

HB21-1106

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Neville

1 Amend printed bill, page 5, after line 2 insert:

2 "(3) (a) AN OWNER OF A FIREARM SHALL NOT BE PROSECUTED FOR  
3 A VIOLATION OF THIS SECTION UNLESS:

4 (I) A PERSON SUFFERS INJURY OR DEATH CAUSED BY THE  
5 DISCHARGE OF A FIREARM THAT IS NOT STORED AS DESCRIBED IN  
6 SUBSECTION (1) OF THIS SECTION;

7 (II) A PEACE OFFICER IS AN EYEWITNESS TO AN ALLEGED  
8 VIOLATION OF THIS SECTION; OR

9 (III) A PEACE OFFICER OR THE LAW ENFORCEMENT AGENCY WITHIN  
10 WHOSE JURISDICTION THE FIREARM OWNER RESIDES IS NOTIFIED OF AN  
11 ALLEGED VIOLATION OF THIS SECTION BY AN EYEWITNESS WHO IS NOT A  
12 PEACE OFFICER AND THE WITNESS PREPARES AND SIGNS AN AFFIDAVIT  
13 CONTAINING THE RELEVANT FACTS CONCERNING THE ALLEGED OFFENSE  
14 AND SUBMITS THE AFFIDAVIT WITHIN SEVEN DAYS OF WITNESSING THE  
15 ALLEGED VIOLATION.

16 (b) IF SUBSECTIONS (3)(a)(II) OR (3)(a)(III) OF THIS SECTION  
17 APPLY, A LAW ENFORCEMENT AGENCY WITHIN WHOSE JURISDICTION THE  
18 FIREARM OWNER RESIDES SHALL GIVE WRITTEN OR ELECTRONIC NOTICE OF  
19 THE ALLEGED VIOLATION TO THE FIREARM OWNER AND GIVE THE OWNER  
20 AN OPPORTUNITY TO CURE THE VIOLATION BY OBTAINING THE REQUIRED  
21 SAFE STORAGE WITHIN TWENTY-FOUR HOURS OF THE ALLEGED VIOLATION  
22 PRIOR TO THE IMPOSITION OF ANY FINE, PENALTY, OR ARREST."

23 Renumber succeeding subsection accordingly.

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