



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 16, 2012

Madam Speaker:

The Law Enforcement and Criminal Justice Committee recommends **H.B. 395, FIREARMS AMENDMENTS**, by Representative S. Sandstrom, be replaced and reports a favorable recommendation on **1st Sub. H.B. 395, FIREARMS AMENDMENTS** with the following amendments:

1. *Page 3, Lines 62 through 74:*

62           (3) (a) ~~{(i)}~~   The bureau may deny, suspend, or revoke a concealed firearm  
63           permit if it has  
64           reasonable cause to believe that the applicant or permit holder has been or is a danger to  
65           self or  
66           others as demonstrated by evidence, including:  
67           ~~{+}~~ (i) ~~{+}~~   ~~{-(A)}~~   past pattern of behavior involving unlawful violence  
68           or threats of unlawful  
69           violence;  
70           ~~{+}~~ (ii) ~~{+}~~   ~~{-(B)}~~   past participation in incidents involving unlawful  
71           violence or threats of  
72           unlawful violence; ~~[or]~~  
73           ~~{+}~~ (iii) ~~{+}~~   ~~{-(C)}~~   conviction of an offense in violation of Title 76,  
74           Chapter 10, Part 5,  
75           Weapons.  
76           ~~{(ii) The bureau shall immediately reverse any action taken that was based  
77           primarily on  
78           an indictment or bindover under Subsection (3)(a)(i)(D) upon notice:  
79           —(A) that the indictment or bindover has been dismissed; or  
80           —(B) of acquittal of the person charged. }~~

2. *Page 9, Lines 267 through 269:*

267           (8) (a)   A person may not sell, transfer, or otherwise dispose of any firearm or  
268           dangerous  
269           weapon to any person, knowing that the recipient is a person described in Subsection  
270           (1)(a) or

Bill Number



HB0395S01

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269 (b).

- (b) A person who violates Subsection (8)(a) when the recipient is:
- (i) a person described in Subsection (1)(a) and the transaction involves a firearm, is guilty of a second degree felony;
  - (ii) a person described in Subsection (1)(a) and the transaction involves any dangerous weapon other than a firearm, is guilty of a third degree felony;
  - (iii) a person described in Subsection (1)(b) and the transaction involves a firearm, is guilty of a third degree felony; or
  - (iv) a person described in Subsection (1)(b) and the transaction involves any dangerous weapon other than a firearm, is guilty of a class A misdemeanor.

Respectfully,

Curtis Oda  
Committee Chair

Voting: 10-0-3

7 HB0395.HC1.WPD 2/16/12 9:33 am /NWB ECM/JDH

Bill Number



HB0395S01

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