

1.1 ..... moves to amend H.F. No. 3238 as follows:

1.2 Page 2, line 17, after "relief" insert "that was issued after a hearing of which the  
1.3 abusing party received actual notice and at which the abusing party had the opportunity  
1.4 to participate,"

1.5 Page 2, line 24, delete everything after "status" and insert  
1.6 ". The court shall order the abusing party to transfer any firearms that the person possesses,  
1.7 within three business days, to a federally licensed firearms dealer, a law enforcement  
1.8 agency, or a third party who may lawfully receive them. The transfer may be permanent  
1.9 or temporary. A temporary firearm transfer only entitles the receiving party to possess  
1.10 the firearm. A temporary transfer does not transfer ownership or title. An abusing party  
1.11 may not transfer firearms to a third party who resides with the abusing party. If an abusing  
1.12 party makes a temporary transfer, a federally licensed firearms dealer or law enforcement  
1.13 agency may charge the abusing party a reasonable fee to store the person's firearms and  
1.14 may establish policies for disposal of abandoned firearms, provided such policies require  
1.15 that the person be notified via certified mail prior to disposal of abandoned firearms. For  
1.16 temporary firearms transfers under this paragraph, a law enforcement agency, federally  
1.17 licensed firearms dealer, or third party shall exercise due care to preserve the quality  
1.18 and function of the transferred firearms and shall return the transferred firearms to the  
1.19 person upon request after the expiration of the prohibiting time period, provided the  
1.20 person is not otherwise prohibited from possessing firearms under state or federal law.  
1.21 The return of temporarily transferred firearms to an abusing party shall comply with state  
1.22 and federal law. If an abusing party permanently transfers the abusing party's firearms to a  
1.23 law enforcement agency, the agency is not required to compensate the abusing party and  
1.24 may charge the abusing party a reasonable processing fee.

1.25 (e) An abusing party who is ordered to transfer firearms under paragraph (d) must  
1.26 file proof of transfer as provided for in this paragraph. If the transfer is made to a third  
1.27 party, the third party must sign an affidavit under oath before a notary public either

2.1 acknowledging that the abusing party permanently transferred the abusing party's firearms  
2.2 to the third party or agreeing to temporarily store the abusing party's firearms until such  
2.3 time as the abusing party is legally permitted to possess firearms. The affidavit shall  
2.4 indicate the serial number, make, and model of all firearms transferred by the abusing  
2.5 party to the third party. The third party shall acknowledge in the affidavit that the third  
2.6 party may be held criminally and civilly responsible if the abusing party gains access to  
2.7 the firearms while the firearms are in the custody of the third party. If the transfer is to a  
2.8 law enforcement agency or federally licensed firearms dealer, the law enforcement agency  
2.9 or federally licensed firearms dealer shall provide proof of transfer to the abusing party.  
2.10 The proof of transfer must specify whether the firearms were permanently or temporarily  
2.11 transferred and include the name of the abusing party, date of transfer, and the serial  
2.12 number, make and model of all transferred firearms. The abusing party shall provide the  
2.13 court with a signed and notarized affidavit or proof of transfer as described in this section  
2.14 within three business days of the court issuing an order under paragraph (d)."

2.15 Page 2, delete lines 25 to 30

2.16 Page 5, line 4, delete everything after "status" and insert

2.17 "The court shall order the abusing party to transfer any firearms that the person possesses,  
2.18 within three business days, to a federally licensed firearms dealer, a law enforcement  
2.19 agency, or a third party who may lawfully receive them. The transfer may be permanent  
2.20 or temporary. A temporary firearm transfer only entitles the receiving party to possess  
2.21 the firearm. A temporary transfer does not transfer ownership or title. An abusing party  
2.22 may not transfer firearms to a third party who resides with the abusing party. If an abusing  
2.23 party makes a temporary transfer, a federally licensed firearms dealer or law enforcement  
2.24 agency may charge the abusing party a reasonable fee to store the person's firearms and  
2.25 may establish policies for disposal of abandoned firearms, provided such policies require  
2.26 that the person be notified via certified mail prior to disposal of abandoned firearms. For  
2.27 temporary firearms transfers under this paragraph, a law enforcement agency, federally  
2.28 licensed firearms dealer, or third party shall exercise due care to preserve the quality  
2.29 and function of the transferred firearms and shall return the transferred firearms to the  
2.30 person upon request after the expiration of the prohibiting time period, provided the  
2.31 person is not otherwise prohibited from possessing firearms under state or federal law.  
2.32 The return of temporarily transferred firearms to an abusing party shall comply with state  
2.33 and federal law. If an abusing party permanently transfers the abusing party's firearms to a  
2.34 law enforcement agency, the agency is not required to compensate the abusing party and  
2.35 may charge the abusing party a reasonable processing fee.

3.1 (h) An abusing party who is ordered to transfer firearms under paragraph (g) must  
3.2 file proof of transfer as provided for in this paragraph. If the transfer is made to a third  
3.3 party, the third party must sign an affidavit under oath before a notary public either  
3.4 acknowledging that the abusing party permanently transferred the abusing party's firearms  
3.5 to the third party or agreeing to temporarily store the abusing party's firearms until such  
3.6 time as the abusing party is legally permitted to possess firearms. The affidavit shall  
3.7 indicate the serial number, make, and model of all firearms transferred by the abusing  
3.8 party to the third party. The third party shall acknowledge in the affidavit that the third  
3.9 party may be held criminally and civilly responsible if the abusing party gains access to  
3.10 the firearms while the firearms are in the custody of the third party. If the transfer is to a  
3.11 law enforcement agency or federally licensed firearms dealer, the law enforcement agency  
3.12 or federally licensed firearms dealer shall provide proof of transfer to the abusing party.  
3.13 The proof of transfer must specify whether the firearms were permanently or temporarily  
3.14 transferred and include the name of the abusing party, date of transfer, and the serial  
3.15 number, make and model of all transferred firearms. The abusing party shall provide the  
3.16 court with a signed and notarized affidavit or proof of transfer as described in this section  
3.17 within three business days of the court issuing an order under paragraph (g)."

3.18 Page 5, delete lines 5 to 10

3.19 Page 6, delete lines 16 to 21 and insert

3.20 "court shall order the abusing party to transfer any firearms that the person possesses,  
3.21 within three business days, to a federally licensed firearms dealer, a law enforcement  
3.22 agency, or a third party who may lawfully receive them. The transfer may be permanent or  
3.23 temporary, unless the court prohibits the person from possessing a firearm for the remainder  
3.24 of the person's life under paragraph (c). A temporary firearm transfer only entitles the  
3.25 receiving party to possess the firearm. A temporary transfer does not transfer ownership  
3.26 or title. An abusing party may not transfer firearms to a third party who resides with  
3.27 the abusing party. If an abusing party makes a temporary transfer, a federally licensed  
3.28 firearms dealer or law enforcement agency may charge the abusing party a reasonable  
3.29 fee to store the person's firearms and may establish policies for disposal of abandoned  
3.30 firearms, provided such policies require that the person be notified via certified mail prior  
3.31 to disposal of abandoned firearms. For temporary firearms transfers under this paragraph,  
3.32 a law enforcement agency, federally licensed firearms dealer, or third party shall exercise  
3.33 due care to preserve the quality and function of the transferred firearms and shall return the  
3.34 transferred firearms to the person upon request after the expiration of the prohibiting time  
3.35 period imposed under this subdivision, provided the person is not otherwise prohibited  
3.36 from possessing firearms under state or federal law. The return of temporarily transferred

4.1 firearms to an abusing party shall comply with state and federal law. If an abusing party  
4.2 permanently transfers the abusing party's firearms to a law enforcement agency, the  
4.3 agency is not required to compensate the abusing party and may charge the abusing party  
4.4 a reasonable processing fee. The court shall order that the person surrender all permits to  
4.5 carry and purchase firearms to the sheriff.

4.6 (g) An abusing party who is ordered to transfer firearms under paragraph (f) must  
4.7 file proof of transfer as provided for in this paragraph. If the transfer is made to a third  
4.8 party, the third party must sign an affidavit under oath before a notary public either  
4.9 acknowledging that the abusing party permanently transferred the abusing party's firearms  
4.10 to the third party or agreeing to temporarily store the abusing party's firearms until such  
4.11 time as the abusing party is legally permitted to possess firearms. The affidavit shall  
4.12 indicate the serial number, make, and model of all firearms transferred by the abusing  
4.13 party to the third party. The third party shall acknowledge in the affidavit that the third  
4.14 party may be held criminally and civilly responsible if the abusing party gains access to  
4.15 the firearms while the firearms are in the custody of the third party. If the transfer is to a  
4.16 law enforcement agency or federally licensed firearms dealer, the law enforcement agency  
4.17 or federally licensed firearms dealer shall provide proof of transfer to the abusing party.  
4.18 The proof of transfer must specify whether the firearms were permanently or temporarily  
4.19 transferred and include the name of the abusing party, date of transfer, and the serial  
4.20 number, make and model of all transferred firearms. The abusing party shall provide the  
4.21 court with a signed and notarized affidavit or proof of transfer as described in this section  
4.22 within three business days of the court issuing an order under paragraph (f)."

4.23 Page 7, delete lines 18 to 23, and insert

4.24 "court shall order the abusing party to transfer any firearms that the person possesses, within  
4.25 three business days, to a federally licensed firearms dealer, a law enforcement agency, or a  
4.26 third party who may lawfully receive them. The transfer may be permanent or temporary.  
4.27 A temporary firearm transfer only entitles the receiving party to possess the firearm. A  
4.28 temporary transfer does not transfer ownership or title. An abusing party may not transfer  
4.29 firearms to a third party who resides with the abusing party. If an abusing party makes a  
4.30 temporary transfer, a federally licensed firearms dealer or law enforcement agency may  
4.31 charge the abusing party a reasonable fee to store the person's firearms and may establish  
4.32 policies for disposal of abandoned firearms, provided such policies require that the person  
4.33 be notified via certified mail prior to disposal of abandoned firearms. For temporary  
4.34 firearms transfers under this paragraph, a law enforcement agency, federally licensed  
4.35 firearms dealer, or third party shall exercise due care to preserve the quality and function of  
4.36 the transferred firearms and shall return the transferred firearms to the person upon request

5.1 after the expiration of the prohibiting time period imposed under this subdivision, provided  
 5.2 the person is not otherwise prohibited from possessing firearms under state or federal law.  
 5.3 The return of temporarily transferred firearms to an abusing party shall comply with state  
 5.4 and federal law. If an abusing party permanently transfers the abusing party's firearms to a  
 5.5 law enforcement agency, the agency is not required to compensate the abusing party and  
 5.6 may charge the abusing party a reasonable processing fee. The court shall order that the  
 5.7 person surrender all permits to carry and purchase firearms to the sheriff.

5.8 (f) An abusing party who is ordered to transfer firearms under paragraph (e) must  
 5.9 file proof of transfer as provided for in this paragraph. If the transfer is made to a third  
 5.10 party, the third party must sign an affidavit under oath before a notary public either  
 5.11 acknowledging that the abusing party permanently transferred the abusing party's firearms  
 5.12 to the third party or agreeing to temporarily store the abusing party's firearms until such  
 5.13 time as the abusing party is legally permitted to possess firearms. The affidavit shall  
 5.14 indicate the serial number, make, and model of all firearms transferred by the abusing  
 5.15 party to the third party. The third party shall acknowledge in the affidavit that the third  
 5.16 party may be held criminally and civilly responsible if the abusing party gains access to  
 5.17 the firearms while the firearms are in the custody of the third party. If the transfer is to a  
 5.18 law enforcement agency or federally licensed firearms dealer, the law enforcement agency  
 5.19 or federally licensed firearms dealer shall provide proof of transfer to the abusing party.  
 5.20 The proof of transfer must specify whether the firearms were permanently or temporarily  
 5.21 transferred and include the name of the abusing party, date of transfer, and the serial  
 5.22 number, make and model of all transferred firearms. The abusing party shall provide the  
 5.23 court with a signed and notarized affidavit or proof of transfer as described in this section  
 5.24 within three business days of the court issuing an order under paragraph (e)."

5.25 Page 9, delete lines 23 to 24

5.26 Page 9, line 33, before the period insert

5.27 "; or

5.28 (12) a person is disqualified from possessing a firearm under United States Code,  
 5.29 title 18, section 922(g)(8) or (9), as amended through March 1, 2014"

5.30 Page 10, after line 10, insert:

5.31 **"Sec. 6. [624.7144] ALLOWING AN INELIGIBLE PERSON ACCESS TO**  
 5.32 **FIREARMS.**

5.33 A person who accepts a transferred firearm from an abusing party or offender  
 5.34 pursuant to section 260C.201, subdivision 3; section 518B.01, subdivision 6; section  
 5.35 609.2242, subdivision 3; or section 609.749, subdivision 8, is guilty of a gross  
 5.36 misdemeanor, if the person required to transfer the firearm obtains possession of the

6.1 transferred firearm while the person is prohibited from possessing firearms. It is an  
6.2 affirmative defense to a violation of this section that the third party who accepted the  
6.3 transferred firearm took reasonable precautions to ensure that the person who transferred  
6.4 the firearm could not access the firearm."