



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 20, 2013

Madam Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 121**, FIREARMS SAFE HARBOR, by Representative D. Pitcher, with the following amendments:

1. *Page 3, Lines 61 through 66:*

61           (1) (a) An owner cohabitant may voluntarily commit a firearm to a law  
                  enforcement  
62           agency for safekeeping if the owner cohabitant believes that another cohabitant is an  
                  immediate  
63           threat to:  
64            ~~{(a)}~~    (i) himself or herself;  
65            ~~{(b)}~~    (ii) the owner cohabitant; or  
66            ~~{(c)}~~    (iii) any other person.

(b) A law enforcement agency may not hold a firearm under this section if the law enforcement agency obtains the firearm in a manner other than the owner cohabitant voluntarily presenting, of his or her own free will, the firearm to the law enforcement agency at the agency's office.

2. *Page 3, Line 88:*

88    other cohabitant.

(5) Notwithstanding an ordinance or policy to the contrary adopted in accordance with 63G-2-701, a law enforcement agency shall destroy a record created under Subsection (2), Subsection 53-5c-202(4)(b)(iii), or any other record created in

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**the application of this chapter no later than five days after:**  
**(a) returning a firearm in accordance with Subsection (2)(d); or**  
**(b) appropriating, selling, or destroying the firearm in accordance with Section**  
**53-5c-202.**

3. Page 3, Line 89 through Page 4, Line 91:

89            ~~{(5)}~~    **(6)**    Unless otherwise provided, the provisions of Title 77, Chapter 24,  
              Disposal of  
90    Property Received by Peace Officer, do not apply to a firearm received by a law  
              enforcement  
91    agency in accordance with this chapter.

**(7) A law enforcement agency shall adopt a policy for the safekeeping of a**  
**firearm held in accordance with this chapter.**

4. Page 4, Line 119:

119           (b) ~~{The}~~    **Except as provided in Section 53-5c-201, the** law enforcement  
              agency shall return a firearm to a person other than an owner

Respectfully,

Curtis Oda  
Committee Chair

Voting: 10-0-1

3 HB0121.HC1.WPD 2/20/13 4:08 pm nbrady/NWB VA/JTW

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