

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB4119</b>
<b>Version:</b>	<b>PCS1</b>
<b>Request Number:</b>	<b>10549</b>
<b>Author:</b>	<b>Munson</b>
<b>Date:</b>	<b>2/16/2022</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The proposed committee substitute to HB 4119 prohibits any person convicted of misdemeanor domestic abuse, misdemeanor stalking, or a misdemeanor crime of domestic violence in this or any other state or a person subject to a final protective order or a foreign protective order from possessing or having under their immediate control, or in any vehicle in which the person is operating or riding as a passenger, or at the residence of the person any pistol, imitation or homemade pistol, altered air or toy pistol, machine gun, shotgun or rifle, or any other dangerous or deadly firearm. The measure provides that when a person is convicted of domestic abuse, stalking, or becomes subject to a final protective order, the court is to indicate in the judgment and sentence or protective order that the person is prohibited from possessing firearms, order in writing that the person transfer all firearms and any handgun license within 24 hours of becoming subject to a court order. A law enforcement agency or licensed dealer receiving a firearm or handgun license is to issue the person a written proof of transfer. Within 48 hours of becoming subject to a court order, the person must file with the court a declaration that all firearms have been transferred to a law enforcement agency or licensed dealer; a declaration that the person was not in possession of any firearms or handgun license at the time of the court order; and that the person is asserting constitutional right against self-incrimination. The person must also file the with the declaration a copy of the proof of transfer. Upon the expiration or termination of a protective order, a person may request the return of any stored firearms and handgun license from the law enforcement agency or licensed dealer after conducting a NICS background check. Law enforcement may seek a search warrant for the removal of firearms if there is probable cause to believe that the person failed to transfer all firearms.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.