

152 (b) A participating dealer shall:

153 (i) accept the redeemable coupon only from the individual whose name is on the
154 coupon and apply it only toward the purchase of a gun safe;

155 (ii) collect the receipts from the purchase of gun safes using the redeemable coupon
156 and send them to the Bureau of Criminal Identification for redemption; and

157 (iii) make the firearm safety brochure described in Subsection 53-10-202(18) available
158 to customers free of charge.

159 Section 3. Section 77-36-1.1 is amended to read:

160 **77-36-1.1. Enhancement of offense and penalty for subsequent domestic violence**
161 **offenses.**

162 (1) For purposes of this section, "qualifying domestic violence offense" means:

163 (a) a domestic violence offense in Utah; or

164 (b) an offense in any other state, or in any district, possession, or territory of the United
165 States, that would be a domestic violence offense under Utah law.

166 (2) A person who is convicted of a domestic violence offense is:

167 (a) guilty of a class B misdemeanor if:

168 (i) the domestic violence offense described in this Subsection (2) is designated by law
169 as a class C misdemeanor; and

170 (ii) (A) the domestic violence offense described in this Subsection (2) is committed
171 within five years after the person is convicted of a qualifying domestic violence offense; or

172 (B) the person is convicted of the domestic violence offense described in this
173 Subsection (2) within five years after the person is convicted of a qualifying domestic violence
174 offense;

175 (b) guilty of a class A misdemeanor if:

176 (i) the domestic violence offense described in this Subsection (2) is designated by law
177 as a class B misdemeanor; and

178 (ii) (A) the domestic violence offense described in this Subsection (2) is committed
179 within five years after the person is convicted of a qualifying domestic violence offense; [or]

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 violence
182 offense; ~~or~~ [or] ~~and~~

183 (C) the domestic violence was committed while the perpetrator was ~~H→ [in possession of]~~ :
 183a carrying ~~←H~~ a
 184 firearm or dangerous weapon ~~H→~~ as defined in Section 76-10-501 ~~←H~~ ; or
 184a ~~H→~~ (D) a conviction for the domestic violence will subject the defendant to the prohibitions
 184b of 18 U.S.C. Sec. 922(g); or ~~←H~~

185 (c) guilty of a felony of the third degree if:

186 (i) the domestic violence offense described in this Subsection (2) is designated by law
 187 as a class A misdemeanor; and

188 (ii) (A) the domestic violence offense described in this Subsection (2) is committed
 189 within five years after the person is convicted of a qualifying domestic violence offense; or

190 (B) the person is convicted of the domestic violence offense described in this
 191 Subsection (2) within five years after the person is convicted of a qualifying domestic violence
 192 offense.

193 Section 4. Section 77-36-5.1 is amended to read:

194 **77-36-5.1. Conditions of probation for person convicted of domestic violence**
 195 **offense.**

196 (1) Before any perpetrator who has been convicted of a domestic violence offense may
 197 be placed on probation, the court shall consider the safety and protection of the victim and any
 198 member of the victim's family or household.

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 ~~H→~~ [~~may~~] shall ~~←H~~ include a
 200a sentencing protective
 201 order:

202 (a) prohibiting the perpetrator from purchasing, using, or possessing a firearm or other
 203 specified weapon;

204 (b) requiring the perpetrator to:

205 (i) surrender or dispose of any ~~H→~~ [~~weapons~~] firearm, specified weapon,
 205a or ammunition ~~←H~~ the perpetrator owns or possesses, so the
 206 perpetrator no longer has possession or control of a ~~H→~~ firearm, specified ~~←H~~ weapon ~~H→~~ , ~~←H~~
 206a 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) ~~H→~~ if a conviction in the case will subject the defendant to the prohibitions of 18
 209a U.S.C. Sec. 922(g), ~~←H~~ notifying the perpetrator that the perpetrator is subject to 18 U.S.C. Sec.
 209b 922(g) and
 210 may not:

211 (i) lawfully ship or transport in interstate or foreign commerce, or possess in or
 212 affecting commerce, any firearm or ammunition; or

213 (ii) receive any firearm or ammunition that has been shipped or transported in interstate

214 or foreign commerce.

215 (3) In addition to the conditions described in Subsection (2), the court may also issue
 216 an order:

217 (a) enjoining the perpetrator from threatening to commit or committing acts of
 218 domestic violence against the victim or other family or household member;

219 (b) prohibiting the perpetrator from harassing, telephoning, contacting, or otherwise
 220 communicating with the victim, directly or indirectly;

221 (c) requiring the perpetrator to stay away from the victim's residence, school, place of
 222 employment, and the premises of any of these, or a specified place frequented regularly by the
 223 victim or any designated family or household member;

224 (d) prohibiting the perpetrator from possessing or consuming alcohol or controlled
 225 substances;

226 ~~H→ [(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) ←H~~ 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→ [(h)] (f) ←H~~ directing the perpetrator to pay restitution to the victim; and

234 ~~H→ [(i)] (g) ←H~~ imposing any other condition necessary to protect the victim and any other
 235 designated family or household member or to rehabilitate the perpetrator.

236 ~~[(3)] (4)~~ The perpetrator is responsible for the costs of any condition of probation,
 237 according to the perpetrator's ability to pay.

238 ~~[(4)] (5)~~ (a) Adult Probation and Parole, or other provider, shall immediately report to
 239 the court and notify the victim of any offense involving domestic violence committed by the
 240 perpetrator, the perpetrator's failure to comply with any condition imposed by the court, and
 241 any violation of any sentencing criminal protective order issued by the court.

242 (b) Notification of the victim under Subsection ~~[(4)] (5)~~(a) shall consist of a good faith
 243 reasonable effort to provide prompt notification, including mailing a copy of the notification to
 244 the last-known address of the victim.