

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred House Bill No. 606  
3 entitled “An act relating to firearms procedures” respectfully reports that it has  
4 considered the same and recommends that the Senate propose to the House that  
5 the bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

7 Sec. 1. 20 V.S.A. § 2307 is amended to read:

8 § 2307. FIREARMS RELINQUISHED PURSUANT TO RELIEF FROM  
9 ABUSE ORDER OR EXTREME RISK PROTECTION ORDER;  
10 STORAGE; FEES; RETURN

11 (a) Definitions. As used in this section:

12 (1) “Federally licensed firearms dealer” means a licensed importer,  
13 licensed manufacturer, or licensed dealer required to conduct national instant  
14 criminal background checks under 18 U.S.C. § 922(t).

15 (2) “Firearm” ~~shall have~~ has the same meaning as in 18 U.S.C.  
16 § 921(a)(3).

17 (3) “Law enforcement agency” means the Vermont State Police, a  
18 municipal police department, or a sheriff’s department.

19 (4) “Third party” means a person other than a cooperating law  
20 enforcement agency or an approved federally licensed firearms dealer.

1 (b) Relinquishment.

2 (1) A person who is required to relinquish firearms,~~ammunition,~~ or  
3 other weapons in the person’s possession by a court order issued under 15  
4 V.S.A. chapter 21 (abuse prevention); 13 V.S.A. chapter 85, subchapter 2  
5 (extreme risk protection orders); or any other provision of law consistent with  
6 18 U.S.C. § 922(g)(8) shall, ~~unless the court orders an alternative~~  
7 ~~relinquishment pursuant to subdivision (2) of this subsection,~~ upon service of  
8 the order immediately relinquish the firearms,~~ammunition,~~ or weapons to a  
9 cooperating law enforcement agency or an approved federally licensed  
10 firearms dealer. As used in this subdivision, “person” means anyone who  
11 meets the definition of “intimate partner” under 18 U.S.C. § 921(a)(32) or who  
12 qualifies as a family or household member under 15 V.S.A. § 1101, or any  
13 person who is subject to an extreme risk protection order. The court may order  
14 an alternative relinquishment to a third party if after a hearing the court finds  
15 that the alternative relinquishment adequately protects the safety of the  
16 protected parties.

17 (2)(A) ~~The court may order that the person relinquish the firearms,~~  
18 ~~ammunition, or other weapons to a person other than a cooperating law~~  
19 ~~enforcement agency or an approved federally licensed firearms dealer unless~~  
20 ~~the court finds that relinquishment to the other person will not adequately~~  
21 ~~protect the safety of the victim.~~

1                    (i) Firearms shall not be held by a third party unless approved by  
2                    the court using the process set forth in this subdivision (2).

3                    (ii) A final relief from abuse hearing under 15 V.S.A. § 1103 or an  
4                    extreme risk protection order hearing under 13 V.S.A. § 4053 shall not be  
5                    continued solely for the purpose of approval of a third party. If the court is  
6                    unable to accommodate hearing from the proposed third party at the hearing or  
7                    if the defendant is not prepared to present the third party, the defendant may  
8                    file a motion using a form approved by the court administrator to request a  
9                    hearing at a later date on whether the proposed third party should be permitted  
10                   to hold surrendered firearms.

11                   (iii) To be considered as a third party eligible to hold surrendered  
12                   firearms, the third party shall agree to undergo a background check through the  
13                   National Instant Criminal Background Check System (NICS) to verify that the  
14                   person is legally permitted to have a firearm. The background check required  
15                   by this subdivision (iii) shall be provided to the court.

16                   ~~(B) A person to whom firearms, ammunition, or other weapons are~~  
17                   ~~relinquished pursuant to subdivision (2)(A) of this subsection (b)~~ The proposed  
18                   third party shall execute an affidavit on a form approved by the Court  
19                   Administrator stating that the person:

20                   (i) acknowledges receipt of the firearms, ~~ammunition~~, or other  
21                   weapons;

1 (ii) assumes responsibility for storage of the firearms,  
2 ~~ammunition~~, or other weapons until further order of the court, and specifies the  
3 manner in which ~~he or she~~ the person will provide secure storage of such  
4 items;

5 (iii) is not prohibited from owning or possessing firearms under  
6 State or federal law; and

7 (iv) understands the obligations and requirements of the court  
8 order, including the potential for the person to be subject to civil contempt  
9 proceedings pursuant to subdivision ~~(2)~~(C) of this ~~subsection~~ subdivision  
10 ~~(b)(2)~~ if the person permits the firearms, ~~ammunition~~, or other weapons to be  
11 possessed, accessed, or used by the person who relinquished the item or by any  
12 other person not authorized by law to do so.

13 (C) A ~~person to whom firearms, ammunition, or other weapons are~~  
14 ~~relinquished pursuant to subdivision (2)(A) of this subsection (b)~~ third party  
15 shall be subject to civil contempt proceedings under 12 V.S.A. chapter 5 if the  
16 person permits the firearms, ~~ammunition~~, or other weapons to be possessed,  
17 accessed, or used by the person who relinquished the item or by any other  
18 person not authorized by law to do so. In the event that the person required to  
19 relinquish the firearms, ~~ammunition~~, or other weapons or any other person not  
20 authorized by law to possess the relinquished items obtains access to,  
21 possession of, or use of a relinquished item, all relinquished items shall be

1 immediately transferred to the possession of a law enforcement agency or  
2 approved federally licensed firearms dealer pursuant to subdivision (1) of this  
3 subsection (b).

4 (c) Obligation to catalogue; evidentiary firearms excluded. A law  
5 enforcement agency or an approved federally licensed firearms dealer that  
6 takes possession of a firearm, ~~ammunition~~, or other weapon pursuant to  
7 subdivision (b)(1) of this section shall photograph, catalogue, and store the  
8 item in accordance with standards and guidelines established by the  
9 Department of Public Safety pursuant to ~~subdivision (i)(3)~~ subsection (k) of  
10 this section. A firearm, ~~ammunition~~, or other weapon shall not be taken into  
11 possession pursuant to this section if it is being or may be used as evidence in a  
12 pending criminal matter.

13 (d) Acknowledgement form. A defendant who is required to relinquish  
14 firearms pursuant to a court order issued under 15 V.S.A. chapter 21 (abuse  
15 prevention); 13 V.S.A. chapter 85, subchapter 2 (extreme risk protection  
16 orders), or any other provision of law consistent with 18 U.S.C. § 922(g)(8)  
17 shall complete a form approved by the court administrator acknowledging that  
18 surrender has occurred and documenting the holder of the firearms. The form  
19 shall be filed with the court or law enforcement, or both, as directed by the  
20 court order.

1        (e) Fees.

2            (1) A law enforcement agency that stores firearms, ~~ammunition~~, or  
3 weapons pursuant to subdivision (b)(1) of this section may charge the owner a  
4 reasonable storage fee, not to exceed:

5            (A) \$200.00 for the first firearm or weapon, and \$50.00 for each  
6 additional firearm or weapon for up to 15 months, prorated on the number of  
7 months the items are stored; and

8            (B) \$50.00 per firearm or weapon per year for each year or part  
9 thereof thereafter.

10           (2) A federally licensed firearms dealer that stores firearms,  
11 ~~ammunition~~, or weapons pursuant to subdivision (b)(1) of this section may  
12 charge the owner a storage fee that is reasonably related to the expenses it  
13 incurs in the administration of this section. Any federally licensed firearm  
14 dealer that certifies compliance under this section shall provide a copy of its  
15 fee schedule to the ~~court~~ Department of Public Safety upon request.

16           (3) Fees permitted by this subsection shall not begin to accrue until after  
17 the court issues a final relief from abuse order pursuant to 15 V.S.A. § 1103 or  
18 a final extreme risk protection order pursuant to 13 V.S.A. § 4053.

19           ~~(e)~~(f) Sale. Nothing in this section shall be construed to prohibit the lawful  
20 sale of firearms or other items.

1       ~~(f) A final relief from abuse order issued pursuant to 15 V.S.A. § 1103~~  
2       ~~requiring a person to relinquish firearms, ammunition, or other weapons shall~~  
3       ~~direct the law enforcement agency, approved federally licensed firearms~~  
4       ~~dealer, or other person in possession of the items under subsection (b) of this~~  
5       ~~section to release them to the owner upon expiration of the order if all~~  
6       ~~applicable fees have been paid.~~

7       (g) Law enforcement storage of firearms with a federally licensed firearms  
8       dealer.

9           (1) Law enforcement agencies that do not have the capacity to store  
10       firearms or do not elect to store nonevidentiary firearms may store  
11       nonevidentiary firearms relinquished to them pursuant to a relief from abuse  
12       order, an extreme risk protection order, or any other provision of law  
13       consistent with 18 U.S.C. § 922(g)(8) with a federally licensed firearms dealer,  
14       provided that the agency provides timely notice to the person surrendering the  
15       firearm of the transfer. The notice shall include the following information:

16           (A) The contact information for the federally licensed firearms  
17       dealer, including the dealer's name, phone number, and current address.

18           (B) It is the defendant's responsibility to keep the federally licensed  
19       firearms dealer informed of any address changes.

20           (C) The costs of the storage fees that the defendant will be  
21       responsible for paying.

1           (D) If the defendant fails to retrieve the firearms within 90 days after  
2           being eligible for release, the defendant forfeits ownership of the firearms and  
3           the firearms may be sold and all proceeds retained by the federally licensed  
4           firearms dealer or law enforcement agency that provided storage.

5           (E) Information about how to file a request with the court to have a  
6           third party provide storage.

7           (F) The eligibility requirements that a proposed third party is required  
8           to meet to hold firearms.

9           (2) The notice required by subdivision (1) of this subsection may be  
10          provided by the federally licensed firearms dealer to the defendant directly,  
11          provided that the dealer or law enforcement agency, or both, keeps a record to  
12          document that notice was provided.

13          (3) Law enforcement agencies that store nonevidentiary firearms with a  
14          federally licensed firearms dealer shall provide the dealer with:

15               (A) the name of the owner of the firearms;

16               (B) contact information for the owner to include name, date of birth,  
17               phone number, and current address;

18               (C) docket information about the court order requiring firearms  
19               surrender; and

20               (D) if requested by the dealer, information about any changes to the  
21               court order.

1           (4) Federally licensed firearms dealers shall not be used to store firearms  
2           relinquished pursuant to a temporary relief from abuse order issued pursuant to  
3           15 V.S.A. § 1104 or a temporary extreme risk protection order issued pursuant  
4           to 13 V.S.A. § 4054 unless the defendant consents to have the dealer hold the  
5           firearms and agrees to pay storage fees that accrue while the temporary order is  
6           in effect.

7           (h) Victim notification of release of firearms. Prior to releasing firearms  
8           under this section, law enforcement agencies shall make reasonable efforts to  
9           provide notice to the plaintiff at least 24 hours in advance before the firearms  
10           are released unless the plaintiff is present in court when the court order  
11           requiring relinquishment is dismissed and is orally informed on the record that  
12           firearms will be released.

13           (i) Release of firearms.

14           (1) A law enforcement agency, an approved federally licensed firearms  
15           dealer, or any other person that takes possession of firearms, ~~ammunition,~~ or  
16           weapons for storage purposes pursuant to this section shall not release the  
17           items to the owner without a court order unless the items are to be sold  
18           pursuant to subdivision (2)(A) of this subsection. If a court orders the release  
19           of firearms, ~~ammunition,~~ or weapons stored under this section, the law  
20           enforcement agency or firearms dealer in possession of the items shall make  
21           them available to the owner within ~~three business days of receipt of the order~~

1 ~~and in a manner consistent with federal law~~ 72 hours after completion of a  
2 background check through the National Instant Criminal Background Check  
3 System (NICS). The Supreme Court may promulgate rules under 12 V.S.A.  
4 § 1 for judicial proceedings under this subsection.

5 (2)(A)(i) If the owner fails to retrieve the firearm, ~~ammunition,~~ or  
6 weapon and pay the applicable storage fee within 90 days ~~of~~ following the  
7 court order releasing the items, the firearm, ~~ammunition,~~ or weapon may be  
8 sold for fair market value. Title to the items shall pass to the law enforcement  
9 agency or firearms dealer for the purpose of transferring ownership, except that  
10 the Vermont State Police shall follow the procedure described in section 2305  
11 of this title.

12 (ii) The law enforcement agency or approved firearms dealer shall  
13 make a reasonable effort to notify the owner of the sale before it occurs. In no  
14 event shall the sale occur until after the court issues a final relief from abuse  
15 order pursuant to 15 V.S.A. § 1103 or a final extreme risk protection order  
16 pursuant to 13 V.S.A. § 4053.

17 (iii) As used in this subdivision (2)(A), “reasonable effort” ~~shall~~  
18 ~~mean~~ means notice shall be served as provided for by Rule 4 of the Vermont  
19 Rules of Civil Procedure.

1           (B) ~~Proceeds from the sale of a firearm, ammunition, or weapon~~  
2 ~~pursuant to subdivision (A) of this subdivision (2) shall be apportioned as~~  
3 ~~follows:~~

4           ~~(i) unpaid storage fees and associated costs, including the costs of~~  
5 ~~sale and of locating and serving the owner, shall be paid to the law~~  
6 ~~enforcement agency or firearms dealer that incurred the cost; and~~

7           ~~(ii) any proceeds remaining after payment is made to the law~~  
8 ~~enforcement agency or firearms dealer pursuant to subdivision (i) of this~~  
9 ~~subdivision (2)(B) shall be paid to the original owner If firearms eligible for~~  
10 ~~release are not claimed by the owner, the federally licensed firearms dealer or~~  
11 ~~law enforcement agency storing the firearms shall provide a certified letter to~~  
12 ~~the owner's last known address. If the firearms are not claimed within 90 days~~  
13 ~~after notice by certified letter, the firearms may be sold by the dealer or law~~  
14 ~~enforcement agency and the dealer or law enforcement agency may retain all~~  
15 ~~proceeds from the sale.~~

16       ~~(h)~~(j) Immunity.

17       (1) A federally licensed firearms dealer or law enforcement agency that  
18 stores firearms in accordance with this section shall be immune from:

19           (A) civil or criminal liability for the sale of firearms, provided that  
20 notice is provided as required by subsection (g) of this section; and

1            (B) civil or criminal liability for any damage or deterioration of  
2            firearms, ~~ammunition~~, or weapons stored or transported pursuant to subsection  
3            (c) of this section.

4            (2) This subsection shall not apply if the damage or deterioration  
5            occurred as a result of recklessness, gross negligence, or intentional  
6            misconduct by the law enforcement agency or federally licensed firearms  
7            dealer.

8            ~~(i)~~(k) Department of Public Safety. The Department of Public Safety shall  
9            be responsible for the implementation and establishment of standards and  
10            guidelines to carry out this section. To carry out this responsibility, the  
11            Department shall:

12            (1) Establish minimum standards to be a qualified storage location and  
13            maintain a list of qualified storage locations, including:

14            (A) federally licensed firearms dealers that annually certify  
15            compliance with the Department’s standards to receive firearms, ~~ammunition~~,  
16            or other weapons pursuant to subdivision (b)(2) of this section; and

17            (B) cooperating law enforcement agencies.

18            (2) Adopt a policy that encourages and supports federally licensed  
19            firearms dealers to provide storage for prohibited persons.

1           (3) Establish a fee schedule consistent with the fees established in this  
2 section for the storage of firearms and other weapons by law enforcement  
3 agencies pursuant to this section.

4           ~~(3)~~(4) Establish standards and guidelines to provide for the storage of  
5 firearms, ~~ammunition~~, and other weapons pursuant to this section by law  
6 enforcement agencies. Such guidelines shall provide that:

7           (A) with the consent of the law enforcement agency taking  
8 possession of a firearm, ~~ammunition~~, or weapon under this section, an owner  
9 may provide a storage container for the storage of such relinquished items;

10           (B) the law enforcement agency that takes possession of the firearm,  
11 ~~ammunition~~, or weapon may provide a storage container for the relinquished  
12 item or items at an additional fee; and

13           (C) the law enforcement agency that takes possession of the firearm,  
14 ~~ammunition~~, or weapon shall present the owner with a receipt at the time of  
15 relinquishment that includes the serial number and identifying characteristics  
16 of the firearm, ~~ammunition~~, or weapon and record the receipt of the item or  
17 items in a log to be established by the Department.

18           ~~(4)~~(5) Report on January 15, 2015<sub>2</sub> and annually thereafter to the House  
19 and Senate Committees on Judiciary on the status of the program. The  
20 provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply  
21 to the report to be made under this subdivision.

1 Sec. 2. 20 V.S.A. § 2308 is added to read:

2 § 2308. STATEWIDE MODEL POLICY PROHIBITING FIREARMS

3 ACCESS BY PROHIBITED PERSONS

4 (a) On or before December 30, 2026, the Department of Public Safety shall  
5 direct the Law Enforcement Advisory Board (LEAB) to adopt a statewide  
6 model law enforcement policy addressing firearms access by persons who are  
7 prohibited from possessing firearms pursuant to relief from abuse orders,  
8 extreme risk protection orders, or other legal prohibitions. The policy shall  
9 create a legal, safe, and fair process, including necessary forms and delineated  
10 roles and responsibilities, for law enforcement agencies interacting with  
11 federally licensed firearms dealers that are storing firearms for prohibited  
12 persons. The policy shall address the following:

13 (1) legal removal of firearms from the scene of a domestic violence  
14 incident;

15 (2) steps for inquiry and lawful removal of firearms by law enforcement  
16 when serving protective orders;

17 (3) a process for notifying the plaintiff about service and relinquishment,  
18 appropriate handling, and storage of firearms;

19 (4) procedures for storage of firearms with federally licensed firearms  
20 dealers and third parties, including informing the defendant about the option of  
21 third-party storage; and

1           (5) methods of data collection about the number and type of firearms  
2           surrendered, including descriptions of the firearms.

3           (b) On or before June 30, 2027, every state, county, and municipal law  
4           enforcement agency shall adopt a model firearms surrender policy that  
5           includes each component of the LEAB model. If an agency has not adopted a  
6           policy on or before June 30, 2027, the agency shall be deemed to have adopted,  
7           and shall follow and enforce, the LEAB model.

8           Sec. 3. 13 V.S.A. § 4059 is amended to read:

9           § 4059. RELINQUISHMENT, STORAGE, AND RETURN OF

10                           DANGEROUS WEAPONS

11           (a) A person who is required to relinquish a dangerous weapon other than a  
12           firearm in the person's possession, custody, or control by an extreme risk  
13           protection order issued under section 4053, 4054, or 4055 of this title shall  
14           upon service of the order immediately relinquish the dangerous weapon to a  
15           cooperating law enforcement agency. The law enforcement agency shall  
16           transfer the weapon to the Bureau of Alcohol, Tobacco, Firearms and  
17           Explosives for proper disposition.

18           (b)~~(1)~~ A person who is required to relinquish a firearm in the person's  
19           possession, custody, or control by an extreme risk protection order issued  
20           under section 4053, 4054, or 4055 of this title shall, ~~unless the court orders an~~  
21           ~~alternative relinquishment pursuant to subdivision (2) of this subsection, upon~~

1 ~~service of the order immediately relinquish the firearm to a cooperating law~~  
2 ~~enforcement agency or an approved federally licensed firearms dealer~~  
3 ~~relinquish the firearm pursuant to the procedures required by 20 V.S.A.~~  
4 ~~§ 2307.~~

5 ~~(2)(A) The court may order that the person relinquish a firearm to a~~  
6 ~~person other than a cooperating law enforcement agency or an approved~~  
7 ~~federally licensed firearms dealer unless the court finds that relinquishment to~~  
8 ~~the other person will not adequately protect the safety of any person.~~

9 ~~(B) A person to whom a firearm is relinquished pursuant to~~  
10 ~~subdivision (A) of this subdivision (2) shall execute an affidavit on a form~~  
11 ~~approved by the Court Administrator stating that the person:~~

12 ~~(i) acknowledges receipt of the firearm;~~

13 ~~(ii) assumes responsibility for storage of the firearm until further~~  
14 ~~order of the court and specifies the manner in which he or she will provide~~  
15 ~~secure storage;~~

16 ~~(iii) is not prohibited from owning or possessing firearms under~~  
17 ~~State or federal law; and~~

18 ~~(iv) understands the obligations and requirements of the court~~  
19 ~~order, including the potential for the person to be subject to civil contempt~~  
20 ~~proceedings pursuant to subdivision (C) of this subdivision (2) if the person~~

1 ~~permits the firearm to be possessed, accessed, or used by the person who~~  
2 ~~relinquished the item or by any other person not authorized by law to do so.~~

3 ~~(C) A person to whom a firearm is relinquished pursuant to~~  
4 ~~subdivision (A) of this subdivision (2) shall be subject to civil contempt~~  
5 ~~proceedings under 12 V.S.A. chapter 5 if the person permits the firearm to be~~  
6 ~~possessed, accessed, or used by the person who relinquished the item or by any~~  
7 ~~other person not authorized by law to do so. In the event that the person~~  
8 ~~required to relinquish the firearm or any other person not authorized by law to~~  
9 ~~possess the relinquished item obtains access to, possession of, or use of a~~  
10 ~~relinquished item, all relinquished items shall be immediately transferred to the~~  
11 ~~possession of a law enforcement agency or approved federally licensed~~  
12 ~~firearms dealer pursuant to subdivision (b)(1) of this section.~~

13 ~~(c) A law enforcement agency or an approved federally licensed firearms~~  
14 ~~dealer that takes possession of a firearm pursuant to subdivision (b)(1) of this~~  
15 ~~section shall photograph, catalogue, and store the item in accordance with~~  
16 ~~standards and guidelines established by the Department of Public Safety~~  
17 ~~pursuant to 20 V.S.A. § 2307(i)(3). [Repealed.]~~

18 ~~(d) Nothing in this section shall be construed to prohibit the lawful sale of~~  
19 ~~firearms or other items. [Repealed.]~~

20 ~~(e) An extreme risk protection order issued pursuant to section 4053 of this~~  
21 ~~title or renewed pursuant to section 4055 of this title shall direct the law~~

1 ~~enforcement agency, approved federally licensed firearms dealer, or other~~  
2 ~~person in possession of a firearm under subsection (b) of this section to release~~  
3 ~~it to the owner upon expiration of the order. [Repealed.]~~

4 (f)(1) ~~A law enforcement agency, an approved federally licensed firearms~~  
5 ~~dealer, or any other person who takes possession of a firearm for storage~~  
6 ~~purposes pursuant to this section shall not release it to the owner without a~~  
7 ~~court order unless the firearm is to be sold pursuant to subdivision (2)(A) of~~  
8 ~~this subsection. If a court orders the release of a firearm stored under this~~  
9 ~~section, the law enforcement agency or firearms dealer in possession of the~~  
10 ~~firearm shall make it available to the owner within three business days after~~  
11 ~~receipt of the order and in a manner consistent with federal law.~~

12 (2)(A)(i) ~~If the owner fails to retrieve the firearm within 90 days after the~~  
13 ~~court order releasing it, the firearm may be sold for fair market value. Title to~~  
14 ~~the firearm shall pass to the law enforcement agency or firearms dealer for the~~  
15 ~~purpose of transferring ownership, except that the Vermont State Police shall~~  
16 ~~follow the procedure described in 20 V.S.A. § 2305.~~

17 (ii) ~~The law enforcement agency or firearms dealer shall make a~~  
18 ~~reasonable effort to notify the owner of the sale before it occurs. In no event~~  
19 ~~shall the sale occur until after the court issues a final extreme risk protection~~  
20 ~~order pursuant to section 4053 of this title.~~

1           ~~(iii) As used in this subdivision (2)(A), “reasonable effort” shall~~  
2           ~~mean notice shall be served as provided for by Rule 4 of the Vermont Rules of~~  
3           ~~Civil Procedure.~~

4           ~~(B) Proceeds from the sale of a firearm pursuant to subdivision (A) of~~  
5           ~~this subdivision (2) shall be apportioned as follows:~~

6           ~~(i) associated costs, including the costs of sale and of locating and~~  
7           ~~servicing the owner, shall be paid to the law enforcement agency or firearms~~  
8           ~~dealer that incurred the cost; and~~

9           ~~(ii) any proceeds remaining after payment is made to the law~~  
10           ~~enforcement agency or firearms dealer pursuant to subdivision (i) of this~~  
11           ~~subdivision (2)(B) shall be paid to the original owner. [Repealed.]~~

12           ~~(g) A law enforcement agency shall be immune from civil or criminal~~  
13           ~~liability for any damage or deterioration of a firearm stored or transported~~  
14           ~~pursuant to this section. This subsection shall not apply if the damage or~~  
15           ~~deterioration occurred as a result of recklessness, gross negligence, or~~  
16           ~~intentional misconduct by the law enforcement agency. [Repealed.]~~

17           ~~(h) This section shall be implemented consistent with the standards and~~  
18           ~~guidelines established by the Department of Public Safety under 20 V.S.A. §~~  
19           ~~2307(i). [Repealed.]~~

1 (i) Notwithstanding any other provision of this chapter:

2 (1) A dangerous weapon shall not be returned to the respondent if the  
3 respondent’s possession of the weapon would be prohibited by state or federal  
4 law.

5 (2) A dangerous weapon shall not be taken into possession pursuant to  
6 this section if it is being or may be used as evidence in a pending criminal  
7 matter.

8 and that after passage the title of the bill be amended to read: “An act relating  
9 to firearms relinquishment and storage procedures”

10 Sec. 4. EFFECTIVE DATE

11 This act shall take effect on July 1, 2026.

12

13

14

15

16 (Committee vote: \_\_\_\_\_)

17

\_\_\_\_\_

18

Senator \_\_\_\_\_

19

FOR THE COMMITTEE