



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 22, 2017

Mr. Speaker,

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 237, FIREARMS AND DOMESTIC VIOLENCE MODIFICATIONS**, by Representative L. B. Perry, with the following amendments:

1. *Page 6, Line 180 through Page 7, 185:*

180 (B) the person is convicted of the domestic violence offense described in this
181 Subsection (2) within five years after the person is convicted of a qualifying domestic
182 violence
183 offense; ~~{or}~~
184 (C) the domestic violence was committed while the perpetrator was ~~{in~~
~~possession of}~~ ;
carrying a
185 firearm or dangerous weapon as defined in Section 76-10-501 ; or
(D) a conviction for the domestic violence will subject the defendant to the
prohibitions of 18 U.S.C. Sec. 922(g); or
185 (c) guilty of a felony of the third degree if:

2. *Page 7, Line 199 through 201:*

199 (2) The court [~~may~~] shall condition probation or a plea in abeyance on the
perpetrator's
200 compliance with one or more orders of the court, which ~~{may}~~ shall include
a sentencing protective

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201 order:

3. Page 7, Line 204 through 211:

204 (b) requiring the perpetrator to:
205 (i) surrender or dispose of any ~~{weapons}~~ firearm, specified weapon, or
ammunition the perpetrator owns or possesses, so the
206 perpetrator no longer has possession or control of a firearm, specified weapon or
or ammunition; and
207 (ii) certify compliance with Subsection (2)(b)(i) by affidavit filed in the court within
72
208 hours of the imposition of the court's order; and
209 (c) if a conviction in the case will subject the defendant to the prohibitions of
18 U.S.C. Sec. 922(g), notifying the perpetrator that the perpetrator is subject to 18
210 U.S.C. Sec. 922(g) and
211 may not:
(i) lawfully ship or transport in interstate or foreign commerce, or possess in or

4. Page 8, Line 224 through 235:

224 (d) prohibiting the perpetrator from possessing or consuming alcohol or controlled
225 substances;
226 ~~{(e) prohibiting the perpetrator from purchasing, using, or possessing a~~
~~firearm or other~~
227 ~~specified weapon;~~
228 ~~—(f) directing the perpetrator to surrender any weapons the perpetrator owns or~~
229 ~~possesses;~~
230 ~~—(g)}~~ (e) directing the perpetrator to participate in and complete, to the
satisfaction of the
231 court, a program of intervention for perpetrators, treatment for alcohol or substance
abuse, or
232 psychiatric or psychological treatment;
233 ~~{(h)}~~ (f) directing the perpetrator to pay restitution to the victim; and

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- 234 ~~{(i)}~~ (g) imposing any other condition necessary to protect the victim and
any other
235 designated family or household member or to rehabilitate the perpetrator.

Respectfully,

Lee B. Perry
Chair

Voting: 7-5-0

5 HB0237.HC1.wpd 2/22/17 9:30 am ggirvan/GAG RF/MLB

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