 52, article 19, section 120; Laws 2023, chapter 53, article 14, section 1; article 19, sections 2, subdivisions 1, 3, 5; 4; article 21, sections 6; 7; Laws 2023, chapter 57, article 1, section 6; Laws 2023, chapter 60, article 10, section 2, subdivision 2; Laws 2023, chapter 61, article 1, sections 60, subdivisions 1, 2; 67, subdivision 3; article 4, section 11; article 8, sections 1; 2; 3; 8; article 9, section 2, subdivisions 5, 14, 16, as amended, 18; Laws 2023, chapter 68, article 1, sections 3, subdivision 2; 4, subdivision 3; 20; article 4, sections 108; 126; Laws 2023, chapter 70, article 1, section 35; article 20, sections 2, subdivisions 5, 29, 31; 3, subdivision 2; 12, as amended; Laws 2024, chapter 79, article 1, sections 18; 23; 24; 25, subdivision 3; article 10, sections 1; 6; Laws 2024, chapter 80, article 2, sections 6, subdivisions 2, 3, by adding subdivisions; 10, subdivision 1; Laws 2024, chapter 113, section 1, subdivision 2; 2024 H.F. No. 5237, article 22, section 2, subdivisions 4, if enacted, 5, if enacted; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 62A; 62C; 62D; 62J; 62M; 62Q; 135A; 136A; 137; 144; 144A; 144E; 144G; 145D; 148; 148B; 148E; 149A; 150A; 151; 156; 161; 168; 169; 181; 214; 216C; 216G; 219; 245C; 246C; 254B; 256; 256B; 256S; 268B; 282; 325F; 326B; 341; 346; 430; 462A; proposing coding for new law as Minnesota Statutes, chapters 181C; 216I; repealing Minnesota Statutes 2022, sections 3.7371, subdivision 7; 34.07; 62A.041, subdivision 3; 135A.16; 144.218, subdivision 3; 144.497; 144E.001, subdivision 5; 144E.01; 144E.123, subdivision 5; 144E.27, subdivisions 1, 1a; 144E.50, subdivision 3; 147A.09, subdivision 5; 148D.061, subdivision 9; 151.74, subdivision 16; 156.12, subdivision 6; 168.1297; 179.81; 179.82; 179.83, subdivision 1; 179.84, subdivision 1; 179.85; 216E.001; 216E.01, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10; 216E.02; 216E.021; 216E.03, subdivisions 2, 3a, 3b, 4, 9; 216E.04, subdivisions 1, 3, 4, 5, 6, 7, 8, 9; 216E.05, subdivisions 1, 3; 216E.08, subdivisions 1, 4; 216E.18, subdivisions 1, 2; 216F.01; 216F.011; 216F.012; 216F.015; 216F.02; 216F.03; 216F.05; 216F.06; 216F.07; 216F.08; 216F.081; 245C.125; 246.41; 252.27, subdivisions 1a, 2, 3, 4a, 5, 6; 253C.01; 256.043, subdivision 4; 256B.0916, subdivision 10; 256B.79, subdivision 6; 256D.19, subdivisions 1, 2; 256D.20, subdivisions 1, 2, 3, 4; 256D.23, subdivisions 1, 2, 3; 256R.02, subdivision 46; 462A.209, subdivision 8; Minnesota Statutes 2023 Supplement, sections 3.855, subdivision 5; 62J.312, subdivision 6; 62Q.522, subdivisions 3, 4; 135A.162, subdivision 7; 216E.01, subdivisions 3a, 6, 9a; 216E.03, subdivisions 1, 3, 5, 6, 7, 10, 11; 216E.04, subdivision 2; 216E.05, subdivision 2; 216F.04; 245C.08, subdivision 2; 246C.03; 252.27, subdivision 2a; 268B.06, subdivision 7;

268B.08; 268B.10, subdivision 11; 268B.14, subdivision 5; 477A.35, subdivision 1; Laws 2023, chapter 25, section 190, subdivision 10; Laws 2023, chapter 37, article 2, section 13; Laws 2024, chapter 79, article 4, section 1, subdivision 3; Laws 2024, chapter 80, article 2, section 6, subdivision 4; Minnesota Rules, parts 1506.0010; 1506.0015; 1506.0020; 1506.0025; 1506.0030; 1506.0035; 1506.0040; 5520.0100; 5520.0110; 5520.0120, subparts 1, 2, 3, 4, 5, 6, 7; 5520.0200; 5520.0250, subparts 1, 2, 4; 5520.0300; 5520.0500, subparts 1, 2, 3, 4, 5, 6; 5520.0520; 5520.0540; 5520.0560; 5520.0600; 5520.0620; 5520.0700; 5520.0710; 5520.0800; 7850.1000; 7850.1100; 7850.1200; 7850.1300; 7850.1400; 7850.1500; 7850.1600; 7850.1700; 7850.1800; 7850.1900; 7850.2000; 7850.2100; 7850.2200; 7850.2300; 7850.2400; 7850.2500; 7850.2600; 7850.2700; 7850.2800; 7850.2900; 7850.3000; 7850.3100; 7850.3200; 7850.3300; 7850.3400; 7850.3500; 7850.3600; 7850.3700; 7850.3800; 7850.3900; 7850.4100; 7850.4200; 7850.4500; 7850.4600; 7850.4700; 7850.4800; 7850.4900; 7850.5000; 7850.5100; 7850.5200; 7850.5300; 7850.5400; 7850.5500; 7850.5600; 7854.0100; 7854.0200; 7854.0300; 7854.0400; 7854.0500; 7854.0600; 7854.0700; 7854.0800; 7854.0900; 7854.1000; 7854.1100; 7854.1200; 7854.1300; 7854.1400; 7854.1500.

10. The title alone identifies hundreds of different subjects and is conclusive evidence that the Jumbo Omnibus Bill violates Article IV, section 17's Single Subject Provision.

11. Below are but a few of the disparate subjects and provisions included in the Jumbo Omnibus Bill:

- Electric Bicycles. Article 3, Section 57 modifies the requirements for manufacturers and users of electric-assisted bicycles, and Section 95 adds requirements for sellers of electric-assisted bicycles and other electric cycles.
- Transportation Network Companies. Article 17 imposes new requirements on transportation network companies, such as Uber and Lyft.
- Assisted Living Facilities. Article 47 adds new training and food-service requirements for assisted-living facilities.
- Health Insurance. Article 57 adds new coverage requirements for health plans, including abortion and abortion-related services (Section 39).
- Employee Classification. Article 10, Section 8 amends the definition and prohibited activities of independent contractors.
- Postsecondary Institutions. Article 35 imposes new requirements on postsecondary institutions, including limitations on their ability to consider applicants' criminal histories in the admission process (Section 1).
- Combative Sports. Article 5 adds new regulations for combative sports contests and their promoters.

- Broadband and Pipeline Safety. Article 13 imposes requirements on the installation of underground telecommunications infrastructure.
- Transfer Care Specialist. Article 18 creates the role, duties, and registration requirements of transfer care specialists.
- Farmers Markets. Article 38, Sections 48 and 51 impose new regulations for product and signage on farmers’ market vendors who provide food product sampling and demonstrations.
- Utility Companies. Article 42, Section 23 imposes new requirements on utility companies for innovation plans, and Article 43 enacts the Minnesota Energy Infrastructure Permitting Act which, among other things, imposes on utility companies eligibility requirements to construct utility structures.

12. But most concerning to the Plaintiff, in addition to all of these subjects, the Jumbo Omnibus Bill also includes Article 36, which adds 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.

13. The inclusion of all of these different subjects is conclusive evidence that the Jumbo Omnibus Bill violates Article IV, section 17’s Single Subject Provision.

14. The Legislature passed the Jumbo Omnibus Bill on Sunday, May 19, 2024. The provisions related to binary triggers (“Binary Trigger Amendment”), which threaten Plaintiff’s members and supporters with felony crimes for mere possession of uninstalled binary triggers, became effective January 1, 2025.

15. Plaintiff brings this suit because the Jumbo Omnibus Bill harms its and its members’ interests by subjecting individual Minnesotans to potential criminal charges thrown into a bill purporting to legislate state government and operations.

PARTIES

16. Plaintiff Minnesota Gun Owners Caucus (“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. The MGOC advocates on behalf of its members to defend and restore the right to keep and bear arms. 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.

17. After the Jumbo Omnibus Bill's enactment, because it was concerned with the inclusion of a binary trigger ban in the law, MGOC publicly called for its members and supporters who own binary triggers, or firearms with binary triggers installed, to respond to MGOC. More than 20 MGOC members and supporters responded to this public call.

18. The following pseudonymous members and supporters (who are not identified for fear of reprisal) are representative of many more MGOC members and supporters affected by the Binary Trigger Amendment of the Jumbo Omnibus Bill:

- a. Member A is a resident of Wright County, Minnesota and a member/supporter of MGOC who 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.
- b. Member B is a resident of Goodhue County, Minnesota and a member/supporter of MGOC who 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.
- c. Member C is a resident of Hennepin County, Minnesota and a member/supporter of MGOC who 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.

19. MGOCC is a party under Minn. Stat. § 15.471 because it is a nonprofit corporation whose annual revenues do not exceed \$7,000,000.

20. Defendant Tim Walz, named in his official capacity, is the Governor of Minnesota and is responsible for signing bills, like the Jumbo Omnibus Bill, into law. He signed the Jumbo Omnibus Bill into law, is constitutionally entrusted with taking care that the laws of Minnesota be faithfully executed, he can ask the Attorney General to prosecute felony crimes, and the Binary Trigger Amendment's provisions continue in force.

21. Defendant Keith Ellison, named in his official capacity, is the Attorney General of the State of Minnesota and is tasked with enforcing the laws of the State of Minnesota as well as prosecuting felonies when permitted by a county attorney or called upon to do so by the governor.

22. Mary Moriarty, named in her official capacity, is the County Attorney for Hennepin County, Minnesota. As County Attorney, Ms. Moriarty is charged with the enforcement of certain criminal and civil violations, including, as of January 1, 2025, crimes relating to mere ownership or possession of binary triggers. Minn. Stat. §388.051 (2023); Minn. Stat. §609.02 (2023); Minn. Stat. §609.67 (2024).

23. Defendant Drew Evans, named in his official capacity, is the Superintendent of the Minnesota Bureau of Criminal Apprehension. In that role, Mr. Evans is charged with confiscation of firearms in certain situations, including, upon information and belief, for any violation of chapter 609 related to weapons. Minn. Stat. §609.531, subd. 1(e).

JURISDICTION AND VENUE

24. The Court has subject-matter jurisdiction over this action for declaratory relief under Article IV, section 17 of the Minnesota Constitution pursuant to the Minnesota Uniform Declaratory Judgments Act. Minn. Stat. § 555.01, *et seq.*

25. The Court has subject-matter jurisdiction over this action under the Remedies Clause of the Minnesota Constitution, Article I, section 8, because the Single Subject Provision is a “constitutional mandate.” *Blanch v. Suburban Hennepin Reg’l Park Dist.*, 449 N.W.2d 150, 154 (Minn. 1989); *see also Dean v. Winona Cnty.*, 868 N.W.2d 1, 7 (Minn. 2015).

26. Enforcement of constitutional rights or protections in actions brought by Minnesota citizens against executive authorities, whether under the Declaratory Judgments Act or the Remedies Clause, presents a justiciable question that the Supreme Court has held is not a political question. *See Snell v. Walz*, 985 N.W.2d 277, 286 (Minn. 2023) (finding dispute between citizens and Governor Walz functionally justiciable because it was “a dispute between the government on one hand and Minnesota citizens on the other”).

27. The Court has personal jurisdiction over the defendants in this action because they are domiciled in the State of Minnesota and all facts relevant to the action occurred within Minnesota.

28. Venue is proper in Ramsey County District Court because two of the defendants reside there, and the facts giving rise to the cause of action occurred there. Minn. Stat. §§ 542.09; 542.03.

ALLEGATIONS

I. The Ninety-Third Legislature Passed the Jumbo Omnibus Bill.

29. The Ninety-Third Legislature passed the Jumbo Omnibus Bill less than one hour before midnight on May 19, 2024, the last day of its 2023-2024 regular session.

30. The Jumbo Omnibus Bill is a combination of nine, originally distinct, other omnibus bills.

31. The Legislature used the Tax Omnibus Bill (HF 5247) as its vehicle for the Jumbo Omnibus Bill.

32. On May 19, 2024, after only about eight minutes of consideration, the Tax Omnibus Conference Committee, which began its scheduled meeting at 9:45 PM, passed its conference committee report which combined the nine originally distinct omnibus bills into the Jumbo Omnibus Bill.³

33. The Tax Omnibus Conference Committee Report was not posted until 10:49 PM.⁴

34. According to the X page of the Minnesota House of Representatives Public Information Services department, the House passed the Jumbo Omnibus Bill, “HF5247, a tax conference committee report that includes conference committee reports *from a number of other subject areas*” (emphasis added), at approximately 11:14 PM, with a 70-50 vote along party lines.⁵

35. As presented on the House Floor, the Jumbo Omnibus Bill contained provisions from the following bills:⁶

- a. The Transportation, Housing, and Labor Omnibus, HF 5242 (CCR-HF5242A);⁷ *compare with Jumbo Omnibus Bill, Articles 1-17.*

³ Conference Committee on HF5247, 93d Leg. (May 19, 2024), <https://www.youtube.com/watch?v=QkAQ9vicA3M>; HF5247 Conference Committee Report (May 19, 2024), https://www.revisor.mn.gov/bills/text.php?number=HF5247&version=0&session=ls93.0&session_year=2024&session_number=0&type=ccr.

⁴ Off. of Revisor of Stats., Conf. Comm. Rep’ts – H. Rep’ts. 93d Leg. (Minn. 2024), <https://www.revisor.mn.gov/reports/conference/>.

⁵ MNHouseInfo (@MNHouseInfo), X (May 19, 2024, 11:14 PM) (emphasis added), <https://x.com/MNHouseInfo/status/1792408539593334818>.

⁶ H. Television Archives 2023-2024, H. Floor Sess. – Part 5 at 1:33:06 – 1:37:30 (May 19, 2024), available at <https://www.house.mn.gov/hjvid/93/898728>.

⁷ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5242&type=ccr&version=A&session=ls93&session_year=2024&session_number=0.

- b. The Health Omnibus, HF 4247 (CCR-HF4247A);⁸ *compare with Jumbo Omnibus Bill, Articles 18-33;*
- c. The Higher Education Omnibus, HF 4024 (CCR-HF4024);⁹ *compare with Jumbo Omnibus Bill, Articles 34-35;*
- d. The Firearms Provisions, HF 2609 (CCR-HF2609);¹⁰ *compare with Jumbo Omnibus Bill, Article 36;*
- e. The Energy and Agriculture Omnibus, SF 4942 (CCR-SF4942);¹¹ *compare with Jumbo Omnibus Bill, Articles 37-45;*
- f. The Human Services Omnibus, SF 5335 (CCR-SF5335);¹² *compare with Jumbo Omnibus Bill, Articles 46-53;*
- g. The Health and Human Services Omnibus, SF 4699 (CCR-SF4699);¹³ *compare with Jumbo Omnibus Bill, Articles 54-67;*
- h. The Tax Omnibus, HF 5247 (CCR-HF5247);¹⁴ *compare with Jumbo Omnibus Bill, Articles 68-72;*
- i. The Paid Leave Omnibus, HF 5363 (4th Engrossment);¹⁵ *compare with Jumbo Omnibus Bill, Article 73.*

⁸ Available at https://www.revisor.mn.gov/bills/text.php?number=HF4247&type=ccr&version=A&session=ls93&session_year=2024&session_number=0.

⁹ Available at https://www.revisor.mn.gov/bills/text.php?number=HF4024&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

¹⁰ Available at https://www.revisor.mn.gov/bills/text.php?number=HF2609&type=ccr&version=0&session=ls93&session_year=2023&session_number=0.

¹¹ Available at https://www.revisor.mn.gov/bills/text.php?number=SF4942&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

¹² Available at https://www.revisor.mn.gov/bills/text.php?number=SF5335&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

¹³ Available at https://www.revisor.mn.gov/bills/text.php?number=SF4699&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

¹⁴ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5247&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

¹⁵ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5363&version=4&session=ls93&session_year=2024&session_number=0.

36. According to the X (formerly Twitter) page of the Minnesota Senate Information Office, the Senate took up the HF 5247 Conference Committee Report at approximately 11:36 PM.¹⁶

37. According to the X (formerly Twitter) page of the Minnesota Senate Information Office, the Senate passed the HF 5247 Conference Committee Report at approximately 11:42 PM, with a 34-12 vote along party lines.¹⁷

38. On May 24, 2024, Governor Walz signed the Jumbo Omnibus Bill into law.

II. The Jumbo Omnibus Bill Violates the Minnesota Constitution.

39. Article IV, section 17 of the Minnesota Constitution states that “No law shall embrace more than one subject, which shall be expressed in its title.”

40. Article IV, section 17 of the Minnesota Constitution imposes two requirements on laws passed by the Legislature: (1) that every law must embrace only one subject (the “Single Subject Provision”), and (2) that the single subject of every law must be expressed in the law’s title (the “Title Provision”).

41. The Single Subject Provision was designed “to prevent what is called ‘logrolling legislation’ or ‘omnibus bills,’ by which a number of different and disconnected subjects are united in one bill, and then carried through by a combination of interests.” *Johnson*, 50 N.W. at 924.

42. The Single Subject Provision’s purpose “was to secure to every distinct measure of legislation a separate consideration and decision, dependent solely upon its individual merits.” *State v. Cassidy*, 22 Minn. 312, 322 (1875).

¹⁶ Minnesota Senate Information (@MNSenateInfo), X (May 19, 2024, 11:36 PM), <https://x.com/MNSenateInfo/status/1792414005711327605>.

¹⁷ Minnesota Senate Information (@MNSenateInfo), X (May 19, 2024, 11:42 PM), <https://x.com/MNSenateInfo/status/1792415527815860650>.

43. “The purpose of the title provision is to prevent fraud or surprise on the legislature and the public—in essence to provide notice of the nature of the bill’s contents.” *Associated Builders & Contractors v. Ventura*, 610 N.W.2d 293, 304 (Minn. 2000) (“ABC”) (citing *Johnson*, 50 N.W. at 924).

44. The Minnesota Revisor’s Office assists the Legislature with drafting bills, Minn. Stat. § 3C.03, subd. 2, and maintains a drafting manual “containing styles and forms for drafting bills, resolutions, and amendments” to assist the Legislature with the drafting process, *id.*, subd. 4.

45. The latest edition of the Minnesota Revisor’s Manual is the 2013 Edition (“Revisor’s Manual”).¹⁸

46. According to Joint Rule 2.01 of the Temporary Joint Rules of the Senate and House of Representatives 93rd Legislature (2023-2024),¹⁹ “The title of each bill shall clearly state its subject and briefly state its purpose.”

47. According to the Minnesota Revisor’s Manual, “The general subject required by Joint Rule 2.01 almost always begins ‘relating to’” Ch. 2(2.5)(c)(2).

48. Following the convention identified in the Minnesota Revisor’s Manual, each of the nine original omnibus bills that were combined into the Jumbo Omnibus Bill contained their own general subject, as expressed in their respective titles:²⁰

- a. The Transportation, Housing, and Labor Omnibus, HF 5242 (CCR-HF5242A): “relating to state government”,²¹

¹⁸ Available at <https://www.revisor.mn.gov/static/office/2013-Revisor-Manual.fc22eeba4f7b.pdf>.

¹⁹ Available at <https://www.senate.mn/rules/2023/tempjoinrules.pdf>.

²⁰ The general subjects listed are from the versions of the bills incorporated into the Jumbo Omnibus Bill.

²¹ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5242&type=ccr&version=A&session=ls93&session_year=2024&session_number=0. As introduced, the texts of both the House and Senate files had the general subject “relating to transportation.”

- b. The Health Omnibus, HF 4247 (CCR-HF4247A): “relating to health”;²²
- c. The Higher Education Omnibus, HF 4024 (CCR-HF4024): “relating to higher education”;²³
- d. The Firearms Provisions, HF 2609 (CCR-HF2609): “relating to public safety”;²⁴
- e. The Energy and Agriculture Omnibus, SF 4942 (CCR-SF4942): “relating to state government”;²⁵
- f. The Human Services Omnibus, SF 5335 (CCR-SF5335): “relating to human services”;²⁶
- g. The Health and Human Services Omnibus, SF 4699 (CCR-SF4699): “relating to state government”;²⁷
- h. The Tax Omnibus, HF 5247 (CCR-HF5247): “relating to taxation”;²⁸
- i. The Paid Leave Omnibus, HF 5363 (4th Engrossment): “relating to employees.”²⁹

49. According to the convention identified in the Minnesota Revisor’s Manual, the general subject of the Jumbo Omnibus Bill’s Conference Committee Report, which was presented to the full houses of the legislature, reads “relating to taxation.” It was, after all, a tax bill from the start.

²² Available at https://www.revisor.mn.gov/bills/text.php?number=HF4247&type=ccr&version=A&session=ls93&session_year=2024&session_number=0.

²³ Available at https://www.revisor.mn.gov/bills/text.php?number=HF4024&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

²⁴ Available at https://www.revisor.mn.gov/bills/text.php?number=HF2609&type=ccr&version=0&session=ls93&session_year=2023&session_number=0.

²⁵ Available at https://www.revisor.mn.gov/bills/text.php?number=SF4942&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

²⁶ Available at https://www.revisor.mn.gov/bills/text.php?number=SF5335&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

²⁷ Available at https://www.revisor.mn.gov/bills/text.php?number=SF4699&version=0&session=ls93&session_year=2024&session_number=0&type=ccr. As introduced, the texts of both the House and Senate files had the general subject “relating to health.”

²⁸ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5247&version=0&session=ls93&session_year=2024&session_number=0&type=ccr.

²⁹ Available at https://www.revisor.mn.gov/bills/text.php?number=HF5363&version=4&session=ls93&session_year=2024&session_number=0.

50. The title and subject of the Jumbo Omnibus Bill were amended after its passage, when it became a session law, such that the subject now reads “relating to the operation and financing of state government.”³⁰

51. Therefore, the Jumbo Omnibus Bill’s general subject embraces at least the disparate general subjects identified in the titles to its nine constituent omnibus bills: state government, health, higher education, public safety, human services, taxation, and employees.

52. Additionally, the Jumbo Omnibus Bill contains the subjects of commerce, transportation, housing, health occupations and licensing, labor, energy, and agriculture.

53. The general subjects of the nine original omnibus bills and the other subjects contained in the Jumbo Omnibus Bill are not “‘so connected or related to each other’ that they are all ‘parts of, or germane to’ the one general subject of the Jumbo Omnibus Bill, namely, the operation and financing of state government. *Otto v. Wright Cnty.*, 910 N.W.2d 446, 456 (Minn. 2018) (quoting *Townsend v. State*, 767 N.W.2d 11, 13 (Minn. 2009).

54. The Minnesota Court of Appeals has struck bills that cobble together firearms regulations with other subjects, like “natural resources” and “the environment.” *Unity Church v. State*, 694 N.W.2d 585, 595 (Minn. Ct. App. 2005). The Jumbo Omnibus Bill is just such a bill.

55. Therefore, the Jumbo Omnibus Bill violates the Single Subject Provision of Article IV, section 17 of the Minnesota Constitution.

56. While Minnesota courts typically sever logrolled parts of “garbage bills” like the Jumbo Omnibus Bill, where there is no “common theme of the law,” the entire bill can and should be struck. *See ABC*, 610 N.W.2d at 307 (stating that an offending provision “may be severed” “[w]here the common theme of the law is clearly defined by its other provision”).

³⁰ <https://www.revisor.mn.gov/laws/2024/0/Session+Law/Chapter/127/>.

57. As the massive number of different subjects in the Jumbo Omnibus Bill shows, it has no “common theme.” It is the very definition of a log-rolled “garbage” or “Christmas tree” bill. *See State ex rel. Mattson v. Kiedrowski*, 391 N.W.2d 777, 785 (Minn. 1986) (Yetka, J., concurring specially) (“Garbage or Christmas tree bills appear to be a direct, cynical violation of our constitution”). It is unlike the offending provision in *ABC* in that way, and striking the whole bill, instead of severing Article 36, is the appropriate remedy.

58. Alternatively, Article 36 should be severed as the “offending provision” because it has absolutely nothing to do with taxation, the bill’s initial named theme, or “the operation and financing of state government,” the post-hoc title inserted into the session law after passage.

59. It does not have *any* “impact on state finances,” making it even worse than the article severed in *ABC*. *See ABC*, 610 N.W.2d at 302 (“clearly more than an impact on state finances is required to establish even a minimum thread of germaneness, as virtually any bill that relates to government financing and government operations affects, in some way, expenditure of state funds”).

III. The Jumbo Omnibus Bill Harms Plaintiffs’ or Their Members’ Interests.

60. Among the many individuals and businesses harmed by the Jumbo Omnibus Bill violating the Minnesota Constitution’s Single Subject and Title Clause are the Minnesota Gun Owners Caucus (“MGOC”) and its members.

61. 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 the following: “(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.”

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

63. Minnesota Statutes Section 609.67, subd. 2(a) (2023) states, in relevant part, that “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.”

64. The only relevant exception to Minn. Stat. § 609.67, subd. 2(a) is found in Minn. Stat. § 609.67, subd. 5 (2023).

65. Minnesota Statutes Section 609.67, subd. 5 states that “[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.”

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

67. MGOC members, including but not limited to the pseudonymous members state above, 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.

68. There is no provision in the Jumbo Omnibus Bill 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).

69. With the exception of those listed in Minn. Stat. § 609.67, subd. 5, there is no other provision 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).

70. The Binary Trigger Amendment became effective on January 1, 2025.

71. Therefore, as of the Binary Trigger Amendment's effective date, 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 therefore subject to felony prosecution. They are grievously harmed by the Binary Trigger Amendment, and MGOC advocates on their behalf.

72. Currently, and as amended in 2024, Minn. Stat. § 609.67 is enforced by the County Attorney. Minn. Stat. §388.051, subd. 1(3).

73. The Attorney General may prosecute felonies as requested by the County Attorney, and if the governor requests. Minn. Stat. §8.01. The Attorney General and the Governor are connected to the enforcement of the law such that there is a credible threat of enforcement by them.

74. In fact, Governor Walz demonstrated a credible threat of enforcement of the Binary Trigger Amendment by stating, on December 31, 2024: "Tomorrow, our law banning deadly binary gun triggers goes into effect. We're not hiding behind thoughts and prayers in Minnesota."³¹

75. Upon information and belief, 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. *See* Minn. Stat. §609.531, *et seq.*

³¹ Governor Tim Walz (@GovTimWalz), X (Dec. 31, 2024, 2:54 PM), <https://x.com/GovTimWalz/status/1874197458382938412>.

76. Upon information and belief, 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.

CLAIMS FOR RELIEF

COUNT ONE

Declaratory Judgment; Injunction

Violation of the Minnesota Constitution’s Single Subject Provision

(Minn. Stat. § 555.01, *et seq.*; Minn. Const. art. IV, sec. 17)

77. Plaintiffs incorporate by reference each of the above allegations as if stated fully herein.

78. Article IV, section 17 of the Minnesota Constitution states that “No law shall embrace more than one subject, which shall be expressed in its title.”

79. All of a law’s provisions must therefore be “‘so connected or related to each other’ that they are all ‘parts of, or germane to, one subject.’” *Otto*, 910 N.W.2d at 456 (quoting *Townsend*, 767 N.W.2d at 13).

80. The Jumbo Omnibus Bill has no “common theme” defined by its provisions other than the Binary Trigger Amendment.

81. Article 36 of the Jumbo Omnibus Bill, the Binary Trigger Amendment, is not germane to any one subject that relates to each of the distinct provisions in the Jumbo Omnibus Bill.

82. The Court should declare that the Jumbo Omnibus Bill, in its entirety, must be struck because the passage and enforcement of the Jumbo Omnibus Bill violates the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution.

83. Alternatively, the whole of Article 36, but at least Section 2, of the Jumbo Omnibus Bill violates the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution and must be severed from the Jumbo Omnibus Bill.

COUNT TWO

Constitutional Right of Action

Violation of the Minnesota Constitution's Single Subject Provision

(Minn. Const. art. I, sec. 8; Minn. Const. art. IV, sec. 17)

84. Plaintiffs incorporate by reference each of the above allegations as if stated fully herein.

85. The Minnesota Constitution provides a remedy for each right it guarantees. *Cruz-Guzman v. State*, 916 N.W.2d 1, 9 (Minn. 2018).

86. The Minnesota Constitution specifically provides a remedy to “rule on the Legislature’s noncompliance with a constitutional mandate.” *Id.*

87. “[W]henever [the Legislature] has clearly transcended [its] limitations,” the Minnesota Supreme Court has “held that ‘it is the duty of the judiciary to so declare.’” *Id.* at 10 (quoting *Rippe v. Becker*, 57 N.W.331, 336 (Minn. 1894).

88. Article I, section 8 of the Minnesota Constitution, the “Remedies Clause,” also provides: “Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive to his person, property or character, and to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the laws.”

89. The Legislature has a “single subject mandate” to pass bills on only a single subject. *Blanch*, 449 N.W.2d 150, 154 (Minn. 1989); Minn. Const. art. IV, §17.

90. The passage and enforcement of the Jumbo Omnibus Bill, including the Binary Trigger Amendment, violates that mandate.

91. Under *Cruz-Guzman, Blanch*, and the Remedies Clause, Plaintiffs have a cause of action to seek the Jumbo Omnibus bill struck, set aside, and declared unconstitutional and void.

92. Governor Walz had no constitutional authority to sign the Jumbo Omnibus Bill under the Single Subject Provision of the Minnesota Constitution, and the Defendants do not have constitutional authority to enforce a law that is void *ab initio*.

93. Defendants violate the constitutional mandate of the Single Subject Provision by signing and enforcing a law passed contrary to that mandate.

94. The Court should declare the Jumbo Omnibus Bill unconstitutional and enjoin its enforcement, in its entirety, for violating the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution.

95. Alternatively, the whole of Article 36, but at least Section 2, of the Jumbo Omnibus Bill violates the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution and must be severed from the Jumbo Omnibus Bill.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request relief as follows:

- A. A judgment in favor of Plaintiff Minnesota Gun Owners Caucus declaring the Jumbo Omnibus Bill unconstitutional and enjoining its enforcement, in its entirety, for violating the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution, under the Declaratory Judgments Act or the Remedies Clause;
- B. Alternatively, a judgment declaring that the whole of Article 36, or at least Section 2, of the Jumbo Omnibus Bill violates the Single Subject Provision in Article IV, Section 17 of the Minnesota Constitution and must be severed from the Jumbo Omnibus Bill, and enjoining its enforcement, under the Declaratory Judgments Act or the Remedies Clause;

- C. Nominal damages for violation of Plaintiff's constitutional rights, and the rights of its members and supporters, under the Declaratory Judgments Act or Remedies Clause, in the amount of \$1.00;
- D. An award of taxable costs and disbursements upon proper application for the same;
- E. An award of costs, upon proper application for the same, as may seem equitable and just under Minn. Stat. §555.10;
- F. An award of attorney fees to MGOC under the Minnesota Equal Access to Justice Act, Minn. Stat. § 15.471, *et seq.*, upon proper application for the same; and
- G. For such other and further relief as this Court deems just and proper.

Dated: February 12, 2025

UPPER MIDWEST LAW CENTER

/s/ James V. F. Dickey

Douglas P. Seaton (#127759)

James V. F. Dickey (#393613)

12600 Whitewater Drive, Suite 140

Minnetonka, MN 55343

(612) 428-7000

james.dickey@umlc.org

Attorneys for Plaintiff

ACKNOWLEDGMENT

The undersigned acknowledges that sanctions may be imposed pursuant to Minn. Stat. § 549.211, subd. 3.

Dated: February 12, 2025

/s/ James V. F. Dickey
James V. F. Dickey (#393613)