

H.B. 395
FIREARMS AMENDMENTS

Representative **Stephen E. Sandstrom** proposes the following amendments:

1. *Page 1, Lines 14 through 22:*

14 This bill:

*** *Some lines not shown* ***

15 ▶ provides that the Bureau of Criminal Identification may, rather than shall, deny,
16 suspend, or revoke a concealed firearm permit on the basis of an indictment for a
17 crime of violence in any state, but shall reverse that action upon notice of dismissal
18 of the indictment or acquittal;

19 ▶ provides an affirmative defense for Category I and II restricted persons charged with
20 possession or transfer of firearms or other dangerous weapons;

21 ▶ makes it a crime to sell, transfer, or dispose of a firearm ~~{or ammunition}~~ to a
22 Category I or Category II restricted person;

2. *Page 3, Lines 71 through 75:*

71 (D) indicted **or bound over** for a crime of violence in any state.

72 (ii) The bureau shall immediately reverse any action taken that was based primarily on
73 an indictment **or bindover** under Subsection (3)(a)(i)(D) upon notice:

74 (A) that the indictment **or bindover** has been dismissed; or

75 (B) of acquittal of the person charged ~~{in the indictment}~~ .

3. *Page 8, Lines 241 through 242:*

241 (b) any dangerous weapon other than a firearm ~~{or ammunition}~~ is guilty of a third
242 degree felony.

4. *Page 9, Lines 246 through 247:*

246 (b) any dangerous weapon other than a firearm ~~{or ammunition}~~ is guilty of a class A
247 misdemeanor.

5. *Page 9, Lines 266 through 268:*

266 (v) unless a different time is ordered by the ~~{sentencing}~~ court, was transferred within 10
267 days of the ~~{person's sentencing or release from incarceration for the offense for which the~~
268 ~~person became}~~ **person becoming** a restricted person.

6. Page 9, Lines 271 through 274:

271 (8) (a) A person may not knowingly solicit, persuade, encourage or entice a dealer or other person to sell, transfer or otherwise dispose of a firearm or dangerous weapon under circumstances which the person knows would be a violation of the law.

(b) A person may not provide to a dealer or other person what the person knows to be materially false information with intent to deceive the dealer or other person about the legality of a sale, transfer or other disposition of a firearm or dangerous weapon.

(c) "Materially false information" means information that portrays an illegal transaction as legal or a legal transaction as illegal.

(d) A person who violates this Subsection (8) is guilty of:

(i) a third degree felony if the transaction involved a firearm; or

(ii) a class A misdemeanor if the transaction involved a dangerous weapon other than a firearm. { No person may sell, transfer, or otherwise dispose of any firearm, dangerous

272 weapon, or ammunition to any person, knowing or having reasonable cause to believe that the

273 recipient is either a Category I restricted person or a Category II restricted person.

274 — (9) A person who violates Subsection (8) is guilty of a second degree felony. }