

Fifty-first Legislature
Second Regular Session

Kavanagh
H.B. 2535

KAVANAGH SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2535

I move the following SUBSTITUTE amendment to the JUDICIARY Committee Amendment to
HOUSE BILL 2535 (Reference to printed bill)

- 1 Page 1, line 8, strike "FIFTEEN" insert "SIXTY"
- 2 Line 12, after the period strike remainder of line; strike lines 13 and 14,
3 insert "IF THE CHIEF LAW ENFORCEMENT OFFICER IS UNABLE TO PROVIDE A
4 CERTIFICATION AS REQUIRED BY THIS SECTION, THE CHIEF LAW ENFORCEMENT OFFICER
5 SHALL NOTIFY THE APPLICANT, IN WRITING, OF THE DENIAL AND THE REASON FOR THIS
6 DETERMINATION.
- 7 B. THE CHIEF LAW ENFORCEMENT OFFICER OF A LAW ENFORCEMENT AGENCY THAT
8 HAS FIFTEEN PEACE OFFICERS OR FEWER MAY REFER AN APPLICANT WHO IS REQUESTING
9 A CERTIFICATION PURSUANT TO THIS SECTION TO THE COUNTY SHERIFF. A COUNTY
10 SHERIFF WHO RECEIVES A REQUEST FOR CERTIFICATION FROM A REFERRED APPLICANT
11 SHALL PROVIDE THE CERTIFICATION REQUIRED BY THIS SECTION.
- 12 C. SECTION 12-820.02 APPLIES TO A CHIEF LAW ENFORCEMENT OFFICER WHO
13 PROVIDES A CERTIFICATION PURSUANT TO THIS SECTION.
- 14 D. THIS SECTION DOES NOT APPLY TO A COUNTY ATTORNEY OR A TRIBAL
15 AGENCY. THIS SUBSECTION DOES NOT PROHIBIT A COUNTY ATTORNEY OR A TRIBAL
16 AGENCY FROM PROVIDING AN APPLICANT WITH A CERTIFICATION.
- 17 E. A CHIEF LAW ENFORCEMENT OFFICER IS NOT REQUIRED TO PROVIDE A
18 CERTIFICATION PURSUANT TO THIS SECTION THAT THE OFFICER KNOWS IS UNTRUE BUT
19 MAY NOT REFUSE TO PROVIDE A CERTIFICATION THAT IS BASED ON A GENERALIZED
20 OBJECTION TO PRIVATE PERSONS OR ENTITIES MAKING, POSSESSING OR RECEIVING

House Amendments to H.B. 2535

1 FIREARMS OR ANY CERTAIN TYPE OF FIREARM THE POSSESSION OF WHICH IS NOT
2 PROHIBITED BY LAW."

3 Reletter to conform

4 Page 1, after line 24, insert:

5 "4. "PROCEEDING" INCLUDES AN ONGOING CRIMINAL INVESTIGATION THAT COULD
6 RESULT IN THE APPLICANT BEING PROHIBITED BY LAW FROM RECEIVING A FIREARM."

7 Amend title to conform

JOHN KAVANAGH

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03/03/2014
2:37 PM
C: sp