

SB197\_L.003

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB13-197 be amended as follows:

1 Amend printed bill, page 6, line 23, after "RELINQUISHMENT." add "THE  
2 FEDERALLY LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM  
3 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
4 TO THE DEALER A WRITTEN STATEMENT FROM A COURT OF LAW  
5 INDICATING THAT:

6 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
7 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
8 AMMUNITION;

9 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
10 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
11 BEEN OVERTURNED; OR

12 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
13 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

14 Page 7, after line 7, insert:

15 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
16 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
17 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
18 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
19 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
20 COURT OF LAW INDICATING THAT:

21 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
22 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
23 AMMUNITION;

24 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
25 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
26 BEEN OVERTURNED; OR

27 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
28 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

29 Reletter subsequent paragraphs accordingly.

30 Page 7, line 23, strike "(f)" and substitute "(g)".

31 Page 7, line 26, strike "(f)" and substitute "(g)".

32 Page 8, strike "(g):" and substitute "(h):".



1 Page 10, line 15, after "RELINQUISHMENT." add "THE FEDERALLY  
2 LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR  
3 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO  
4 THE DEALER A WRITTEN STATEMENT FROM A COURT OF LAW INDICATING  
5 THAT:  
6 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
7 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
8 AMMUNITION;  
9 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
10 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
11 BEEN OVERTURNED; OR  
12 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
13 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

14 Page 10, after line 26, insert:

15 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
16 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
17 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
18 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
19 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
20 COURT OF LAW INDICATING THAT:  
21 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
22 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
23 AMMUNITION;  
24 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
25 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
26 BEEN OVERTURNED; OR  
27 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
28 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

29 Reletter subsequent paragraphs accordingly.

30 Page 11, line 15, strike "(f)" and substitute "(g)".

31 Page 11, line 18, strike "(f)" and substitute "(g)".

32 Page 11, line 21, strike "(g):" and substitute "(h):".

33 Page 14, line 12, after "RELINQUISHMENT." add "THE FEDERALLY  
34 LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR  
35 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO



1 THE DEALER A WRITTEN STATEMENT FROM A COURT OF LAW INDICATING  
2 THAT:

3 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
4 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
5 AMMUNITION;

6 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
7 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
8 BEEN OVERTURNED; OR

9 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
10 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

11 Page 14, after line 23, insert:

12 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
13 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
14 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
15 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
16 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
17 COURT OF LAW INDICATING THAT:

18 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
19 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
20 AMMUNITION;

21 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
22 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
23 BEEN OVERTURNED; OR

24 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
25 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

26 Reletter subsequent paragraphs accordingly.

27 Page 15, line 12, strike "(f)" and substitute "(g)".

28 Page 15, line 15, strike "(f)" and substitute "(g)".

29 Page 15, line 18, strike "(g):" and substitute "(h):".

30 Page 19, line 1, after "RELINQUISHMENT." add "THE FEDERALLY LICENSED  
31 FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO  
32 THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO THE DEALER A  
33 WRITTEN STATEMENT FROM A COURT OF LAW INDICATING THAT:

34 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
35 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR



1 AMMUNITION;  
2 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
3 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
4 BEEN OVERTURNED; OR  
5 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
6 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

7 Page 19, after line 12, insert:

8 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
9 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
10 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
11 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
12 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
13 COURT OF LAW INDICATING THAT:

14 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
15 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
16 AMMUNITION;

17 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
18 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
19 BEEN OVERTURNED; OR

20 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
21 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

22 Reletter subsequent paragraphs accordingly.

23 Page 19, line 27, strike "(f)" and substitute "(g)".

24 Page 20, line 3, strike "(f)" and substitute "(g)".

25 Page 20, line 6, strike "(g):" and substitute "(h):".

26 Page 22, line 16, after "RELINQUISHMENT." add "THE FEDERALLY  
27 LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR  
28 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO  
29 THE DEALER A WRITTEN STATEMENT FROM A COURT OF LAW INDICATING  
30 THAT:

31 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
32 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
33 AMMUNITION;

34 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
35 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS



1 BEEN OVERTURNED; OR  
2 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
3 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

4 Page 22, after line 27, insert:

5 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
6 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
7 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
8 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
9 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
10 COURT OF LAW INDICATING THAT:

11 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
12 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
13 AMMUNITION;

14 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
15 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
16 BEEN OVERTURNED; OR

17 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
18 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

19 Reletter subsequent paragraphs accordingly.

20 Page 23, line 15, strike "(f)" and substitute "(g)".

21 Page 23, line 18, strike "(f)" and substitute "(g)".

22 Page 23, line 21, strike "(g):" and substitute "(h):".

23 Page 26, line 9, after "RELINQUISHMENT." add "THE FEDERALLY LICENSED  
24 FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO  
25 THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO THE DEALER A  
26 WRITTEN STATEMENT FROM A COURT OF LAW INDICATING THAT:

27 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION  
28 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR  
29 AMMUNITION;

30 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
31 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
32 BEEN OVERTURNED; OR

33 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
34 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

1 Page 26, after line 20, insert:

2 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE  
3 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION  
4 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM  
5 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS  
6 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A  
7 COURT OF LAW INDICATING THAT:

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10 AMMUNITION;

11 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT  
12 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS  
13 BEEN OVERTURNED; OR

14 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A  
15 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

16 Reletter subsequent paragraphs accordingly.

17 Page 27, line 8, strike "(f)" and substitute "(g)".

18 Page 27, line 11, strike "(f)" and substitute "(g)".

19 Page 27, line 14, strike "(g):" and substitute "(h):".

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