



# **Firearms and Domestic Violence: State and Territorial Statutory Provisions**

*Revised 2014*

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This project is supported by Grant No. 2011-TA-AX-K080 awarded by the Office on Violence Against Women, U.S. Department of Justice.  
The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice, Office on Violence Against Women.

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<p><b>Alabama</b></p>	<p><i>Catch-all Provision</i></p> <p>A court may grant the following relief without notice and hearing in an order for protection or a modification issued ex parte: other relief as it deems necessary to provide for the safety and welfare of the plaintiff or minor and any designated family or household member. Ala. Code § 30-5-7(b)(1) (2014).</p>	<p><i>Carrying a Concealed Weapon</i></p> <p>Except as otherwise provided in this Code, a person who carries concealed about his person . . . a pistol or firearm of any other kind or an air gun shall, on conviction, be fined not less than \$50.00 nor more than \$500.00, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months. Ala. Code 13A-11-50 (2014).</p> <p><i>Commission of Crime of Violence when Armed with Pistol</i></p> <p>If any person shall commit or attempt to commit a crime of violence when armed with a pistol, he may, in addition to the punishment provided for the crime, be punished also as provided by this division. In the trial of a person for committing or attempting to commit a crime of violence, the fact that he was armed with a pistol and has no license to carry the same shall be prima facie evidence of his intention to commit said crime of violence. (Offenses Relating to Firearms and Weapons), Division 2 (Pistols). Ala. Code § 13A-11-71 (2014).</p> <p><i>Bail for Domestic Violence Offense</i></p> <p>The judge or magistrate shall make findings on the record concerning those determinations and may impose conditions of release or bail on the person to protect the alleged victim of domestic violence or the person protected by a protection order, and to ensure the appearance of the person at a</p>	<p><i>Authority Reserved to Attorney General to Bring or Settle Certain Lawsuits Concerning Firearms, Ammunition, etc.</i></p> <p>The authority to bring or settle any lawsuit in which the state has an exclusive right to recover against any firearm or ammunition manufacturer, trade association, or dealer, and the authority to bring or settle any lawsuit on behalf of any governmental unit created pursuant to an act of the Legislature or the Constitution of Alabama of 1901, or any department, agency, or authority thereof, for damages, abatement, injunctive relief, or other equitable relief resulting from or relating to the design, manufacture, marketing, or lawful sale of firearms or ammunition, or both, shall be reserved exclusively to the Attorney General, by and with the consent of the Governor. This section shall not prohibit a county or municipal corporation from bringing an action against a firearms or ammunition manufacturer or dealer for breach of contract or warranty as to firearms or ammunition purchased by the political subdivision or local governmental authority. Ala. Code § 11-80-11(a) (2014).</p> <p><i>Giving False Information at Purchase</i></p> <p>No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity. Ala. Code § 13A-11-81 (2014).</p>

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		<p>subsequent court proceeding. The conditions may include, but need not be limited to, enjoining the person from threatening to commit or committing acts of domestic violence against the alleged victim; prohibiting the person from telephoning, contacting, or otherwise communicating with the alleged victim with the intent to harass, either directly or indirectly; ordering the person to stay away from the home of the alleged victim, when the person and alleged victim are not residents of the same home, and ordering the person to stay away from any other location where the alleged victim is likely to be; prohibiting the person from possessing a firearm or other weapon specified by the court, except when such weapon is necessary for employment as a peace officer or military personnel; and issuing any other order or modification of orders above required to protect the safety of the alleged victim or to ensure the appearance of the person in court. Ala. Code § 15-13-190(b) (2014).</p> <p style="text-align: center;"><i>Conviction for Crime of Violence Firearm Restriction</i></p> <p>No person who has been convicted in this state or elsewhere of committing or attempting to commit a crime of violence shall own a pistol or have one in his or her possession or under his or her control. Code of Ala. § 13A-11-72(a) (2014).</p> <p style="text-align: center;"><i>Carrying-a-Pistol Limitation</i></p> <p>Except as otherwise provided in this article, no person shall carry a pistol about his person on premises not his own or under his control</p>	<p style="text-align: center;"><i>Inpatient Mental Health Provision</i></p> <p>When a judge enters an order for the final involuntary commitment of a person for inpatient treatment, and the order is based on evidence produced in open court that the committed person has shown a history of the inappropriate use of firearms or poses a threat to use firearms inappropriately, the judge shall immediately forward the order to the Criminal Justice Information Center (CJIC) and the order shall be entered in the Criminal Justice Information System. CJIC shall as soon as possible thereafter enter the order in the NICS Check System and the information shall be entered into the NICS Index Denied Persons File. The records maintained shall only be used to determine eligibility to purchase or transfer a firearm. Upon release, person may petition for reinstatement of firearm rights. Ala. Code § 22-52-10.8 (a)-(b) (2014).</p> <p style="text-align: center;"><i>NICS Enabling Legislation</i></p> <p>All transfers or purchases of firearms conducted by a licensed importer, licensed manufacturer, or licensed dealer shall be subject to the national instant criminal background check system (NICS) created by the federal "Brady Handgun Violence Prevention Act." Ala. Code § 41-9-649 (2014).</p> <p style="text-align: center;"><i>Firearm Purchase Background Check -- Mims-Russell Law Enforcement Protection Act.</i></p> <p>All transfers or purchases of firearms conducted by a licensed importer, licensed manufacturer, or licensed dealer shall be</p>

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		<p>unless the person possesses a valid concealed weapon permit or the person has the consent of the owner or legal possessor of the premises; but this section shall not apply to any law enforcement officer in the lawful discharge of the duties of his office, or the United States marshal or his deputies, rural free delivery mail carriers in the discharge of their duties as such, bonded constables in the discharge of their duties as such, conductors, railway mail clerks and express messengers in the discharge of their duties. Ala. Code § 13A-11-52 (2014).</p> <p><i>Violent Felons, Drug Addicts or Drunkards; Possession and Ownership Restrictions -- School Grounds; Possession or Carrying on Prohibited.</i></p> <p>(a) No person who has been convicted in this state or elsewhere of committing or attempting to commit a crime of violence shall own a pistol or have one in his or her possession or under his or her control.</p> <p>(b) No person who is a drug addict or an habitual drunkard shall own a pistol or have one in his or her possession or under his or her control.</p> <p>(c) Subject to the exceptions provided by Section 13A-11-74, no person shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school.</p> <p>(d) Possession of a deadly weapon with</p>	<p>subject to the national instant criminal background check system (NICS) created by the federal "Brady Handgun Violence Prevention Act" (P.L. No. 103-159), the relevant portion of which is codified at 18 U.S.C.S. § 922(t). To the extent possible, all information from any state or local government agency that is necessary to complete a NICS check shall be provided to the Criminal Justice Information Center. The Criminal Justice Information Center Commission shall promulgate rules and regulations necessary to implement a complete NICS Check. The commission shall also ensure that all information received shall be used solely for the purposes of compliance with NICS and every effort is made to protect the privacy of this information. All proposed rules shall go through the privacy and security committee of the commission which shall seek consultation from the President of the Probate Judges' Association and the Commissioner of the Department of Mental Health and consumer advocates as recommended by the commissioner. Code of Ala. § 41-9-649 (2014)</p> <p><i>License to Sell Pistol; Granting; Term; Conditions; Fee.</i></p> <p>The duly constituted licensing authorities of any city, town or political subdivision of this state may grant licenses in forms prescribed by the secretary of state, effective for not more than one year from date of issue, permitting the licensee to sell pistols at retail within this state subject to the following conditions, in addition to those specified in Section 13A-11-77 [repealed], for breach of</p>

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		<p>the intent to do bodily harm on the premises of a public school in violation of subsection (c) of this section is a Class C felony.</p> <p>(e) School security personnel and school resource officers qualified under subsection (a) of § 16-1-44.1, employed by a local board of education, and authorized by the employing local board of education to carry a deadly weapon while on duty are exempt from subsection (c) of this section. Law enforcement officers are exempt from this section, and persons with pistol permits issued pursuant to Section 13A-11-75, are exempt from the provisions of subsection (c) of this section.</p> <p>(g) The term "public school" as used in this section applies only to a school composed of grades K-12 and shall include a school bus used for grades K-12.</p> <p>(h) The term "deadly weapon" as used in this section means a firearm or anything manifestly designed, made, or adapted for the purposes of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black-jack, bludgeon, or metal</p>	<p>any of which the license shall be forfeited and the licensee subject to punishment as provided in this division. The business shall be carried on only in the building designated in the license. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read. No pistol shall be sold in violation of any provisions of this division, nor shall a pistol be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity. A true record in triplicate shall be made of every pistol sold, in a book kept for the purpose, the form of which may be prescribed by the Secretary of State and shall be personally signed by the purchaser and by the person effecting the sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, color and place of birth of purchaser and a statement signed by the purchaser that he has never been convicted in this state or elsewhere of a crime of violence. One copy shall be sent within six hours by registered or certified mail to the chief of police of the municipality or the sheriff of the county of which the dealer is a resident; the dealer shall within seven days send the duplicate to the Secretary of State; and the dealer shall retain the triplicate for six years. No pistol or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside. The fee for issuing said license shall be \$.50, which fee shall be paid into the State Treasury. Code of Ala. § 13A-11-79 (2014).</p>

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		<p>knuckles. Code of Ala. § 13A-11-72 (2014).</p>	<p><i>License to Carry Pistol; Exceptions.</i></p> <p>The provisions of Section 13A-11-73 shall not apply to marshals, sheriffs, prison and jail wardens and their regularly employed deputies, policemen and other law enforcement officers of any state or political subdivision thereof, or to the members of the army, navy or marine corps of the United States or of the national guard, or to the members of the national guard organized reserves or state guard organizations when on duty or going to or from duty, or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this state; provided, that such members are at or are going to or from their places of assembly or target practices, or to officers or employees of the United States duly authorized to carry a pistol, or to any person engaged in manufacturing, repairing or dealing in pistols, or the agent or representative of such person possessing, using, or carrying a pistol in the usual or ordinary course of such business, or to any common carrier, except taxicabs, licensed as a common carrier, or to any person permitted by law to possess a pistol while carrying it unloaded in a secure wrapper, from the place of purchase to his home or place of business, or to or from a place of repair or in moving from one place of abode or business to another. Code of Ala. § 13A-11-74 (2014).</p>

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<p><b>Alaska</b></p>	<p><i>Discretionary Prohibitions</i></p> <p>A protective order under this section may prohibit the respondent from using or possessing a deadly weapon if the court finds the respondent was in the actual possession of or used a weapon during the commission of domestic violence. The court may also direct the respondent to surrender any firearm owned or possessed by the respondent if the court finds that the respondent was in the actual possession of or used a firearm during the commission of the domestic violence. Alaska Stat. §§ 18.66.100 (6), (7) (2014).</p>	<p><i>Law Enforcement Notification to Victim</i></p> <p>A peace officer investigating a crime involving domestic violence shall orally and in writing inform the victim of the rights of victims of domestic violence and the services available to them, including the right to file a petition in court requesting a protective order that may include a provision directing the abuser to surrender any firearm owned or possessed by that person if the court finds that the abuser was in the actual possession of or used a firearm during the commission of the abuse. Alaska Stat. § 18.65.520(a)(7) (2014).</p> <p><i>Duties of Peace Officer in a Crime Involving Domestic Violence</i></p> <p>If a peace officer investigating a crime involving domestic violence determines that it is necessary to protect the victim or the victim's family from domestic violence or to protect the officer or the public during the investigation, the officer may (1) seize a deadly weapon in plain view of the officer, and (2) if a deadly weapon was actually possessed during or used in the domestic violence, seize all deadly weapons owned, used, possessed, or within the control of the alleged perpetrator. If the weapon is not needed as evidence in a criminal case, the law enforcement agency having custody of the weapon, within 24 hours of making the determination that the weapon is not needed as evidence in a criminal case, shall make the weapon available for pickup by the owner of the weapon during regular business hours. Alaska Stat. § 18.65.515(b) (2014).</p>	<p><i>Authority to Regulate Firearms</i></p> <p>The authority to regulate firearms and knives is reserved to the state, and, except as specifically provided by statute, a municipality may not enact or enforce an ordinance regulating the possession, ownership, sale, transfer, use, carrying, transportation, licensing, taxation, or registration of firearms or knives. Alaska Stat. § 29.35.145 (2014).</p> <p><i>Authority to Discharge a Weapon</i></p> <p>No person may use or discharge a weapon in a state park, except as otherwise provided in AS 41.21 or 11 AAC 20. 11 Alaska Admin. Code 12.190 (2014).</p> <p><i>Qualifications to Obtain a Permit</i></p> <p>A person is qualified to receive and hold a permit to carry a concealed handgun if the person:</p> <ol style="list-style-type: none"> <li>(1) is 21 years of age or older;</li> <li>(2) is eligible to own or possess a handgun under the laws of this state and under federal law;</li> <li>(3) is a resident of the state and has been for the 90 days immediately preceding the application for a permit;</li> <li>(4) has not been convicted of two or more class A misdemeanors of this state or similar laws of another jurisdiction within the six years immediately preceding the</li> </ol>

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		<p style="text-align: center;"><i>Release in Domestic Violence Cases</i></p> <p>Before ordering release before or after trial, or pending appeal, of a person charged with or convicted of a crime involving domestic violence, the judicial officer shall consider the safety of the alleged victim or other household member. To protect the victim, household member, and the community and to reasonably assure the person's appearance, the judicial officer:</p> <p>(1) shall impose conditions required under AS 12.30.011;</p> <p>(2) may impose any of the conditions authorized under AS 12.30.011;</p> <p>(3) may impose any of the provisions of AS 18.66.100©(1)—(7) and (11);</p> <p>(4) may order the person to participate in a monitoring program with a global positioning device or similar technological means that meets guidelines for monitoring program adopted by the Department of Corrections in consultation with the Department of Public Safety; and any of the provisions of Alaska Stat. §18.66.100(c)(1) -- (7) and (11) (protective order relief, including a prohibition on possession of a deadly weapon), and any other condition necessary to protect the alleged victim, household member, and the public, and to assure the appearance of the person in court, including ordering the person to refrain from the consumption of alcohol. Alaska Stat. § 12.30.027(a) (2014).</p>	<p>application;</p> <p>(5) is not now in and has not in the three years immediately preceding the application been ordered by a court to complete an alcohol or substance abuse treatment program; and</p> <p>(6) has successfully completed a handgun course as provided in AS 18.65.715. Alaska Stat. § 18.65.705(2014).</p>

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		<p data-bbox="984 180 1352 240"><i>Misconduct Involving Weapons in the Third Degree</i></p> <p data-bbox="915 277 1419 662">A person commits the crime of misconduct involving weapons in the third degree if the person violates AS 11.46.320 or 11.46.330 by entering or remaining unlawfully on premises or in a propelled vehicle in violation of a provision of an order issued or filed under AS 18.66.100 -- 18.66.180 or issued under former AS 25.35.010(b) or 25.35.020 and, during the violation, possesses on the person a defensive weapon or a deadly weapon, other than an ordinary pocketknife. Alaska Stat. § 11.61.200(a) (8) (2014).</p> <p data-bbox="984 699 1352 760"><i>Misconduct Involving Weapons in the Fifth Degree</i></p> <p data-bbox="915 797 1419 987">A person commits the crime of misconduct involving weapons in the fifth degree if the person knowingly possesses a firearm within a domestic violence or sexual assault shelter that receives funding from the state. Alaska Stat. § 11.61.220(a)(4)(C) (2014).</p> <p data-bbox="966 1024 1369 1052"><i>Forfeiture After Conviction of Offense</i></p> <p data-bbox="915 1089 1419 1430">Except as limited by §§12.55.125 – 12.55.175 (sentencing and probation provisions), the court may, in imposing sentence on a defendant convicted of an offense, order the forfeiture to the commissioner of public safety or a municipal law enforcement agency of a deadly weapon that was in the actual possession of or used by the defendant during the commission of an offense described in AS 11.41 (homicide, assault, reckless endangerment, kidnapping, custodial</p>	

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		<p>interference, sexual offenses, robbery, extortion, and coercion), AS 11.46 (property offenses including burglary, criminal trespass, vehicle theft, arson, and criminal mischief), AS 11.56 (offenses against public administration), or AS 11.61 (offenses against public order including weapons and explosives). Alaska Stat. § 12.55.015(a) (9) (2014).</p> <p><i>Authorized Sentences; Forfeiture</i></p> <p>Notwithstanding (a) of this section, the court shall order the forfeiture to the commissioner of public safety or a municipal law enforcement agency of a deadly weapon that was in the actual possession of or used by the defendant during the commission of a crime involving domestic violence. Alaska Stat. § 12.55.015(f) (2014).</p>	
<p><b>Arizona</b></p>	<p><i>Discretionary Prohibition</i></p> <p>A Court may issue an order of protection that prohibits the defendant from possessing or purchasing a firearm for the duration of the order, if the court finds that the defendant is a credible threat to the physical safety of the defendant or other specifically designated persons. If the court prohibits the defendant from possessing a firearm, the court shall also order the defendant to transfer any firearm owned or possessed by the defendant immediately after service of the order to the appropriate law enforcement agency for the duration of the order. If the defendant does not immediately transfer the firearm, the defendant shall transfer the firearm within 24 hours after service of the order. A.R.S. § 13-3602(G)(4) (2014).</p>	<p><i>Weapons Seizure</i></p> <p>A peace officer may question the persons who are present to determine if a firearm is present on the premises. On learning or observing that a firearm is present on the premises, the peace officer may temporarily seize the firearm if the firearm is in plain view or was found pursuant to a consent to search and if the officer reasonably believes that the firearm would expose the victim or another person in the household to a risk of serious bodily injury or death. A firearm that is owned or possessed by the victim shall not be seized unless there is probable cause to believe that both parties independently have committed an act of domestic violence. Each seized firearm shall be held for at least seventy-two hours by the law enforcement agency that seized the firearm. The victim shall be notified</p>	<p><i>Concealed Weapons Permit</i></p> <p>The permit of a person who is arrested or indicted for an offense that would make the person unqualified under the provisions of §13-3101(A)(7) (domestic violence probationers) or this section shall be immediately suspended and seized. The permit of a person who becomes unqualified on conviction of that offense shall be revoked. The permit shall be restored on presentation of documentation from the court if the permittee is found not guilty or the charges are dismissed. The permit shall be restored on presentation of documentation from the county attorney that the charges against the permit holder were dropped or dismissed. A.R.S. § 13-3112(B) (2014).</p>

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	<p data-bbox="472 180 806 207"><i>Emergency Order of Protection</i></p> <p data-bbox="390 245 884 467">An emergency order of protection may include an order prohibiting the defendant from possessing or purchasing a firearm for the duration of the order if the court finds that the defendant may inflict bodily injury or death on the plaintiff. A.R.S. § 13-3624(D) (4) (2014).</p>	<p data-bbox="919 180 1388 272">by a peace officer before the firearm is released from temporary custody. A.R.S. §§ 13-3601 (C), (D), (E) (2014).</p> <p data-bbox="1066 310 1268 337"><i>Release Conditions</i></p> <p data-bbox="919 375 1409 597">After providing notice to the victim pursuant to §13-4406, a judicial officer may impose conditions on a person who is released on his own recognizance or on bail including prohibiting the person from possessing any dangerous weapon. A.R.S. § 13-3967 (D) (4) (2014).</p> <p data-bbox="993 634 1339 662"><i>Prohibited Possessor of Firearms</i></p> <p data-bbox="919 699 1419 1052">Any person who is serving a term of probation pursuant to a conviction of a domestic violence offense as defined in § 13-3601 (domestic violence), or a felony offense, parole, community supervision, work furlough, home arrest, or release on any other basis, or who is serving a term of probation or parole pursuant to the interstate compact under title 31, chapter 3, article 4.1 may not possess a firearm. A.R.S. § 13-3101(A) (7) (d) (2014).</p> <p data-bbox="926 1089 1409 1117"><i>Aggravated Assault; Classification; Definition</i></p> <p data-bbox="961 1154 1419 1437"> A. A person commits aggravated assault if the person commits assault as prescribed by section 13-1203 under any of the following circumstances: <ol style="list-style-type: none"> <li data-bbox="1010 1317 1360 1377">1. If the person causes serious physical injury to another.</li> <li data-bbox="1010 1409 1346 1437">2. If the person uses a deadly</li> </ol> </p>	<p data-bbox="1472 180 1923 272"><i>Concealed Weapons; Qualification; Application; Permit to Carry; Civil Penalty; Report; Applicability</i></p> <p data-bbox="1493 310 1944 792">A. The department of public safety shall issue a permit to carry a concealed weapon to a person who is qualified under this section. The person shall carry the permit at all times when the person is in actual possession of the concealed weapon and is required by section 4-229 or 4-244 to carry the permit. If the person is in actual possession of the concealed weapon and is required by section 4-229 or 4-244 to carry the permit, the person shall present the permit for inspection to any law enforcement officer on request.</p> <p data-bbox="1493 829 1944 1437">B. The permit of a person who is arrested or indicted for an offense that would make the person unqualified under section 13-3101, subsection A, paragraph 7 or this section shall be immediately suspended and seized. The permit of a person who becomes unqualified on conviction of that offense shall be revoked. The permit shall be restored on presentation of documentation from the court if the permittee is found not guilty or the charges are dismissed. The permit shall be restored on presentation of documentation from the county attorney that the charges against the permittee were dropped or dismissed.</p>

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		<p>weapon or dangerous instrument. A.R.S. § 13-1204 (2014).</p> <p><i>Application for Restoration of Civil Rights</i></p> <p>If the person was convicted of a dangerous offense under § 13-704, the person may not file for the restoration of the right to possess or carry a gun or firearm. If the person was convicted of a serious offense as defined in § 13-706 the person may not file for the restoration of the right to possess or carry a gun or firearm for ten years from the date of his discharge from probation. If the person was convicted of any other felony offense, the person may not file for the restoration of the right to possess or carry a gun or firearm for two years from the date of the person's discharge from probation. A.R.S. § 13-905(C) (2010). NOTE: Pending proposed legislation Arizona House Bill No. 2686, Arizona Fifty-First Legislature-Second Regular Session amending sections 13-905, 13-906, 13-908 and 13-912. (2014)</p> <p><i>Misconduct Involving Weapons; Defenses; Classification; Definitions</i></p> <p>A. A person commits misconduct involving weapons by knowingly:</p> <ol style="list-style-type: none"> <li>1. Carrying a deadly weapon except a pocket knife concealed on his person or within his immediate control in or on a means of transportation: <ol style="list-style-type: none"> <li>(a) In the furtherance of a</li> </ol> </li> </ol>	<p>C. A permittee who carries a concealed weapon, who is required by section 4-229 or 4-244 to carry a permit and who fails to present the permit for inspection on the request of a law enforcement officer commits a violation of this subsection and is subject to a civil penalty of not more than three hundred dollars. The department of public safety shall be notified of all violations of this subsection and shall immediately suspend the permit. A permittee shall not be convicted of a violation of this subsection if the permittee produces to the court a legible permit that is issued to the permittee and that was valid at the time the permittee failed to present the permit for inspection.</p> <p>D. A law enforcement officer shall not confiscate or forfeit a weapon that is otherwise lawfully possessed by a permittee whose permit is suspended pursuant to subsection C of this section, except that a law enforcement officer may take temporary custody of a firearm during an investigatory stop of the permittee. A.R.S. § 13-3112 (2014).</p>

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		<p>serious offense as defined in section 13-706, a violent crime as defined in section 13-901.03 or any other felony offense; or</p> <p>(b) When contacted by a law enforcement officer and failing to accurately answer the officer if the officer asks whether the person is carrying a concealed deadly weapon; or</p> <p>2. Carrying a deadly weapon except a pocket knife concealed on his person or concealed within his immediate control in or on a means of transportation if the person is under twenty-one years of age; or</p> <p>3. Manufacturing, possessing, transporting, selling or transferring a prohibited weapon, except that if the violation involves dry ice, a person commits misconduct involving weapons by knowingly possessing the dry ice with the intent to cause injury to or death of another person or to cause damage to the property of another person; or</p> <p>4. Possessing a deadly weapon or prohibited weapon if such person is a prohibited</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>possessor; or</p> <ol style="list-style-type: none"> <li>5. Selling or transferring a deadly weapon to a prohibited possessor; or</li> <li>6. Defacing a deadly weapon; or</li> <li>7. Possessing a defaced deadly weapon knowing the deadly weapon was defaced; or</li> <li>8. Using or possessing a deadly weapon during the commission of any felony offense included in chapter 34 of this title; or</li> <li>9. Discharging a firearm at an occupied structure in order to assist, promote or further the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise; or</li> <li>10. Unless specifically authorized by law, entering any public establishment or attending any public event and carrying a deadly weapon on his person after a reasonable request by the operator of the establishment or the sponsor of the event or the sponsor's agent to remove his weapon and place it in the custody of the operator of the establishment or the sponsor of the event for temporary and secure storage of the weapon</li> </ol>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>pursuant to section 13-3102.01; or</p> <ol style="list-style-type: none"> <li>11. Unless specifically authorized by law, entering an election polling place on the day of any election carrying a deadly weapon; or</li> <li>12. Possessing a deadly weapon on school grounds; or</li> <li>13. Unless specifically authorized by law, entering a nuclear or hydroelectric generating station carrying a deadly weapon on his person or within the immediate control of any person; or</li> <li>14. Supplying, selling or giving possession or control of a firearm to another person if the person knows or has reason to know that the other person would use the firearm in the commission of any felony; or</li> <li>15. Using, possessing or exercising control over a deadly weapon in furtherance of any act of terrorism as defined in section 13-2301 or possessing or exercising control over a deadly weapon knowing or having reason to know that it will be used to facilitate any act of terrorism as defined in section 13-2301 A.R.S. § 13-3102</li> </ol>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
<p><b>Arkansas</b></p>	<p style="text-align: center;"><i>Catch-all Provision</i></p> <p>In addition to the relief enumerated in the statute, the court may order such other relief as the court deems necessary or appropriate for the protection of a family or household member. A.C.A. § 9-15-205(7)(a) (2014).</p> <p>Any order of protection shall include a notice to the respondent or party restrained that it is unlawful for an individual who is subject to an order of protection or convicted of any misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. § 922(g)(8) and (9) as it existed on January 1, 2007. A.C.A. § 9-15-207(b)(3) (2014).</p>	<p style="text-align: center;">(2014).</p> <p style="text-align: center;"><i>Stalking</i></p> <p>A person commits stalking in the first degree if he or she knowingly engages in a course of conduct that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety, and the actor does so in contravention of an order of protection consistent with the Domestic Abuse Act of 1991, § 9-15-101 et seq), or a no contact order as set out in subdivision (a)(2)(A) of this section, protecting the same victim, or any other order issued by any court protecting the same victim; and: has been convicted in the previous ten years of stalking in the second degree, violating §5-13-301 or §5-13-310; stalking or threats against another person's safety under the statutory provision of any other state jurisdiction; or is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon. A.C.A. § 5-71-229 (2014).</p> <p style="text-align: center;"><i>MCDV Firearms Ban (Notice)</i></p> <p>A person who is convicted of any misdemeanor of domestic violence shall be notified by the court that it is unlawful for the person to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. § 922(g)(8) and (9), as it existed on January 1, 2007. A.C.A. § 5-26-313 (2014).</p> <p style="text-align: center;"><i>Possession of Firearms by Certain Persons</i></p> <p>No person shall possess or own any firearm who has been convicted of a felony;</p>	<p style="text-align: center;"><i>Concealed Handgun License</i></p> <p>The applicant for a concealed handgun license must include a statement of whether the applicant has been found guilty of a crime of violence or domestic abuse. A.C.A. § 5-73-310(9) (2014).</p> <p>The Director of the Department of Arkansas State Police shall issue a license to carry a concealed handgun if the applicant is not subject to any federal, state, or local law that makes it unlawful to receive, possess, or transport any firearm, and has had his or her background check successfully completed through the Department of Arkansas State Police and the Federal Bureau of Investigation's National Instant Check System. A.C.A. § 5-73-309(6) (2014).</p> <p style="text-align: center;"><i>Criminal Penalty for Submitting False Answers on Handgun Application</i></p> <p>Any person who knowingly submits a false answer to any question on an application for a [concealed handgun] license, or who knowingly submits a false document when applying for a license upon conviction is guilty of a Class B misdemeanor. A.C.A. § 5-73-305 (2014).</p> <p>The Director of the Department of Arkansas State Police may deny a license if within the preceding five (5) years the applicant has been found guilty of one (1) or more crimes of violence constituting a misdemeanor or for the offense of carrying a weapon. A.C.A. § 5-73-308(a) (1) (A) (2014).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>adjudicated mentally ill; or committed involuntarily to any mental institution. A determination by a jury or a court that a person committed a felony constitutes a conviction for purposes of this section even though the court suspended imposition of sentence or placed the defendant on probation. However, the determination by the jury or court that the person committed a felony does not constitute a conviction for purposes of this section if the person is subsequently granted a pardon explicitly restoring the ability to possess a firearm. A person who violates this section commits a Class B felony if the person has a prior violent felony conviction; if the person's current possession of a firearm involves the commission of another crime; or the person has been previously convicted under this section or a similar provision from another jurisdiction. The Governor may restore without granting a pardon the right of a convicted felon or an adjudicated delinquent to own and possess a firearm upon the recommendation of the chief law enforcement officer in the person's jurisdiction, so long as the underlying felony or delinquency adjudication did not involve the use of a weapon and occurred more than eight years ago. A.C.A. § 5-73-103 (2014).</p> <p style="text-align: center;"><i>Carrying a Weapon</i></p> <p>A person commits the offense of carrying a weapon if he or she possesses a handgun, knife, or club on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun, knife, or club as a</p>	<p style="text-align: center;"><i>Revocation of Handgun License</i></p> <p>When the Department of Arkansas State Police receives notification from any law enforcement agency or court that a licensee has been found guilty, pleaded guilty or nolo contendere to any crime involving the use of a weapon, the license issued is immediately revoked. Ark. Code Ann. § 5-73-312(b) (2014).</p> <p>Any probation officer appointed by a court is authorized to carry firearms during all hours in which he or she is actively pursuing the obligations and duties of the office to which he or she is appointed. Any such parole and probation officer is further authorized to carry nonstate-issued firearms during all hours in which he or she is not actively pursuing the obligations and duties of the office to which he or she is appointed. A.C.A. 16-93-103(b)-(c) (2014).</p> <p style="text-align: center;"><i>License -- Issuance or Denial.</i></p> <p>(a) (1) (A) The Director of the Department of Arkansas State Police may deny a license if within the preceding five (5) years the applicant has been found guilty of one (1) or more crimes of violence constituting a misdemeanor or for the offense of carrying a weapon.</p> <p>(B) The director may revoke a license if the licensee has been found guilty of one (1) or more crimes of violence within the preceding three (3) years.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>weapon against a person. (There are exceptions listed in the statute.) A.C.A. § 5-73-120 (2014).</p> <p style="text-align: center;"><i>Transferring a Firearm to a Felon</i></p> <p>A person commits the offense of furnishing a handgun to a felon if he or she sells, barter, leases, gives, rents, or otherwise furnishes a handgun to a person who he or she knows has been found guilty of or pleaded guilty or nolo contendere to a felony. A.C.A. § 5-73-129 (2014).</p> <p style="text-align: center;"><i>Sale, Rental, or Transfer of Firearm to Person Prohibited from Possessing Firearms</i></p> <p>A person shall not sell, rent, or transfer a firearm to any person who he or she knows is prohibited by state or federal law from possessing the firearm. This is a Class A misdemeanor, unless the firearm is a handgun, sawed-off shotgun or rifle, a gun with a silencer, a machine gun, explosive device or defaced firearm, or otherwise poses abnormal danger and can be used for no lawful purpose, in which case it is a Class B felony. A.C.A. § 5-73-132 (2014).</p> <p style="text-align: center;"><i>First-degree Domestic Battering (class B felony)</i></p> <p>A person commits domestic battering in the first degree if with the purpose of causing <u>serious</u> physical injury to a family or household member, the person causes serious physical injury to a family or household member by means of a deadly weapon. A.C.A. § 5-26-303 (2014).</p>	<p>(2) Subdivision (a)(1) of this section does not apply to a misdemeanor that has been expunged or for which the imposition of sentence was suspended.</p> <p>(3) Upon notification by any law enforcement agency or a court and subsequent written verification, the director shall suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify the licensee or applicant from having a license under this subchapter until final disposition of the case.</p> <p>(b)</p> <p>(1) The director may deny a license to carry a concealed handgun if the county sheriff or chief of police, if applicable, of the applicant's place of residence submits an affidavit that the applicant has been or is reasonably likely to be a danger to himself or herself or others or to the community at large, as demonstrated by past patterns of behavior or participation in an incident involving unlawful violence or threats of unlawful violence, or if the applicant is under a criminal investigation at the time of applying for a license to carry a concealed handgun.</p> <p>(2) Within one hundred twenty (120) days after the date of receipt of the items listed in § 5-73-311(a), the director shall:</p> <p style="margin-left: 40px;">(A) Issue the license; or</p> <p style="margin-left: 40px;">(B) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in this</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p><i>Second-degree Domestic Battering (class C felony)</i></p> <p>A person commits domestic battering in the second degree if with the purpose of causing physical injury to a family or household member, the person causes serious physical to a family or household member by means of a deadly weapon. Ark. Code Ann. § 5-26-304 (2014).</p> <p><i>Third-degree Domestic Battering (misdemeanor)</i></p> <p>A person commits third-degree domestic battering when the person negligently causes physical injury to a family or household member by means of a deadly weapon. Ark. Code Ann. § 5-26-305 (2014).</p>	<p>subchapter.</p> <p>(3)</p> <p>(A) If the director denies the application, the director shall notify the applicant in writing, stating the grounds for denial.</p> <p>(B) The decision of the director is subject to appeal under the Arkansas Administrative Procedure Act, § 25-15-201 et seq. A.C.A. § 5-73-308 (2014).</p>
<p><b>California</b></p>	<p><i>Mandatory Prohibition</i></p> <p>A person subject to a protective order, as defined in Section 6218, shall not own, possess, purchase, or receive a firearm or ammunition while that protective order is in effect. Every person who owns, possesses, purchases or receives or attempts to purchase or receive a firearm while the protective order is in effect is punishable pursuant to §29825 of the Penal Code (possession of a firearm by a felon or other specified persons). Cal. Fam. Code § 6389(a) (2014).</p> <p>Upon issuance of a protective order (§6218), the court shall order the respondent to relinquish any firearm in that person’s immediate possession or control, within 24 hours of being served with the order, by</p>	<p><i>Violation of Protective Order Prohibition</i></p> <p>Every person who owns, possesses, purchases or receives a firearm knowing that he or she is prohibited from doing so by the provisions of a protective order as defined in Cal. Pen Code §136.2, Section 6218 of the Family Code, or Section 527.6, 527.8, or 527.85 of the Code of Civil Procedure, or Section 15657.03 of the Welfare and Institutions Code, shall be punished under Section 29825. Cal Pen. Code §273.6(g)(1) (2014).</p> <p><i>Bail Conditions</i></p> <p>Unless good cause is shown not to impose the condition, a judge shall impose as addition conditions of release or bail that the defendant shall not possess any firearms or other deadly or dangerous weapons. Cal. Pen.</p>	<p><i>State Preeminence</i></p> <p>It is the intention of the Legislature to occupy the whole field of regulation of the registration or licensing of commercially manufactured firearms as encompassed by the provisions of the Penal Code, and such provisions shall be exclusive of all local regulations, relating to registration or licensing of commercially manufactured firearms, by any political subdivision as defined in Section 1721 of the Labor Code. Cal Gov. Code 53071 (2014).</p> <p><i>Application to Purchase Handgun; Limitations; Exceptions</i></p> <p>(a) No person shall make an application to purchase more than one handgun within any 30-day period. Cal Pen</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>either surrendering the firearm to the control of local law enforcement officials, or by selling the firearm to a licensed gun dealer, as specified in Cal. Pen. Code §12071. A person ordered to relinquish any firearm pursuant to this subdivision shall file with the court a receipt showing that the firearm was surrendered to a local law enforcement agency or sold to a licensed gun dealer within 48 hours after receiving the order. If the respondent declines to relinquish possession of any firearm based on the assertion of the right against self incrimination, as provided by Am. 5 to the U.S. Const. §15 Art. I of the Cal. Const., the court may grant use immunity for the act of relinquishing the firearm required under this section. Cal. Fam. Code §§ 6389(c) – (d) (2014).</p> <p><i>Mandatory Prohibition – Emergency Ex Parte Stalking Protection Order</i></p> <p>A person subject to a protective order issued under this section shall not own, possess, purchase, receive, or attempt to purchase or receive a firearm or ammunition while the protective order is in effect. The court shall order a person subject to a protective order to relinquish any firearms he or she owns or possesses pursuant to Section 527.9. Every person who owns, possesses, purchases or receives, or attempts to purchase or receive a firearm or ammunition while the protective order is in effect is punishable pursuant to Section 29825 of the Penal Code. Cal Code Civ. Proc. § 527.6(t)(1)-(3) (2014). Note: Added Stats 2013 ch 158 § 2 (AB 499), effective January 1, 2014, Operative July 1, 2014.</p>	<p>Code § 646.93(c)(3) (2014).</p> <p><i>Prohibition After Conviction</i></p> <p>Punishment for manufacture, import, sale, gift, or loan of unsafe handgun; Exceptions</p> <p>(a) Commencing January 1, 2001, any person in this state who manufactures or causes to be manufactured, imports into the state for sale, keeps for sale, offers or exposes for sale, gives, or lends any unsafe handgun shall be punished by imprisonment in a county jail not exceeding one year.</p> <p>(b) This section shall not apply to any of the following:</p> <p>(1) The manufacture in this state, or importation into this state, of a prototype handgun when the manufacture or importation is for the sole purpose of allowing an independent laboratory certified by the Department of Justice pursuant to Section 32010 to conduct an independent test to determine whether that handgun is prohibited by Sections 31900 to 32110, inclusive, and, if not, allowing the department to add the firearm to the roster of handguns that may be sold in this state pursuant to Section 32015.</p> <p>(2) The importation or lending of a handgun by employees or authorized</p>	<p>Code § 27535 (2014).</p> <p><i>License Required for Sale Lease or Transfer of Firearms; Misdemeanor</i></p> <p>(a) No person shall sell, lease, or transfer firearms unless the person has been issued a license pursuant to Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2.</p> <p>(b) Any person violating this article is guilty of a misdemeanor. Cal Pen Code § 26500 (2014).</p> <p><i>Eligibility Check</i></p> <p>(a) When the Department of Justice receives a completed application pursuant to Section 33850 accompanied by the fee required pursuant to Section 33860, it shall conduct an eligibility check of the applicant to determine whether the applicant is eligible to possess a firearm.</p> <p>(b) The department shall have 30 days from the date of receipt to complete the background check, unless the background check is delayed by circumstances beyond the control of the department. The applicant may contact the department to inquire about the reason for a delay.</p> <p>(c) If the department determines that</p>

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	<p>Orders relating to harm, intimidation or dissuasion of victim or witness            If a court does not issue an order pursuant to subparagraph (A) in a case in which the defendant is charged with a crime of domestic violence as defined in Section 13700, the court on its own motion shall consider issuing a protective order upon a good cause belief that harm to, or intimidation or dissuasion of, a victim or witness has occurred or is reasonably likely to occur, that provides as follows: The defendant shall not own, possess, purchase, receive, or attempt to purchase or receive, a firearm while the protective order is in effect; and the defendant shall relinquish any firearms that he or she owns or possesses pursuant to Section 527.9 of the Code of Civil Procedure. Every person who owns, possesses, purchases, or receives, or attempts to purchase or receive, a firearm while this protective order is in effect is punishable pursuant to Section 527.9 of the Code of Civil Procedure. Cal. Pen. Code § 136.2 (a)(7)(B)(2014). Operative July 1, 2014.</p> <p style="text-align: center;"><i>Criminal Contempts; Punishment for Contempt Consisting of Stalking</i></p> <p>A person who owns, possesses, purchases, or receives a firearm knowing he or she is prohibited from doing so by the provisions of a protective order as defined in Section 136.2 of this code, Section 6218 of the Family Code, or Sections 527.6 or 527.8 of the Code of Civil Procedure, shall be punished under Section 29825. A person subject to a protective order described in paragraph (1) shall not be prosecuted under this section for owning,</p>	<p>agents of entities determining whether the weapon is prohibited by this section.</p> <p>(3) Firearms listed as curios or relics, as defined in Section 478.11 of Title 27 of the Code of Federal Regulations.</p> <p>(4) The sale or purchase of a handgun, if the handgun is sold to, or purchased by, the Department of Justice, a police department, a sheriff's official, a marshal's office, the Department of Corrections and Rehabilitation, the California Highway Patrol, any district attorney's office, any federal law enforcement agency, or the military or naval forces of this state or of the United States for use in the discharge of their official duties. This section does not prohibit the sale to, or purchase by, sworn members of these agencies of a handgun.</p> <p>(c) Violations of subdivision (a) are cumulative with respect to each handgun and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by this section and other provisions of law shall not be punished under more than one provision, but the penalty to be imposed shall be determined as set forth in Section 654. Cal Pen Code § 32000 (2014).</p>	<p>the applicant is eligible to possess the firearm, the department shall provide the applicant with written notification that includes the following:</p> <p>(1) The identity of the applicant.</p> <p>(2) A statement that the applicant is eligible to possess a firearm.</p> <p>(3) A description of the firearm by make, model, and serial number, provided, however, that if the firearm is not a handgun and does not have a serial number, identification number, or identification mark assigned to it, that fact shall be noted.</p> <p>(d) If the firearm is a handgun, and commencing January 1, 2014, any firearm, the department shall enter a record of the firearm into the Automated Firearms System (AFS), provided, however, that if the firearm is not a handgun and does not have a serial number, identification number, or identification mark assigned to it, that fact shall be noted in AFS.</p> <p>(e) If the department denies the application, and the firearm is an otherwise legal firearm, the department shall notify the applicant of the denial and provide a form for the applicant to use to sell or transfer the firearm to a</p>

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	<p>possessing, purchasing, or receiving a firearm to the extent that firearm is granted an exemption pursuant to subdivision (h) of Section 6389 of the Family Code. Cal. Pen. Code § 166(d)(1)-(2) (2014).</p> <p><i>Issuance of Emergency Protective Order on Request of Peace Officer</i></p> <p>A person subject to an emergency protective order under this section shall not own, possess, purchase, or receive a firearm while the order is in effect. Cal. Pen. Code § 646.91(m) (2014).</p> <p><i>Protective Order Forms</i></p> <p>On all forms providing notice that a protective order has been requested or granted, the Judicial Council shall include a notice that, upon service of the order, the respondent shall be ordered to relinquish possession or control of any firearms and not to purchase or receive or attempt to purchase or receive any firearms for a period not to exceed the duration of the restraining order. Cal. Fam. Code § 6389(b) (2014).</p> <p>The restraining order requiring a person to relinquish a firearm shall state on its face that the respondent is prohibited from owning, possessing, purchasing or receiving a firearm while the protective order is in effect. The order shall also state that the firearm shall be relinquished to the local law enforcement agency for that jurisdiction or sold to a licensed gun dealer, and the proof of that surrender or sale shall be filed within the specified time of receipt of the order. The</p>		<p>licensed dealer. The applicant may contact the department to inquire about the reason for the denial. Cal Pen Code § 33865 (2014).</p>

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	<p>order shall state on its face the expiration date for relinquishment. Cal. Fam. Code § 6389(f) (2014).</p> <p><i>Exemption from Mandatory Prohibition</i></p> <p>The court may grant an exemption from the relinquishment requirements of this section for a particular firearm if the respondent can show that it is necessary as a condition of continued employment and that the current employer is unable to reassign the respondent to another position where a firearm is unnecessary. If an exemption is granted, the order shall provide that the firearm shall be in the physical possession of the respondent only during scheduled work hours and during travel to and from his or her place of employment. In any case involving a peace officer who as a condition of employment and whose personal safety depends on the ability to carry a firearm, a court may allow the peace officer to continue to carry a firearm, either on duty or off duty, if the court finds by a preponderance of the evidence, that the officer does not pose a threat of harm. Prior to making this finding, the court shall require a mandatory psychological evaluation of the peace officer and may require the peace officer to enter into counseling or other remedial treatment program to deal with any propensity for domestic violence. Cal. Fam. Code § 6389(h) (2014).</p> <p>When making a protective order (§ 6218) where both parties are present in court, the court shall inform both the petitioner and the respondent of the terms of the order,</p>		

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	<p>including notice that the respondent is prohibited from owning, possessing, purchasing or receiving or attempting to own, possess, purchase or receive a firearm, and including notice of the penalty for violation. Cal. Fam. Code § 6304 (2014).</p> <p style="text-align: center;"><i>Storage and Sale of Firearms</i></p> <p>A local law enforcement agency may charge the respondent a fee for the storage of any firearm relinquished pursuant to a protective order. The fee shall not exceed the actual cost incurred by the local law enforcement agency for the storage of the firearm. For purposes of this subdivision, "actual cost" means expenses directly related to taking possession of a firearm, storing the firearm, and surrendering possession of the firearm to a licensed dealer as defined in Section 26700 of the Penal Code or to the respondent. Cal. Fam. Code § 6389(e) (2014).</p> <p>During the period of the relinquishment order, a respondent is entitled to make one sale of all firearms that are in the possession of a local law enforcement agency pursuant to this section. A licensed gun dealer, who presents a local law enforcement agency with a bill of sale indicating that all firearms owned by the respondent that are in the possession of the local law enforcement agency have been sold by the respondent to the licensed gun dealer, shall be given possession of those firearms, at the location where a respondent's firearms are stored, within five days of presenting the local law enforcement agency with a bill of sale. Cal. Fam. Code § 6389(i) (2014).</p>		

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>The disposition of any unclaimed property under this section shall be made pursuant to Section 1413 of the Penal Code. Cal. Fam. Code § 6389(j) (2014).</p>		
<p><b>Colorado</b></p>	<p style="text-align: center;"><i>Catch-all Provision</i></p> <p>In the issuance of a protection order, a court may order “other relief” it deems appropriate. C.R.S. §13-14-105(1)(i)( (2013). (Repealed: former C.R.S. § 13-14-102 (15) and (16) as it existed prior to 2013).</p>	<p style="text-align: center;"><i>Pre-Trial Protection Order</i></p> <p>An arrainging court presiding over any criminal case may, upon motion of the district attorney or motion of the court, issue an order prohibiting possession or control of firearms or other weapons. C.R.S. §18-1-1001(3)(c) (2013).</p> <p style="text-align: center;"><i>Misdemeanor Crime of Domestic Violence</i></p> <p>A person commits the crime of possession of a weapon by a previous offender in violation of this section if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h), or any other weapon that is subject to the provisions of this title subsequent to the person's conviction for a felony, or subsequent to the person's conviction for attempt or conspiracy to commit a felony, or subsequent to the person's conviction for a misdemeanor crime of domestic violence as defined in 18 U.S.C. sec. 921 (a) (33) (A), or subsequent to the person's conviction for attempt or conspiracy to commit such misdemeanor crime of domestic violence. C.R.S. § 18-12-108(6) (c) (I) (A) (2013).</p> <p style="text-align: center;"><i>Probation Conditions</i></p> <p>In ordering probation conditions in cases which the defendant was convicted of a</p>	<p style="text-align: center;"><i>Concealed Carry Permit</i></p> <p>Beginning May 17, 2003, except as otherwise provided in this section, a sheriff shall issue a permit to carry a concealed handgun to an applicant who is not ineligible pursuant to §18-12-108 or federal law; is not subject to: a protection order issued pursuant to §18-1-1001 (pre-trial protection order) or §19-2-707 (criminal protection order against a juvenile) that is in effect at the time the application is submitted; a permanent protection order issued pursuant to article 14 of chapter 13 C.R.S.; or a temporary protection order issued pursuant to article 14 of title 13, C.R.S., that is in effect at the time the application is submitted. Additionally, regardless of whether an applicant meets other specified criteria, a permit can be denied if the sheriff has reasonable belief that documented previous behavior by the applicant makes it likely that the applicant will present a clear danger to self or others if the applicant receives a permit to carry a concealed handgun. C.R.S. § 18-12-203(1) (g)(I-III), (1) (h) and (2) (2013).</p> <p style="text-align: center;"><i>Forfeiture of Firearms</i></p> <p>Upon the motion of the prosecuting attorney after the conviction of a defendant, the court may order the forfeiture of any firearms which were used by the defendant during the course of the criminal episode which gave rise</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>crime, the underlying factual basis of which included an act of domestic violence as defined in §18-6-800.3(1), the court shall order that the defendant refrain from possessing a firearm, destructive device or other dangerous weapon, unless granted written permission by the court or probation officer, which shall not be granted in such domestic violence cases unless: it is required by the defendant's employment; the court finds that the defendant's possession of weapons does not endanger the victim or the victim's children; and the weapons are stored away from the home and the yard surrounding the home. The court must also order the defendant to comply with the terms of any protection order in effect during the probation period. C.R.S. § 18-1.3-204(2) (b) (III) - (IV) (2013).</p> <p style="text-align: center;"><i>Parole Conditions</i></p> <p>As a condition of every parole, the parolee must sign a written agreement that contains parole conditions deemed appropriate by the board that shall include, but need not be limited to the following: the parolee shall not own possess or have under his control or in his custody any firearm or other deadly weapon. C.R.S. §17-2-201(5)(f)(I)(E) (2013).</p> <p style="text-align: center;"><i>Carrying a Concealed Weapon.</i></p> <p>A person commits a class 2 misdemeanor if such person knowingly and unlawfully: Carries a firearm concealed on or about his or her person. C.R.S. 18-12-105(1)(b) (2013).</p>	<p>to said conviction as an element of sentencing or as a condition of probation or of a deferred sentence. Firearms forfeited under this section shall be disposed of pursuant to section 16-13-311, C.R.S. C.R.S. 18-12-110 (2013).</p> <p style="text-align: center;"><i>Unlawful Purchase of Firearms</i></p> <p>Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know is ineligible to possess a firearm pursuant to federal or state law commits a class 4 felony. Any person who is a licensed dealer, as defined in <u>18 U.S.C. sec. 921</u> (a) (11), shall post a sign displaying the provisions of this section in a manner that is easily readable. The person shall post such sign in an area that is visible to the public at each location from which the person sells firearms to the general public. Any person violates any provision of this subsection (2) commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of two hundred fifty dollars. C.R.S. 18-12-111 (2013).</p> <p style="text-align: center;"><i>Failure to Carry Permit for Concealed Handgun</i></p> <p>A permittee, in compliance with the terms of a permit, may carry a concealed handgun as allowed by state law. The permittee shall carry the permit, together with valid photo identification, at all times during which the permittee is in actual possession of a concealed handgun and shall produce both documents upon demand by a law</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p><i>Possession of Weapons by Previous Offenders</i></p> <p>(1) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h) or any other weapon that is subject to the provisions of this article subsequent to the person's conviction for a felony, or subsequent to the person's conviction for attempt or conspiracy to commit a felony, under Colorado or any other state's law or under federal law.</p> <p>(2)</p> <p>(a) Except as otherwise provided by paragraphs (b) and (c) of this subsection (2), a person commits a class 6 felony if the person violates subsection (1) of this section.</p> <p>(b) A person commits a class 5 felony, as provided by section 18-12-102, if the person violates subsection (1) of this section and the weapon is a dangerous weapon, as defined in section 18-12-102 (1).</p> <p>(c) A person commits a class 5 felony if the person violates subsection (1) of this section and the person's previous conviction was for burglary, arson, or any felony involving the use of force or the use of a deadly weapon and the violation of</p>	<p>enforcement officer. Failure to produce a permit upon demand by a law enforcement officer raises a rebuttable presumption that the person does not have a permit. Failure to carry and produce a permit and valid photo identification upon demand as required in this section is a class 1 petty offense. C.R.S. 18-12-204(2)(a) (2013).</p> <p><i>False Statement on Permit Application</i></p> <p>An applicant who knowingly and intentionally makes a false or misleading statement on a permit application or deliberately omits any material information requested on the application commits perjury as described in <u>section 18-8-503</u>. Upon conviction, the applicant shall be punished as provided in <u>section 18-1.3-501</u>. In addition, the applicant shall be denied the right to obtain or possess a permit, and the sheriff shall revoke the applicant's permit if issued prior to conviction. C.R.S. 18-12-205(2)(a) (2013).</p> <p><i>National Instant Criminal Background Check System (Enabling Legislation)</i></p> <p>(2) The bureau is hereby authorized to serve as a state point of contact for implementation of <u>18 U.S.C. sec. 922 (t)</u>, all federal regulations and applicable guidelines adopted pursuant thereto, and the NICS system.</p> <p>(3)</p> <p>(a) The bureau, acting as the state point of contact for implementation of <u>18 U.S.C. sec. 922 (t)</u>, shall transmit a request for a background check in connection with the</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>subsection (1) of this section occurs as follows:</p> <ul style="list-style-type: none"> <li>(I) From the date of conviction to ten years after the date of conviction, if the person was not incarcerated; or</li> <li>(II) From the date of conviction to ten years after the date of release from confinement, if such person was incarcerated or, if subject to supervision imposed as a result of conviction, ten years after the date of release from supervision.</li> </ul> <p>(d) Any sentence imposed pursuant to this subsection (2) shall run consecutively with any prior sentences being served by the offender.</p> <p>(3) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h) or any other weapon that is subject to the provisions of this article subsequent to the person's adjudication for an act which, if committed by an adult, would constitute a felony, or subsequent to the person's adjudication for attempt or conspiracy to commit a felony,</p>	<p>prospective transfer of a firearm to the NICS system and may also search other databases. The bureau shall deny a transfer of a firearm to a prospective transferee if the transfer would violate <u>18 U.S.C. sec. 922 (g) or (n)</u> or result in the violation of any provision of state law, including but not limited to <u>section 18-12-108 (4) (c), C.R.S.</u>, involving acts which, if committed by an adult, would constitute a burglary, arson, or any felony involving the use of force or the use of a deadly weapon.</p> <p>(b)</p> <p>(I) In addition to the grounds for denial specified in paragraph (a) of this subsection (3), the bureau shall deny a transfer of a <b>firearm</b> if, at any time the bureau transmits the request or searches other databases, information indicates that the prospective transferee:</p> <ul style="list-style-type: none"> <li>(A) Has been arrested for or charged with a crime for which the prospective transferee, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a <b>firearm</b> and either there has been no final disposition of the case or the final disposition is not noted in the other databases; or</li> <li>(B) Is the subject of an indictment, an information, or a felony complaint alleging that the prospective transferee has committed a crime punishable by imprisonment for a term exceeding one year as defined in</li> </ul>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>under Colorado or any other state's law or under federal law.</p> <p>(4)</p> <p>(a) Except as otherwise provided by paragraphs (b) and (c) of this subsection (4), a person commits a class 6 felony if the person violates subsection (3) of this section.</p> <p>(b) A person commits a class 5 felony, as provided by section 18-12-102, if the person violates subsection (3) of this section and the weapon is a dangerous weapon, as defined in section 18-12-102 (1).</p> <p>(c) A person commits a class 5 felony if the person commits the conduct described in subsection (3) of this section and the person's previous adjudication was based on an act that, if committed by an adult, would constitute burglary, arson, or any felony involving the use of force or the use of a deadly weapon and the violation of subsection (3) of this section occurs as follows:</p> <p>(I) From the date of adjudication to ten years after the date of adjudication, if the person was not committed to the department of institutions, or on or after July 1, 1994, to the department of human services; or</p> <p>(II) From the date of adjudication to ten years after the date of release from commitment, if such person</p>	<p><u>18 U.S.C. sec. 921</u> (a) (20), as amended, and either there has been no final disposition of the case or the final disposition is not noted in the other databases.</p> <p>(II) This paragraph (b) shall be repealed, effective July 1, 2010.</p> <p>(c) The bureau is authorized to cooperate with federal, state, and local law enforcement agencies to perform or assist any other law enforcement agency in performing any firearm retrievals, and to assist in the prosecution of any rescinded transfers.</p> <p>(4) Pursuant to <u>section 16-21-103 (4) (c), C.R.S.</u>, and <u>section 19-1-304 (1) (b.8), C.R.S.</u>, the bureau shall receive and process information concerning final case disposition data of any cases prosecuted in a court in this state within seventy-two hours after the final disposition of the case for purposes of carrying out its duties under this section.</p> <p>(5)</p> <p>(a) Upon denial of a firearm transfer, the bureau shall notify the transferor and send notice of the denial to the NICS system, pursuant to <u>18 U.S.C. sec. 922</u> (t). In addition, the bureau shall immediately send notification of such denial and the basis for the denial to the federal, state, and local law enforcement agencies having jurisdiction over the area in which the transferee resides and in which the transferor conducts any business.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>was committed to the department of institutions, or on or after July 1, 1994, to the department of human services or, if subject to supervision imposed as a result of an adjudication, ten years after the date of release from supervision.</p> <p>(d) Any sentence imposed pursuant to this subsection (4) shall run consecutively with any prior sentences being served by the offender.</p> <p>(5) A second or subsequent offense under paragraphs (b) and (c) of subsection (2) and paragraphs (b) and (c) of subsection (4) of this section is a class 4 felony.</p> <p>(6)</p> <p>(a) Upon the discharge of any inmate from the custody of the department of corrections, the department shall provide a written advisement to such inmate of the prohibited acts and penalties specified in this section. The written advisement, at a minimum, shall include the written statement specified in paragraph (c) of this subsection (6).</p> <p>(b) Any written stipulation for deferred judgment and sentence entered into by a defendant pursuant to section 18-1.3-102 shall contain a written advisement of the prohibited acts and penalties specified in this section. The written advisement, at a minimum, shall include the written statement specified in paragraph (c) of this subsection (6).</p>	<p>(b) Upon denial of a firearm transfer, the transferor shall provide the transferee with written information prepared by the bureau concerning the procedure by which the transferee may request a review of the denial and of the instant criminal background check records that prompted the denial. The bureau shall render a final administrative decision regarding denial within thirty days after receiving information from the transferee that demonstrates the transfer was improperly denied.</p> <p>(c) In the case of any transfer denied pursuant to paragraph (b) of subsection (3) of this section, the inability of the transferee to obtain the final disposition of a case that is no longer pending shall not constitute the basis for the continued denial of the transfer.</p> <p>(6) If in the course of conducting any background check pursuant to this section, whether the firearms transaction is approved or denied, the bureau obtains information that indicates the prospective transferee is the subject of an outstanding warrant, the bureau shall immediately provide notification of such warrant to the federal, state, and local law enforcement agencies having jurisdiction over the area in which the transferee resides and in which the transferor conducts any business. C.R.S. 24-33.5-424 (2013).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>(c) The written statement shall provide that:</p> <p>(I)</p> <p>(A) A person commits the crime of possession of a weapon by a previous offender in violation of this section if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h), or any other weapon that is subject to the provisions of this title subsequent to the person's conviction for a felony, or subsequent to the person's conviction for attempt or conspiracy to commit a felony, or subsequent to the person's conviction for a misdemeanor crime of domestic violence as defined in 18 U.S.C. sec. 921 (a) (33) (A), or subsequent to the person's conviction for attempt or conspiracy to commit such misdemeanor crime of domestic violence; and</p> <p>(B) For the purposes of this paragraph (c), "felony" means any felony under Colorado law, federal law, or the laws of any other state; and</p> <p>(II) A violation of this section may result in a sentence of imprisonment or fine, or both.</p> <p>(d) The act of providing the written advisement described in this subsection (6) or the failure to provide such advisement may not be used as a defense to any crime charged and may not provide any basis for collateral attack on, or for appellate relief concerning, any conviction. C.R.S. 18-12-</p>	<p><i>Sheriff Application - Procedure – Background Check</i></p> <p>(1)</p> <p>(a) To obtain a permit, a person shall submit a permit application on a statewide standardized form developed by the sheriffs and available from each sheriff. The permit application form shall solicit only the following information from the applicant:</p> <p>(I) The applicant's full name, date of birth, and address;</p> <p>(II) The applicant's birth name, if different from the name provided pursuant to subparagraph (I) of this paragraph (a), and any other names the applicant may have used or by which the applicant may have been known;</p> <p>(III) The applicant's home address or addresses for the ten-year period immediately preceding submittal of the application;</p> <p>(IV) Whether the applicant is a resident of this state as of the date of application and whether the applicant has a valid driver's license or other state-issued photo identification or military order proving residence; and</p> <p>(V) Whether the applicant meets the criteria for obtaining a permit specified in section 18-12-203 (1).</p> <p>(b) The permit application form shall not</p>

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		108 (2013).	<p>require the applicant to waive or release a right or privilege, including but not limited to waiver or release of privileged or confidential information contained in medical records.</p> <p>(2)</p> <p>(a) An applicant shall complete the permit application form and return it, in person, to the sheriff of the county or city and county in which the applicant resides, to the sheriff of the county or city and county in which the applicant maintains a secondary residence or owns or leases real property used by the applicant in a business, or to the sheriff that previously issued a permit to the applicant. The applicant shall sign the completed permit application form in person before the sheriff. The applicant shall provide his or her signature voluntarily upon a sworn oath that the applicant knows the contents of the permit application and that the information contained in the permit application is true and correct. An applicant who knowingly and intentionally makes a false or misleading statement on a permit application or deliberately omits any material information requested on the application commits perjury as described in section 18-8-503. Upon conviction, the applicant shall be punished as provided in section 18-1.3-501. In addition, the applicant shall be denied the right to obtain or possess a permit, and the sheriff shall revoke the applicant's permit if issued prior to conviction.</p> <p>(b) An applicant shall also submit to the sheriff a permit fee not to exceed one hundred dollars for processing the permit application. The sheriff shall set the amount</p>

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			<p>of the permit fee as provided in subsection (5) of this section. In addition, the applicant shall submit an amount specified by the director of the bureau, pursuant to section 24-72-306, C.R.S., for processing the applicant's fingerprints through the bureau and through the federal bureau of investigation. Neither the permit fee nor the fingerprint processing fee shall be refundable in the event the sheriff denies the applicant's permit application or suspends or revokes the permit subsequent to issuance.</p> <p>(3) In addition to the items specified in subsection (2) of this section, an applicant, when submitting the completed permit application, shall submit the following items to the sheriff:</p> <p>(a) Documentary evidence demonstrating competence with a handgun as specified in section 18-12-203 (1) (h); and</p> <p>(b) A full frontal view color photograph of the applicant's head taken within the thirty days immediately preceding submittal of the permit application; except that the applicant need not submit a photograph if the sheriff photographs the applicant for purposes of issuing a permit. Any photograph submitted shall show the applicant's full head, including hair and facial features, and the depiction of the applicant's head shall measure one and one-eighth inches wide and one and one-fourth inches high.</p> <p>(4)  (a) The sheriff shall witness an applicant's signature on the permit application as</p>

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			<p>provided in subsection (2) of this section and verify that the person making application for a permit is the same person who appears in any photograph submitted and the same person who signed the permit application form. To verify the applicant's identity, the applicant shall present to the sheriff the applicant's valid Colorado driver's license or valid Colorado or military photo identification.</p> <p>(b) After verifying the applicant's identity, the sheriff shall take two complete sets of the applicant's fingerprints. The sheriff shall submit both sets of fingerprints to the bureau, and the sheriff shall not retain a set of the applicant's fingerprints.</p> <p>(c) After receipt of a permit application and the items specified in this section, the sheriff shall verify that the applicant meets the criteria specified in section 18-12-203 (1) and is not a danger as described in section 18-12-203 (2). The verification at a minimum shall include requesting the bureau to conduct a search of the national instant criminal background check system and a search of the state integrated criminal justice information system to determine whether the applicant meets the criteria specified in section 18-12-203 (1). In addition, if the applicant resides in a municipality or town, the sheriff shall consult with the police department of the municipality or town in which the applicant resides, and the sheriff may consult with other local law enforcement agencies.</p> <p>(5) The sheriff in each county or city and county in the state shall establish the amount of the new and renewal permit fees within his</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>or her jurisdiction. The amount of the new and renewal permit fees shall comply with the limits specified in paragraph (b) of subsection (2) of this section and section 18-12-211 (1), respectively. The fee amounts shall reflect the actual direct and indirect costs to the sheriff of processing permit applications and renewal applications pursuant to this part 2. C.R.S. 18-12-205 (2013).</p>
<p><b>Connecticut</b></p>	<p><i>Mandatory Prohibition</i></p> <p>A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver, as defined in §29-27, and knows that such person is subject to a restraining or protective order of a Connecticut court that was issued against such person, after notice and an opportunity to be heard were provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or a foreign order of protection, as defined in §46b-15a, that was issued against such person in a case involving the use, attempted use or threatened use of physical force against another person; or knows that such person is subject to a firearms seizure order issued pursuant to §29-38c(d) (seizure of firearms of person posing risk of imminent personal injury to self or others) after notice and an opportunity to be heard were provided to such person. Conn. Gen. Stat. § 53a-217c(a) (2013).</p>	<p><i>Seizure at Scene of Domestic Violence Incident</i></p> <p>Whenever a peace officer determines upon speedy information that a family violence crime, except a family violence crime involving a dating relationship, has been committed within such officer’s jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such persons with the appropriate crime. The decision to arrest and charge shall not (1) be dependent on the specific consent of the victim, (2) consider the relationship of the parties or (3) be based solely on a request by the victim. Whenever a peace officer determines that a family violence crime has been committed, such officer may seize any firearm or electronic defense weapon, as defined in section 53a-3, or ammunition at the location where the crime is alleged to have been committed, that is in possession of any person arrested for the commission of such crime or suspected of its commission or that is in plain view. Not later than seven days after any such seizure, the law enforcement agency shall return such firearm, electronic defense weapon or ammunition or unless otherwise ordered by the court. Conn. Gen. Stat. § 46b-38b(a) (2013). Effective until</p>	<p>Deliver and surrender the pistols and revolvers and other firearms to the Commissioner of Public Safety. Conn. Gen. Stat. § 29-36k (a) (2013).</p> <p>The Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State’s Attorney and the Connecticut Police Chief Association, shall develop a protocol to ensure that persons who become ineligible to possess a pistol or revolver or other firearm or ammunition have, in accordance with §29-36k, transferred such pistol or revolver or other firearm or ammunition to a person eligible to possess it or have delivered or surrendered such pistol or revolver or other firearm or ammunition to said commissioner. Conn. Gen. Stat. § 29-36n (a) (2013).</p> <p>Sec. 29-32. Revocation of permit. Notification. Confiscation. Penalty for failure to surrender permit.</p> <p>(a) For the purposes of this section, "conviction" means the entry of a judgment of conviction by any court of competent jurisdiction.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>October 1, 2013.</p> <p><i>Release by Law Enforcement Officer</i></p> <p>No person shall be released upon execution of a written promise to appear, or the posting of a bond without surety, if the person is charged with the commission of a family violence crime, as defined in §46b-38a, and in the commission of the crime the person used or threatened the use of a firearm. Conn. Gen. Stat. § 54-63c (a) (2011).</p> <p><i>Release by Bail Commissioner</i></p> <p>No person shall be released upon the execution of a written promise to appear or the execution of a bond without surety if the person is charged with the commission of a family violence crime, as defined in §46b-38a, and in the commission of the crime the person used or threatened the use of a firearm. Conn. Gen. Stat. § 54-63d (b) (2011).</p> <p><i>Criminal Possession of a Firearm</i></p> <p>A person is guilty of criminal possession of a firearm, ammunition or electronic defense weapon when the person possesses a firearm, ammunition or electronic defense weapon and knows that such person is subject to a restraining order or protective order issued in Connecticut or a foreign protection order as defined in §46b-15a, issued after notice and an opportunity to be heard have been provided to such person, in a case involving the use attempted, use or threatened use of physical force against another person, or knows that such person is subject to a</p>	<p>(b) Any state permit or temporary state permit for the carrying of any pistol or revolver may be revoked by the Commissioner of Emergency Services and Public Protection for cause and shall be revoked by said commissioner upon conviction of the holder of such permit of a felony or of any misdemeanor specified in subsection (b) of section 29-28 or upon the occurrence of any event which would have disqualified the holder from being issued the state permit or temporary state permit pursuant to subsection (b) of section 29-28. Upon the revocation of any state permit or temporary state permit, the person whose state permit or temporary state permit is revoked shall be notified in writing and such state permit or temporary state permit shall be forthwith delivered to the commissioner. Any law enforcement authority shall confiscate and immediately forward to the commissioner any state permit or temporary state permit that is illegally possessed by any person. The commissioner may revoke the state permit or temporary state permit based upon the commissioner's own investigation or upon the request of any law enforcement agency. Any person who fails to surrender any permit within five days of notification in writing of revocation thereof shall be guilty of a class C misdemeanor.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>firearms seizure order issued pursuant to §29-38c(d) after notice and an opportunity to be heard have been provided to the person. Conn. Gen. Stat. § 53a-217 (2013).</p> <p style="text-align: center;"><i>Criminal Possession of a Handgun</i></p> <p>A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver (as defined in §29-27) and has been convicted of a felony committed prior to, on or after October 1, 2013, or of a violation of §21a-279 (possession of hallucinogenic substance other than marijuana) §§53a-58 (negligent homicide), 53a-61 (3rd degree assault), 53a-61a (3rd degree assault of an elderly, blind, disabled, pregnant or mentally retarded persons), 53a-62 (threatening in the 2nd degree), 53a-63 (1st degree reckless endangerment), 53a-175 (riot in the 1st degree), 53a-176 (riot in the 2nd degree), 53a-178 (inciting to riot), 53a-181d (2nd degree stalking). Conn. Gen. Stat. §53a-217c(a) (2013).</p> <p style="text-align: center;"><i>Seizure of Firearms</i></p> <p>Upon complaint on oath by any state's attorney or assistant state's attorney or by any two police officers, to any judge of the Superior Court, that such state's attorney or police officers have probable cause to believe that a person poses a risk of imminent personal injury to himself or herself or to other individuals, such person possesses one or more firearms, and such firearm or firearms are within or upon any place, thing or person, such judge may issue a warrant commanding a proper officer to enter into or</p>	<p>(c) Any local permit for the carrying of a pistol or revolver issued prior to October 1, 2001, may be revoked by the authority issuing the same for cause, and shall be revoked by the authority issuing the same upon conviction of the holder of such permit of a felony or of any misdemeanor specified in subsection (b) of section 29-28 or upon the occurrence of any event which would have disqualified the holder from being issued such local permit. Upon the revocation of any local permit, the person whose local permit is revoked shall be notified in writing and such permit shall be forthwith delivered to the authority issuing the same. Upon the revocation of any local permit, the authority issuing the same shall forthwith notify the commissioner. Upon the revocation of any permit issued by the commissioner, the commissioner shall forthwith notify any local authority which the records of the commissioner show as having issued a currently valid local permit to the holder of the permit revoked by the commissioner. Any person who fails to surrender such permit within five days of notification in writing or revocation thereof shall be guilty of a class C misdemeanor. Conn. Gen. Stat. § 29-32(2013)</p>

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		<p>upon such place or thing, search the same or the person and take into such officer's custody any and all firearms and ammunition. Such state's attorney or police officers shall not make such complaint unless such state's attorney or police officers have conducted an independent investigation and have determined that such probable cause exists and that there is no reasonable alternative available to prevent such person from causing imminent personal injury to himself or herself or to others with such firearm.</p> <p>A warrant may issue only on affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the warrant. In determining whether grounds for the application exist or whether there is probable cause to believe they exist, the judge shall consider recent threats or acts of violence by such person directed toward other persons; recent threats or acts of violence by such person directed toward himself or herself; and recent acts of cruelty to animals as provided in §53-247(b). Conn. Gen. Stat. § 29-38c(a)-(b) (2013).</p> <p style="text-align: center;"><i>Violation of Conditions of Release</i></p> <p>A person is guilty of violation of conditions of release in the first degree when, while charged with the commission of a felony, such person is released pursuant to §54-63c (b) (release by law enforcement if only financial obligations are required for bond), §54-63d(c) (bail commissioner may impose certain sanction including not engage in specified activities, including the use or possession of a dangerous weapon), or §54-64a(c) (pretrial</p>	

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		<p>release conditions may include firearms restrictions), and intentionally violates one or more of the imposed conditions of release. Violation of conditions of release in the first degree is a class D felony. Conn. Gen. Stat. § 53a-222 (2011).</p> <p style="text-align: center;"><i>Transfer or Surrender of Firearms</i></p> <p>Not later than two business days after the occurrence of any event that makes a person ineligible to possess a pistol or revolver or other firearm or ammunition, such person shall either transfer in accordance with section 29-33 all pistols and revolvers which such person then possesses to any person eligible to possess a pistol or revolver and transfer in accordance with any applicable state and federal laws all other firearms to any person eligible to possess such other firearms by obtaining an authorization number for the sale or transfer of the firearm from the Commissioner of Emergency Services and Public Protection, and submit a sale or transfer of firearms form to said commissioner within two business days, except that a person subject to a restraining or protective order or foreign order of protection may only transfer a pistol, revolver or other firearm or ammunition under this subdivision to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm and ammunition to the federally licensed firearms dealer, or deliver or surrender such pistols and revolvers and other firearms and ammunition to the Commissioner of Emergency Services and Public Protection. The commissioner shall exercise due care in the receipt and holding of</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>such pistols and revolvers and other firearms or ammunition. Conn. Gen. Stat. § 29-36k (2013).</p> <p style="text-align: center;"><i>Straw Purchases</i></p> <p>Any person who purchases a firearm (as defined in §53a-3, pursuant to §29-33 or §29-37a), with the intent to transfer such firearm to any other person who the transferor knows or has reason to believe is prohibited from purchasing or otherwise receiving such a firearm pursuant to §§ 29-33 or 29-37a shall be fined not more than one thousand dollars or imprisoned not more than five years or both. Any person prohibited from purchasing or otherwise receiving or possessing a firearm and who solicits, employs or assists any person in violating the provisions of subsection (a) of this section shall be guilty of a class B misdemeanor. If the violation of subsection (a) of this section involves a transfer of more than one firearm, such person shall be guilty of a class A misdemeanor. Each transfer shall constitute a separate offense. Conn. Gen. Stat. § 29-37j (2013).</p> <p style="text-align: center;"><i>Criminal Possession of a Firearm or Electronic Defense Weapon: Class D felony.</i></p> <p>(a) A person is guilty of criminal possession of a firearm, ammunition or electronic defense weapon when such person possesses a firearm, ammunition or electronic defense weapon and (1) has been convicted of a felony committed prior to, on or after October 1,2013, or of a violation of subsection (c) of section 21a-279 or section 53a-58, 53a-</p>	

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		<p>61, after October 1, 2013, (2) has been convicted as delinquent , for the commission of a serious juvenile offense, as defined in section 46b-120, (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (4) knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice and an opportunity to be heard has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, (6) knows that such a person is subject to a firearms seizure order issued pursuant to subsection (d) of section 29-38c after notice and an opportunity to be heard has been provided to such person, or (7) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4). For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction, "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm.</p> <p>(b) Criminal possession of a firearm, ammunition or electronic defense weapon is a class C felony, for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars of a fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine. Conn. Gen. Stat. § 53a-</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
<p><b>Delaware</b></p>	<p style="text-align: center;"><i>Discretionary Prohibition</i></p> <p>After consideration of a petition for a protective order, the Court may grant relief as to order the respondent to temporarily relinquish to the sheriff, constable or to a police officer the respondent's firearms and to refrain from purchasing or receiving additional firearms for the duration of the order. 10 Del. C. § 1045(a) (8) (2014).</p> <p style="text-align: center;"><i>Mandatory Prohibition</i></p> <p>Any person who is subject to a Family Court protection from abuse order (other than an ex parte order), are prohibited from purchasing, owning, possessing or controlling a deadly weapon or ammunition for a firearm for so long as that order remains in effect or is not vacated or otherwise terminated, except that this paragraph shall not apply to a contested order issued solely upon § 1041(1) d., e., or h. of Title 10, or any combination thereof within the state. 11 Del. C. § 1448(a) (6) (2014).</p>	<p>217(2013).</p> <p style="text-align: center;"><i>Weapons Prohibition for MCDV</i></p> <p>Any person who has been convicted in any court of any misdemeanor crime of domestic violence. For purposes of this paragraph, the term "misdemeanor crime of domestic violence" means any misdemeanor offense that Was committed by a member of the victim's family, as "family" is defined in § 901(12) of Title 10 (regardless, however, of the state of residence of the parties); by a former spouse of the victim; by a person who cohabitated with the victim at the time of the offense; or by a person with a child in common with the victim; and is an offense as defined under § 601, § 602, § 603, § 611, § 614, § 621, § 625, § 628A, § 763, § 765, § 766, § 767, § 781, § 785 or § 791 of this title, or any similar offense when committed or prosecuted in another jurisdiction; is prohibited from purchasing, owning, possessing or controlling a deadly weapon or ammunition for a firearm within the State. 11 Del. C. § 1448(a) (7) (2014).</p> <p style="text-align: center;"><i>Penalty for Violation of Protective Order with Weapon</i></p> <p>A person found guilty of criminal contempt of a domestic violence protective order shall receive a minimum sentence of 15 days incarceration if Such contempt involved the use or threatened use of a deadly weapon. 11 Del. C. § 1271A (d) (2) (2014).</p> <p style="text-align: center;"><i>Transfer to Prohibited Person</i></p> <p>A person is guilty of giving a firearm to certain</p>	<p style="text-align: center;"><i>Supplying False ID to Purchase, Possess or Transfer</i></p> <p>Any person who, in connection with the purchase, transfer, or attempted purchase or transfer of a firearm pursuant to subsection (a) of this section or § 1448B(a) of this title, willfully and intentionally makes any materially false oral or written statement or willfully and intentionally furnishes or exhibits any false identification intended or likely to deceive the licensee shall be guilty of a class G felony. 11 Del. C. § 1448A(f) (2014).</p> <p style="text-align: center;"><i>Concealed Carry License</i></p> <p>A person of full age and good moral character desiring to be licensed to carry a concealed deadly weapon for personal protection or the protection of the person's property may be licensed to do so when following conditions have been strictly complied with. The Court may or may not, in its discretion, approve any application, and in order to satisfy the Judges thereof fully in regard to the propriety of approving the same, may receive remonstrances and hear evidence and arguments for and against the same, and establish general rules for that purpose. 11 Del. C. §§ 1441 (a), (d) (2014).</p> <p style="text-align: center;"><i>Criminal History Record Checks for Sales of Firearms [effective until fulfillment of 78 Del. Laws, c. 137, § 15]</i></p> <p>(a) No licensed importer, licensed manufacturer or licensed dealer shall sell or deliver from inventory any "firearm", as</p>

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		<p>persons prohibited when the person sells, transfers, gives, lends or otherwise furnishes a firearm to a person knowing that said person is a person prohibited as is defined in § 1448 of this title. Giving a firearm to certain persons prohibited is a class F felony. 11 Del. C. § 1454 (2014).</p> <p style="text-align: center;"><i>Straw Purchase</i></p> <p>A person is guilty of engaging in a firearms transaction on behalf of another when the person purchases or obtains a firearm on behalf of a person not qualified to legally purchase, own or possess a firearm in this State or for the purpose of selling, giving or otherwise transferring a firearm to a person not legally qualified to purchase, own or possess a firearm in this State. Engaging in a firearms transaction on behalf of another is a class F felony for the first offense, and a class C felony for each subsequent like offense. 11 Del. C. § 1455 (2014).</p> <p style="text-align: center;"><i>Possession and Purchase of Deadly Weapons by Persons Prohibited; Penalties [effective upon Fulfillment of 78 Del. Laws, c. 137, § 15]</i></p> <p>(a) Except as otherwise provided herein, the following persons are prohibited from purchasing, owning, possessing or controlling a deadly weapon or ammunition for a firearm within the State:</p> <p style="padding-left: 40px;">(1) Any person having been convicted in this State or elsewhere of a felony or a crime of violence involving physical injury to another, whether or not armed with or having in possession any weapon during</p>	<p>defined in § 222 of this title, to another person, other than a licensed importer, licensed manufacturer, licensed dealer or licensed collector, without conducting a criminal history background check in accordance with regulations promulgated by the United States Department of Justice Pursuant to the National Instance Background Check System ("NICS"), 28 C.F.R. §§ 25.1-25.11, as the same may be amended from time to time, determine whether the transfer of a firearm to any person who is not licensed under 18 U.S.C. § 923 would be in violation of federal or state law.</p> <p>(b) Any person who is denied the right to receive or purchase a firearm in connection with subsection (a) of this section or § 1448B(a) of this title may request from the Federal Bureau of Investigation ("FBI") a written explanation for such denial; an appeal of the denial based on the accuracy of the record upon which the denial is based; and/or that erroneous information on the NICS system be corrected and that the person's rights to possess a firearm be restored. All requests pursuant to this subsection (b) shall be made in accordance with applicable federal laws and regulations, including without limitation 28 C.F.R. 25.10. In connection herewith, at the request of a denied person, the Federal Firearms Licensed (FFL) dealer and SBI shall provide to the denied person such information as may be required by federal law or regulation in order for such person to appeal or seek additional information hereunder.</p> <p>(c) Compliance with the provisions of this</p>

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		<p>the commission of such felony or crime of violence;</p> <p>(2) Any person who has ever been committed for a mental disorder to any hospital, mental institution or sanitarium, unless such person can demonstrate that he or she is no longer prohibited from possessing a firearm pursuant to § 1448A of this title;</p> <p>(3) Any person who has been convicted for the unlawful use, possession or sale of a narcotic, dangerous drug or central nervous system depressant or stimulant as those terms were defined prior to the effective date of the Uniform Controlled Substances Act in June 1973 or of a narcotic drug or controlled substance as defined in Chapter 47 of Title 16;</p> <p>(4) Any person who, as a juvenile, has been adjudicated as delinquent for conduct which, if committed by an adult, would constitute a felony, unless and until that person has reached their 25th birthday;</p> <p>(5) Any juvenile, if said deadly weapon is a handgun, unless said juvenile possesses said handgun for the purpose of engaging in lawful hunting, instruction, sporting or recreational activity while under the direct or indirect supervision of an adult. For the purpose of this subsection, a handgun shall be defined as any pistol, revolver or other firearm designed to be readily capable of being fired when held in 1 hand;</p>	<p>section shall be a complete defense to any claim or cause of action under the laws of this State for liability for damages arising from the importation or manufacture of any firearm which has been shipped or transported in interstate or foreign commerce. In addition, compliance with the provisions of this section or § 1448B of this title, as the case may be, shall be a complete defense to any claim or cause of action under the laws of this State for liability for damages allegedly arising from actions of the transferee subsequent to the date of said compliance wherein the claim for damages is factually connected to said compliant transfer.</p> <p>(d) The provisions of this section shall not apply to:</p> <p>(1) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898;</p> <p>(2) Any replica of any firearm described in paragraph (d)(1) of this section if such replica:</p> <p>a. Is not designed or redesigned to use rimfire or conventional centerfire fixed ammunition; or</p> <p>b. Uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade;</p>

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		<p>(6) Any person who is subject to a Family Court protection from abuse order (other than an ex parte order), but only for so long as that order remains in effect or is not vacated or otherwise terminated, except that this paragraph shall not apply to a contested order issued solely upon § 1041(1)d., e., or h. of Title 10, or any combination thereof;</p> <p>(7) Any person who has been convicted in any court of any misdemeanor crime of domestic violence. For purposes of this paragraph, the term "misdemeanor crime of domestic violence" means any misdemeanor offense that:</p> <p style="padding-left: 40px;">a. Was committed by a member of the victim's family, as "family" is defined in § 901(12) of Title 10 (regardless, however, of the state of residence of the parties); by a former spouse of the victim; by a person who cohabitated with the victim at the time of the offense; or by a person with a child in common with the victim; and</p> <p style="padding-left: 40px;">b. Is an offense as defined under § 601, § 602, § 603, § 611, § 614, § 621, § 625, § 628A, § 763, § 765, § 766, § 767, § 781, § 785 or § 791 of this title, or any similar offense when committed or prosecuted in another jurisdiction; or</p> <p>(8) Any person who, knowing that he or she is the defendant or co-defendant in any criminal case in which that person is</p>	<p>(3) Any shotgun, which is defined as a firearm designed or made to fire through a smooth bore either a number of ball shots or a single projectile for each single pull of the trigger;</p> <p>(4) The return, by a licensed pawnbroker, of a firearm to the person from whom it was received;</p> <p>(5) Transactions in which the potential buyer or transferee holds a valid concealed deadly weapons license pursuant to § 1441 of this title; and</p> <p>(6) Transactions involving "law-enforcement officer" as defined by § 222 of this title.</p> <p>(e) Any licensed dealer, licensed manufacturer, licensed importer or employee thereof who willfully and intentionally requests a criminal history record check from the Federal Bureau of Investigation, NICD for any purpose other than compliance with subsection (a) of this section or § 1448B(a) of this title, or wilfully and intentionally disseminates any criminal history record information to any person other than the subject of such information or discloses to any person the unique identification number shall be guilty of class A misdemeanor. The Superior Court shall have exclusive jurisdiction for all offenses under this subsection.</p> <p>(f) Any person who, in connection with the purchase, transfer, or attempted purchase or transfer of a firearm pursuant to subsection</p>

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		<p>alleged to have committed any felony under the laws of this State, the United States or any other state or territory of the United States, becomes a fugitive from justice by failing to appear for any scheduled court proceeding pertaining to such felony for which proper notice was provided or attempted. It is no defense to a prosecution under this paragraph that the person did not receive notice of the scheduled court proceeding.</p> <p>(9) Any person, if the deadly weapon is a semi-automatic or automatic firearm, or a handgun, who, at the same time, possesses a controlled substance in violation of § 4763, or § 4764 of Title 16.</p> <p>(10) Except for "antique firearms", any validly seized deadly weapons or ammunition from a person prohibited as a result of a felony conviction under Delaware law, federal law or the laws of any other state, or as otherwise prohibited under this subsection (a) of this section may be disposed of by the law enforcement agency holding the weapon or ammunition, pursuant to § 2311 of this title.</p> <p>a. "Antique firearm" means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer</p>	<p>(a) of this section or § 1448B(a) of this title, wilfully and intentionally makes any materially false oral or written statement or wilfully or intentionally furnishes or exhibits any false identification intended or likely to deceive the licensee shall be guilty of a class G felony.</p> <p>(g) Any licensed dealer, licensed manufacturer, licensed importer or employee thereof who wilfully and intentionally sells or delivers a firearm in violation of this section shall be guilty of a class A misdemeanor. Second or subsequent offenses by an individual shall be a class G felony.</p> <p>(h) The SBI shall provide to the judiciary committee of the Senate and House of Representatives an annual report including the number of inquiries made pursuant to this section and § 1448B of this title for the prior calendar year. Such report shall include, but not be limited to, the number of inquiries received from licensees, the number of inquiries resulting in determination that the potential buyer or transferee was prohibited from receipt or possession of a firearm pursuant to §§ 1448 and 1448B of this title or federal law.</p> <p>(i) Notwithstanding Chapter 89 of this title, Chapter 10 of Title 24, and other Delaware laws, the SBI is authorized and directed to release records and data required by this section and by § 1448B of this title. The SBI shall not release or disclose criminal records or data except as specified in this section and § 1448B of this title.</p>

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		<p>manufactured in the United States and is not readily restored to a firing condition.</p> <p>b. A person prohibited under this section has the burden of proving that the subject firearm is an antique firearm as defined in paragraph (a)(10)a. of this section subject to an exemption under this section and § 2311 of this title. 11 Del. C. § 1448 (2014).</p>	<p>(j) No records, data, information or reports containing the name, address, date of birth or other identifying data of either the transferor or transferee or which contain the make, model, caliber, serial number or other identifying data of any firearm which are required, authorized or maintained pursuant to this section, § 1448B of this title or by Chapter 9 of Title 24, shall be subject to disclosure or release pursuant to the Freedom of Information Act, Chapter 100 of Title 29.</p> <p>(k) Relief from Disabilities Program—A person who is subject to the disabilities of 18 U.S.C. § 922(d)(4) and (g)(4) or of § 1448(a)(2) of tis title because of an adjudication or commitment under the laws of this State may petition for relief from a firearms prohibition from the Relief from Disabilities Board. The Relief from Disabilities Board shall be comprised of 3 members, with the chairperson appointed by and serving at the pleasure of the Secretary of safety and Homeland Security, and 2 members appointed by and serving at the pleasure of the Secretary of the Department of Health and Social Services, 1 of whom shall be a licensed psychiatrist.</p> <p>(1) The Board shall consider the petition for relief in accordance with the following:</p> <p>a. The Board shall give the petitioner the opportunity to present evidence to the Board in a closed and confidential hearing on the record; and</p>

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			<p>b. A record of the hearing shall be maintained by the Board for purposed of appellate review.</p> <p>(2) In determining whether to grant relief, the Board shall consider evidence regarding the following:</p> <ul style="list-style-type: none"> <li>a. The circumstances regarding the firearms disabilities pursuant to § 1448(a)(2) of this title and 18 U.S.C. § 922(d)(4) and (g)(4);</li> <li>b. The petitioner's record, which must include, at a minimum, the petitioner's mental health record, including a certificate of a medical doctor or psychiatrist licensed in this State that the person is no longer suffering from a mental disorder which interferes or handicaps the person from handling deadly weapons;</li> <li>c. Criminal history records; and</li> <li>d. The petitioner's reputation as evidenced through character witness statements, testimony, or other character evidence.</li> </ul> <p>(3) The Board shall have the authority to require that the petitioner undergo a clinical evaluation and risk assessment, which it may also consider as evidence in determining whether to approve or deny the petition for relief.</p> <p>(4) After a hearing on the record, the</p>

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			<p>Board shall grant relief if it finds, by a preponderance of the evidence, that:</p> <ul style="list-style-type: none"> <li>a. The petitioner will not be likely to act in a manner dangerous to public safety; and</li> <li>b. Granting the relief will not be contrary to the public interest.</li> </ul> <p>(5) The Board shall issue its decision in writing explaining the reasons for denial or grant of relief.</p> <p>(6) Any Person whose petition for relief has been denied by the Relief from Disabilities Board shall have a right to a de novo judicial review in the Superior Court. The Superior Court shall consider the record of the Board hearing on the petition for relief, the decision of the Board, and, at the Court's discretion, any additional evidence it deems necessary to conduct its review.</p> <p>(7) Upon notice that a petition for relief has been granted, the Department of Safety and Homeland Security shall, as soon as practicable:</p> <ul style="list-style-type: none"> <li>a. Cause the petitioner's record to be updated, corrected, modified, or removed from ant database maintained and made available to NICS to reflect that the petitioner is no longer subject to firearms prohibition as it relates to § 1448(a)(2) this title and 18 U.S.C. § 922(d)(4) and (g)(4); and</li> </ul>

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			<p>b. Notify the Attorney General of the United States that the petitioner is no longer subject to a firearms prohibition pursuant to § 1448(a)(2) of this title and 18 U.S.C. § 922(d)(4) and (g)(4).</p> <p>(l) The Department of Safety and Homeland Security shall adopt regulations relating to compliance with NICS, including without limitation issues relating to the transmission of data, the transfer of existing data in the existing state criminal background check database and the relief from disabilities process set forth in subsection (j) of this section. In preparing such regulations, the Department shall consult with the Department of Health and Social Services, the courts, the Department of Children, Youth and Their Families, the Department of State and such other entities as may be necessary or advisable. Such regulations shall include provisions to ensure the identity, confidentiality and security of all records and data provided pursuant to this section 11 Del. C. § 1448A (2014).</p>
<p><b>District of Columbia</b></p>	<p><i>Discretionary Prohibition</i></p> <p>If, after hearing, the judicial officer finds that there is good cause to believe the respondent has committed or threatened to commit a criminal offense against the petitioner, the judicial officer may issue a protection order that Directs the respondent to relinquish possession of any firearms D.C. Code § 16-1005(c)(10) (2014).</p>	<p><i>Hand Gun Prohibition</i></p> <p>No person shall carry within the District of Columbia either openly or concealed on or about their person, a pistol, or any deadly or dangerous weapon capable of being so concealed. Whoever violates this section shall be punished as provided in § 22-4515, except that a person who violates this section by carrying a pistol, or any deadly or dangerous weapon, in a place other than the person's dwelling place, place of business, or other land possessed by the person, shall be fined</p>	<p><i>Registration Certificate</i></p> <p>No person or organization in the District of Columbia ("District") shall receive, possess, control, transfer, offer for sale, sell, give, or deliver any destructive device, and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm.</p> <p>This officer or agent of the District or the United States, authorized to possess such a</p>

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		<p>not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both. D.C. Code § 22-4504(a) (1) (2014).</p> <p style="text-align: center;"><i>Crime of Violence</i></p> <p>The term "crime of violence" means aggravated assault; act of terrorism; arson; assault on a police officer (felony); assault with a dangerous weapon; assault with intent to kill, commit first degree sexual abuse, commit second degree sexual abuse, or commit child sexual abuse; assault with intent to commit any other offense; burglary; carjacking; armed carjacking; child sexual abuse; cruelty to children in the first degree; extortion or blackmail accompanied by threats of violence; gang recruitment, participation, or retention by the use or threatened use of force, coercion, or intimidation; kidnapping; malicious disfigurement; manslaughter; manufacture or possession of a weapon of mass destruction; mayhem; murder; robbery; sexual abuse in the first, second, or third degrees; use, dissemination, or detonation of a weapon of mass destruction; or an attempt, solicitation, or conspiracy to commit any of the foregoing offenses. D.C. Code § 23-1331(4) (2014).</p> <p style="text-align: center;"><i>No Discharge of Weapons</i></p> <p>2300.1 No gun, air gun, rifle, air rifle, pistol, revolver, or other firearm, cannon, or torpedo shall be discharged or set off in the District without a special written permit from the Chief of Police. CDCR 24-2300 (2014).</p>	<p>firearm or device while on duty in the performance of official authorized functions.</p> <p>Licenses may be issued to an organization if: The organization employs at least 1 commissioned special police officer or employee licensed to carry a firearm whom the organization arms during the employee's duty hours; and the registration is issued in the name of the organization and in the name of the president or chief executive officer of the organization; in the discretion of the Chief of Police, to a police officer who has retired from the Metropolitan Police Department; or in the discretion of the Chief of Police, to the Fire Marshal and any member of the Fire and Arson Investigation Unit of the Fire Prevention Bureau of the Fire Department of the District of Columbia, who is designated in writing by the Fire Chief, for the purpose of enforcing the arson and fire safety laws of the District of Columbia.</p> <p>With respect to firearms, any nonresident of the District participating in any lawful recreational firearm-related activity in the District, or on his way to or from such activity in another jurisdiction; provided, that such person, whenever in possession of a firearm, shall upon demand of any member of the Metropolitan Police Department, or other bona fide law enforcement officer, exhibit proof that he is on his way to or from such activity, and that his possession or control of such firearm is lawful in the jurisdiction in which he resides; provided further, that such weapon shall be transported in accordance with § 22-4504.02 (firearm must be unloaded, inaccessible to the passenger, and separate</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p><i>Carrying Concealed Weapons; Possession of Weapons During Commission of Crime of Violence; Penalty</i></p> <p>(a) No person shall carry within the District of Columbia either openly or concealed on or about their person, a pistol, or any deadly or dangerous weapon capable of being so concealed. Whoever violates this section shall be punished as provided in § 22-4515, except that:</p> <p>(1) A person who violates this section by carrying a pistol, or any deadly or dangerous weapon, in a place other than the person's dwelling place, place of business, or on other land possessed by the person, shall be fined not more than the amount set forth in § 22-371.01 or imprisoned for not more than 5 years, or both; or</p> <p>(2) If the violation of this section occurs after a person has been convicted in the District of Columbia of a violation of this section or of a felony, either in the District of Columbia or another jurisdiction, the person shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.</p> <p>(a-1) Except as otherwise permitted by law, no person shall carry within the District of Columbia a rifle or shotgun. A person who violates this subsection shall be subject to the criminal penalties set forth in subsection (a)(1) and (2) of this section.</p>	<p>from the ammunition</p> <p>Any person who temporarily possesses a firearm registered to another person while in the home of the registrant; provided, that the person is not otherwise prohibited from possessing firearms and the person reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to himself or herself. D.C. Code § 7-2502.01 (2014).</p> <p><i>Qualifications for Registration</i></p> <p>No registration certificate shall be issued to any person (and in the case of a person between the ages of 18 and 21, to the person and his signatory parent or guardian) or organization unless the Chief determines that such person (or the president or chief executive in the case of an organization) has not been convicted within 5 years prior to the application of any violation of § 22-407, regarding threats to do bodily harm, or § 22-404, regarding assaults and threats, or any similar provision of the law of any other jurisdiction so as to indicate a likelihood to make unlawful use of a firearm. D.C. Code § 7-2502.03 (a) (4) (B) (2014).</p> <p>(12) (A) Has not been the respondent in an intrafamily proceeding in which a civil protection order was issued against the applicant pursuant to § 16-1005(notice and opportunity to be heard in response to protective order filing); provided, that an applicant who has been the subject of such an order shall be eligible for registration if the</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>(b) No person shall within the District of Columbia possess a pistol, machine gun, shotgun, rifle, or any other firearm or imitation firearm while committing a crime of violence or dangerous crime as defined in § 22-4501. Upon conviction of a violation of this subsection, the person may be sentenced to imprisonment for a term not to exceed 15 years and shall be sentenced to imprisonment for a mandatory-minimum term of not less than 5 years and shall not be released on parole, or granted probation or suspension of sentence, prior to serving the mandatory-minimum sentence. D.C. Code § 22-4504 (2014).</p>	<p>applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years or more; or</p> <p>(B) Has not been the respondent in a proceeding in which a foreign protection order, as that term is defined in § 16-1041(protective order issued by a tribunal of another state), was issued against the applicant; provided, that an applicant who has been the subject of such an order shall be eligible for registration if the applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years D.C. Code § 7-2502.03 (a)(12)(A,B)(2014).</p>
<p><b>Florida</b></p>	<p><i>Mandatory Prohibition</i></p> <p>A person may not have in his or her care, custody, possession, or control of any firearm or ammunition if the person has been issued a final injunction that is currently in force and effect, restraining that person from committing acts of domestic violence, and that has been issued under § 741.30 or from committing acts of stalking or cyberstalking, as issued under s. 784.0485. This section does not apply to a state or local officer as defined in § 943.10(14) holding an active certification who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer’s employing agency, unless otherwise prohibited by the employing agency. Fla. Stat. § 790.233 (2013).</p> <p>A final judgment on injunction for protection</p>	<p><i>Violation of Injunction</i></p> <p>It is a violation of § 790.233 and a misdemeanor of the first degree, punishable as provided in § 755.082 or 775.083, for a person to violate a final injunction for protection against domestic violence by having in his or care, custody, possession, or control any firearm or ammunition. Fla. Stat. § 741.31 § (4) (b) (1) (2013).</p> <p><i>Probation Conditions</i></p> <p>The court shall determine the terms and conditions of probation. Conditions specified in this section do not require oral pronouncement at the time of sentencing and may be considered standard conditions of probation. These conditions may include among them the following that the probationer or offender in community control</p>	<p><i>Concealed Carry License</i></p> <p>The Department of State shall issue a license if the applicant has not had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged, has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence, and is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law. Fla. Stat. § 790.06 (2) (k)-(m) (2013).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>against domestic violence entered pursuant to this section must, on its face, indicate that it is a violation of § 790.233, and a first degree misdemeanor, for the respondent to have in his or her care, custody, possession, or control any firearm or ammunition. Fla. Stat. § 741.30(6)(g) (2013).</p> <p style="text-align: center;"><i>Form 12.980(d)(1)</i></p> <p>The form used for final domestic violence injunctions states that unless the court initials a paragraph that exempts a respondent who is a state or local officer, the respondent may not have in his/her care, custody, possession, or control any firearm or ammunition for the duration of the injunction pursuant to § 790.233. The form also provides notice of 18 U.S.C. § 922(g)(8), which prohibits respondents to certain types of protection orders from possessing or receiving certain firearms and ammunition for the duration of the protection order. 1-12 Florida Family Law § 12.205 (2013).</p> <p style="text-align: center;"><i>Form 12.980(1)</i></p> <p>The form used for final injunctions against repeat violence provides a space for the court to indicate whether the respondent is prohibited from using or possessing a firearm or ammunition, and to require the respondent to surrender firearms and ammunition to a specified county sheriff's department. Florida Family Law § 12.213 (2013).</p>	<p>shall: Be prohibited from possessing, carrying, or owning any firearm unless authorized by the court and consented to by the probation officer. Fla. Stat. § 948.03 § (1) (m) (2013).</p> <p style="text-align: center;"><i>Possession or Use of Weapon; Aggravated Battery; Felony Reclassification; Minimum Sentence</i></p> <p>(1) Unless otherwise provided by law, whenever a person is charged with a felony, except a felony in which the use of a weapon or firearm is an essential element, and during the commission of such felony the defendant carries, displays, uses, threatens to use, or attempts to use any weapon or firearm, or during the commission of such felony the defendant commits an aggravated battery, the felony for which the person is charged shall be reclassified as follows:</p> <p style="padding-left: 40px;">(a) In the case of a felony of the first degree, to a life felony.</p> <p style="padding-left: 40px;">(b) In the case of a felony of the second degree, to a felony of the first degree.</p> <p style="padding-left: 40px;">(c) In the case of a felony of the third degree, to a felony of the second degree. For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, a felony offense which is reclassified under this section is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the felony offense committed. Fla. Stat. § 775.087 (2013).</p>	<p style="text-align: center;"><i>Pre-purchase Background Check</i></p> <p>If, during a pre-purchase background review of criminal history records, any of the following is discovered about a potential buyer of a firearm, a conditional non-approval number shall be issued: the applicant was convicted of a misdemeanor crime of domestic violence, and therefore is prohibited from purchasing a firearm; the applicant has had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred; has been indicted or has had an information filed against her or him for an offense that is a felony under either state or federal law, has had an injunction for protection against domestic violence entered against the potential buyer or transferee under s. 741.30; has had an injunction for protection against domestic violence entered against the potential buyer or transferee under § 784.046, or has been arrested for a dangerous crime as specified in § 907.041(4)(a) or for one of a number of enumerated offenses including stalking or aggravated stalking under § 784.048. Fla. Stat. § 790.065 (2) (a), (c) (2013).</p> <p style="text-align: center;"><i>Purchase and Delivery of Handguns; Mandatory Waiting Period; Exceptions; Penalties</i></p> <p>(1) (a) There shall be a mandatory 3-day waiting</p>

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			<p>period, which shall be 3 days, excluding weekends and legal holidays, between the purchase and the delivery at retail of any handgun. "Purchase" means the transfer of money or other valuable consideration to the retailer. "Handgun" means a firearm capable of being carried and used by one hand, such as a pistol or revolver. "Retailer" means and includes every person engaged in the business of making sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).</p> <p>(b) Records of handgun sales must be available for inspection by any law enforcement agency, as defined in s. 934.02, during normal business hours.</p> <p>(2) The 3-day waiting period shall not apply in the following circumstances:</p> <p style="padding-left: 40px;">(a) When a handgun is being purchased by a holder of a concealed weapons permit as defined in s. 790.06.</p> <p style="padding-left: 40px;">(b) To a trade-in of another handgun.</p> <p>(3) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:</p> <p style="padding-left: 40px;">(a) For any retailer, or any employee or agent of a retailer, to deliver a handgun before the expiration of the 3-day waiting period, subject to the exceptions provided in subsection (2).</p> <p style="padding-left: 40px;">(b) For a purchaser to obtain delivery of a</p>

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			<p>handgun by fraud, false pretense, or false representation. Fla. Stat. § 790.0655 (2013).</p> <p><i>Providing False Information</i></p> <p>Any potential buyer or transferee who willfully and knowingly provides false information or false or fraudulent identification commits a felony of the third degree punishable as provided in s. 755.082 or s. 755.083 Fla. Stat. § 790.065 12(a) (2013).</p> <p><i>Furnishing a Felon</i></p> <p>Any potential buyer or transferee who wilfully and knowingly provides false information or fraudulent identification commits a felony of the third degree punishable as provided in s. 775.082 or s. 775.083. Any licensed importer, licensed manufacturer, or licensed dealer who violates the provisions of subsection (1) commits a felony of the third degree punishable as provided in s. 775.082 or s. 775.083. Fla. Stat. § 790.065 (12)(a)(b) (2013).</p> <p><i>§ 790.06. License to carry concealed weapon or firearm</i></p> <p>(1) The Department of Agriculture and Consumer Services is authorized to issue licenses to carry concealed weapons or concealed firearms to persons qualified as provided in this section. Each such license must bear a color photograph of the licensee. For the purposes of this section, concealed weapons or concealed firearms are defined as a handgun, electronic weapon or device, tear gas gun, knife, or billie, but the term does not</p>

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			include a machine gun as defined in s. 790.001(9). Such licenses shall be valid throughout the state for a period of 7 years from the date of issuance. Any person in compliance with the terms of such license may carry a concealed weapon or concealed firearm notwithstanding the provisions of s. 790.01. The licensee must carry the license, together with valid identification, at all times in which the licensee is in actual possession of a concealed weapon or firearm and must display both the license and proper identification upon demand by a law enforcement officer. Violations of the provisions of this subsection shall constitute a noncriminal violation with a penalty of \$ 25, payable to the clerk of the court. Fla. Stat. § 790.06 (2013)/
<b>Georgia</b>	<p><i>No Allowable Prohibition Apparent on the Face of the Protection Order Statute.</i></p> <p>See Ga. Code Ann § 19-13-4 (2014).</p>	<p><i>Plea of Nolo Contendere</i></p> <p>A plea of nolo contendere in a misdemeanor crime of domestic violence does not take away the right to possess a firearm under the Gun Control Act of 1968, 18 U.S.C. § 921 et seq. 1998 Op. Att’y Gen. No. 98-2. cited in notes section of Ga. Code Ann. § 17-7-95(2010).</p> <p><i>Possession of Firearm or Knife During Commission of or Attempt to Commit Certain Crimes</i></p> <p>(a) For the purposes of this Code section, the term "firearm" shall include stun guns and tasers. A stun gun or taser is any device that is powered by electrical charging units such as batteries and emits an electrical charge in excess of 20,000 volts or is otherwise capable of incapacitating a person by an electrical</p>	<p><i>License to Carry Pistol or Revolver</i></p> <p>If first offender treatment without adjudication of guilt for a conviction contained in subparagraph (F) or (I) of paragraph (2) of this subsection was entered and such sentence was successfully completed and such person had not had any other conviction since the completion of such sentence and for at least five years immediately preceding the date of the application, he or she shall be eligible for a weapons carry license provided that no other license exception applies. Ga. Code Ann. § 16-11-129(b)(3)(2014).</p> <p><i>Revocation of License</i></p> <p>If at any time during the period for which the weapons carry license was issued, the judge of the probate court of the county in which</p>

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		<p>charge.</p> <p>(b) Any person who shall have on or within arm's reach of his or her person a firearm or a knife having a blade of three or more inches in length during the commission of, or the attempt to commit:</p> <p>(1) Any crime against or involving the person of another;</p> <p>(2) The unlawful entry into a building or vehicle;</p> <p>(3) A theft from a building or theft of a vehicle;</p> <p>(4) Any crime involving the possession, manufacture, delivery, distribution, dispensing, administering, selling, or possession with intent to distribute any controlled substance or marijuana as provided in Code Section 16-13-30, any counterfeit substance as defined in Code Section 16-13-21, or any noncontrolled substance as provided in Code Section 16-13-30.1; or</p> <p>(5) Any crime involving the trafficking of cocaine, marijuana, or illegal drugs as provided in Code Section 16-13-31, and which crime is a felony, commits a felony and, upon conviction thereof, shall be punished by confinement for a period of five years, such sentence to run consecutively to any other sentence which the person has received. O.C.G.A. § 16-11-106 (2014).</p>	<p>the license was issued shall learn or have brought to his or her attention in any manner any reasonable ground to believe the licensee is not eligible to retain the license, the judge may, after notice and hearing, revoke the license of the person upon finding that such person is not eligible for a weapons carry license pursuant to subsection (b) of this Code section or an adjudication of falsification of application, mental incompetency, chronic alcohol or narcotic usage. It shall be unlawful for any person to possess a license which has been revoked, and any person found in possession of any such revoked license, except in the performance of his or her official duties, shall be guilty of a misdemeanor. Ga. Code Ann. § 16-11-129(e) (2014).</p> <p style="text-align: center;"><i>False Statements</i></p> <p>A person who knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any country, city or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one or more than five years, or both. O.C.G.A. § 16-10-20 (2014).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p data-bbox="982 180 1356 240"><i>Offense of Transferring Firearm to Individual Other Than Actual Buyer</i></p> <p data-bbox="915 277 1413 662">Any person who attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm other than to the actual buyer, as well as any other person who willfully and intentionally aids or abets such person, shall be guilty of a felony. This Code section shall not apply to a federal law enforcement officer or a peace officer, as defined in Code Section 16-1-3, in the performance of his or her official duties or other person under such officer's direct supervision. O.C.G.A. § 16-11-113 (2014).</p> <p data-bbox="957 699 1377 792"><i>§ 16-11-131. Possession of Firearms by Convicted Felons and First Offender Probationers</i></p> <p data-bbox="915 829 1377 857">(a) As used in this Code section, the term:</p> <p data-bbox="957 894 1419 1117">(1) "Felony" means any offense punishable by imprisonment for a term of one year or more and includes conviction by a court-martial under the Uniform Code of Military Justice for an offense which would constitute a felony under the laws of the United States.</p> <p data-bbox="957 1154 1419 1312">(2) "Firearm" includes any handgun, rifle, shotgun, or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.</p> <p data-bbox="915 1349 1398 1442">(b) Any person who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42 or who has been</p>	

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		<p>convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and who receives, possesses, or transports any firearm commits a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years; provided, however, that if the felony as to which the person is on probation or has been previously convicted is a forcible felony, then upon conviction of receiving, possessing, or transporting a firearm, such person shall be imprisoned for a period of five years. O.C.G.A. § 16-11-131(2014).</p>	
<p><b>Guam</b></p>	<p><i>Notice of Available Legal Remedies</i></p> <p>As part of the notice to the victim, the required written notice shall be given as follows:</p> <p>"You have the right to request a peace officer's assistance for your safety. You may also request that the peace officer assist you in obtaining your essential personal effects, and arranging transportation to a safe place, including but not limited to a designated meeting place for a shelter, a family member's or a friend's residence, or a similar place of safety. If you are in need of medical treatment, you have the right to request that the officer assist you in obtaining medical treatment. If you would like to speak with a victim's assistance representative, one will be contacted for you."</p> <p>The above paragraph shall be read to all victims of family violence by the responding officer. Furthermore, the written notice shall</p>	<p><i>Law Enforcement Response to Family Violence</i></p> <p>If the peace officer has reason to believe that a person is a victim of family violence, the officer shall use all reasonable means to prevent further family violence and to ensure the victim's safety including confiscating any weapon involved in the alleged family violence incident and the firearms identification card of any person(s) arrested. 9 GCA § 30.32(c)(3) (2013).</p> <p><i>Seizure of Weapons Incident to Arrest</i></p> <p>For a crime involving family violence, a peace officer:</p> <p>(a) Shall, incident to an arrest, seize all weapons that are alleged to have been involved or threatened to be used in the commission of a crime.</p> <p>(b) May seize a weapon that is in the plain</p>	

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	<p>advise the victim that victim advocates at the Office of the Attorney General are available to provide assistance to all victims, and can provide information about other support services in the community. The advocates' address and current telephone numbers shall be displayed prominently on the written notice.</p> <p>In addition, a responding officer shall give written notice to every victim of family violence that full legal services are available at no cost from the Guam Legal Services Corporation and from the Public Defender Service Corporation. The addresses and current telephone numbers of both offices shall be displayed prominently on the written notice. Full legal services could include an order prohibiting your abuser from using or possessing any kind of weapon, instrument or thing to inflict bodily harm or injury. 9 GCA § 30.32(d)(5) (2014).</p>	<p>view of the officer or was discovered pursuant to consensual search, as necessary for the protection of the officer or other persons. 9 GCA § 30.50 (2014).</p> <p style="text-align: center;"><i>Conditions of Release</i></p> <p>Should a person, charged with a crime involving family violence or a violation of a court order, be released, the court may impose, as a condition of release, an order prohibiting the person from using or possessing a firearm or other weapon specified by the Court. 9 GCA § 30.21(a)(5) (2014).</p> <p style="text-align: center;"><i>Forfeiture</i></p> <p>Upon the conviction of any violation of this Chapter or of any crime wherein the use of firearms was an element or part or was involved in the commission thereof, the firearms involved in the violation shall be declared forfeit by the court convicting such person and be given to the Department for its use, sale or destruction. In addition, the court shall either revoke the applicable identification card or business registration or suspend the same for a period of not less than six (6) months nor for more than two (2) years. In the case of a conviction of a business, the weapons shall be forfeited only where the registration is revoked. In the case of suspension of a business registration no firearms shall be sold. 10 GCA § 60125 (2014).</p>	
<b>Hawaii</b>	<p style="text-align: center;"><i>Mandatory Prohibition</i></p> <p>No person who has been restrained pursuant</p>	<p style="text-align: center;"><i>Seizure at Scene of Domestic Violence Incident</i></p> <p>Any police officer who has reasonable</p>	<p style="text-align: center;"><i>Surrender Procedures</i></p> <p>Any person disqualified from ownership,</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>to an order of any court, including an ex parte order as provided in this subsection, from contacting, threatening, or physically abusing any person, shall possess, control, or transfer ownership of any firearm or ammunition therefor, so long as the protective order, restraining order, or any extension is in effect, unless the order, for good cause shown, specifically permits the possession of a firearm and ammunition. The restraining order or order of protection shall specifically include a statement that possession, control, or transfer of ownership of a firearm or ammunition by the person named in the order is prohibited. Such person shall relinquish possession and control of any firearm and ammunition owned by that person to the police department of the appropriate county for safekeeping for the duration of the order or extension thereof. In the case of an ex parte order, the affidavit or statement under oath that forms the basis for the order shall contain a statement of the facts that support a finding that the person to be restrained owns, intends to obtain or to transfer ownership of, or possesses a firearm, and that the firearm may be used to threaten, injure, or abuse any person. The ex parte order shall be effective upon service pursuant to section 586-6. At the time of service of a restraining order involving firearms and ammunition issued by any court, the police officer may take custody of any and all firearms and ammunition in plain sight, those discovered pursuant to a consensual search, and those firearms surrendered by the person restrained. If the person restrained is the registered owner of a firearm and knows the location of the firearm, but refuses to</p>	<p>grounds to believe that a person has recently assaulted or threatened to assault a family or household member may seize all firearms and ammunition that the police officer has reasonable grounds to believe were used or threatened to be used in the commission of the offense. The police officer may seize any firearms or ammunition that are in plain view of the officer or were discovered pursuant to a consensual search, as necessary for the protection of the officer or any family or household member. Firearms seized under this section shall be taken to the appropriate county police department for safekeeping or as evidence.</p> <p>Upon taking possession of a firearm or ammunition, the officer shall give the owner or person who was in lawful possession of the firearm or ammunition a receipt identifying the firearm or ammunition and indicating where the firearm or ammunition can be recovered.</p> <p>The officer taking possession of the firearm or ammunition shall notify the person against whom the alleged assault or threatened assault was inflicted of remedies and services available to victims of domestic violence, including the right to apply for a domestic abuse restraining order.</p> <p>The firearm or ammunition shall be made available to the owner or person who was in lawful possession of the firearm or ammunition within seven working days after the seizure when: the firearm or ammunition are not retained for use as evidence; the firearm or ammunition are not retained</p>	<p>possession, or control of firearms and ammunition under section 134-7 shall voluntarily surrender all firearms and ammunition to the chief of police where the person resides or dispose of all firearms and ammunition. If any person fails to voluntarily surrender or dispose of all firearms and ammunition within thirty days from the date of disqualification, the chief of police may seize all firearms and ammunition. HRS § 134-7.3(b) (2014).</p> <p style="text-align: center;"><i>Concealed Carry License</i></p> <p>The chief of police of each county shall adopt procedures to require that any person granted a license to carry a concealed weapon on the person shall not be prohibited under section 134-7 from the ownership or possession of a firearm. HRS §134-9(b)(3) (2014).</p>

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	<p>surrender the firearm or refuses to disclose the location of the firearm, the person restrained shall be guilty of a misdemeanor. In any case, when a police officer is unable to locate the firearms and ammunition either registered under this chapter or known to the person granted protection by the court, the police officer shall apply to the court for a search warrant pursuant to chapter 803 for the limited purpose of seizing the firearm and ammunition. For the purposes of this subsection, good cause shall not be based solely upon the consideration that the person subject to restraint pursuant to an order of any court, including an ex parte order as provided for in this subsection, is required to possess or carry firearms or ammunition during the course of the person's employment. Good cause consideration may include but not be limited to the protection and safety of the person to whom a restraining order is granted. HRS § 134-7(f) (2014).</p> <p style="text-align: center;"><i>Exemption for Law Enforcement and Members of the Armed Forces</i></p> <p>(a) Sections 134-7 to 134-9 and 134-21 to 134-27, except section 134-7(f), shall not apply:</p> <p>(1) To state and county law enforcement officers; provided that such persons are not convicted of an offense involving abuse of a family or household member under section 709-906;</p> <p>(2) To members of the armed forces of the State and of the United States and mail</p>	<p>because they are possessed illegally; the owner or person who has lawful possession of the firearm or ammunition is not restrained by an order of any court from possessing a firearm or ammunition; and no criminal charges are pending against the owner or person who has lawful possession of the firearm or ammunition when a restraining order has already issued. HRS § 134-7.5 (2014).</p> <p>Any police officer, with or without a warrant, may take the following course of action where the officer has reasonable grounds to believe that there was physical abuse or harm inflicted by one person upon a family or household member, regardless of whether the physical abuse or harm occurred in the officer's presence: The police officer shall seize all firearms and ammunition that the police officer has reasonable grounds to believe were used or threatened to be used in the commission of an offense under this section. HRS § 709-906(4)(f) (2014).</p> <p style="text-align: center;"><i>Crime of Violence</i></p> <p>No person who is under indictment for, or has waived indictment for, or has been bound over to the circuit court for, or has been convicted in this State or elsewhere of having committed a felony, or any crime of violence, or an illegal sale of any drug shall own, possess, or control any firearm or ammunition therefor. HRS § 134-7(b) (2014).</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>carriers while in the performance of their respective duties if those duties require them to be armed;</p> <p>(3) To regularly enrolled members of any organization duly authorized to purchase or receive the weapons from the United States or from the State; provided the members are either at, or going to or from, their places of assembly or target practice;</p> <p>(4) To persons employed by the State, or subdivisions thereof, or the United States while in the performance of their respective duties or while going to and from their respective places of duty if those duties require them to be armed;</p> <p>(5) To aliens employed by the State, or subdivisions thereof, or the United States while in the performance of their respective duties or while going to and from their respective places of duty if those duties require them to be armed; and</p> <p>(6) To police officers on official assignment in Hawaii from any state which by compact permits police officers from Hawaii while on official assignment in that state to carry firearms without registration. The governor of the State or the governor's duly authorized representative may enter into compacts with other states to carry out this paragraph. Haw. Rev. Stat. § 134-11 (2014).</p>	<p><i>Disposal of Firearms</i></p> <p>At the time of arraignment, the court shall order a defendant who is under indictment for, or who has waived indictment for, or who has been bound over to the circuit court for a felony, or any crime of violence, or an illegal sale of any drug, to dispose of all firearms and ammunition within the defendant's possession in a manner in compliance with the provisions of chapter 134 and shall inform the defendant of the provisions of section 134-7(b) and section 134-12.5. The defendant shall comply with an order issued pursuant to this section within forty-eight hours of the issuance of such order. A defendant's compliance with the forty- eight hour requirement of this section shall not give rise to a prosecution for violations of sections 134-2, 134-3 or 134-4.</p> <p>The court shall immediately notify the chief of police of the county where the defendant resides that the defendant has been ordered to voluntarily surrender all firearms and ammunition to the chief of police or dispose of all firearms and ammunition within the defendant's possession.</p> <p>If the defendant fails to voluntarily surrender all firearms and ammunitions to the chief of police where the defendant resides or dispose of the firearms and ammunition within forty-eight hours of the issuance of the order, the chief of police may seize all firearms and ammunition.</p> <p>For the purposes of this section, "dispose" shall have the same meaning as provided in</p>	

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<p><b>Idaho</b></p>	<p><i>Catch-all Provision</i></p> <p>Upon filing of a petition based upon a sworn affidavit for a protection order, the court shall hold a hearing to determine whether the relief sought shall be granted within fourteen (14) days. If either party is represented by counsel at a hearing seeking entry of a protection order, the court shall permit a continuance, if requested, of the proceedings so that counsel may be obtained by the other party. If the court finds that it is necessary for both parties to be represented by counsel, the court shall enter appropriate orders to ensure that counsel is retained. The order entered may require either the petitioner or respondent, or both, to pay for costs of counsel. Upon a showing that there is an immediate and present danger of domestic violence to the petitioner the court may, if requested, order for a period not to exceed one (1) year that other relief be ordered as the court deems necessary for the protection of a family or household member, including orders or directives to a peace officer, as allowed under this chapter. Idaho Code § 39-6306(1)(e) (2014).</p>	<p>section 134-7.3. HRS § 806-11 (2014).</p> <p><i>Restoration of Civil Rights Exception</i></p> <p>Upon final discharge, a person convicted of any Idaho felony shall be restored the full rights of citizenship, except that for persons convicted of treason or those offenses enumerated in paragraphs (a) through (jj) of this subsection the right to ship, transport, possess or receive a firearm shall not be restored. As used in this subsection, "final discharge" means satisfactory completion of imprisonment, probation and parole as the case may be. Idaho Code § 18-310(2) (2014).</p> <p><i>Sentencing Enhancements</i></p> <p>Any person convicted of a violation of sections 18-905 (aggravated assault defined), 18-907 (aggravated battery defined), 18-909 (assault with intent to commit a serious felony defined), 18-911 (battery with intent to commit a serious felony defined), 18-1401 (burglary defined), 18-1508(3), 18-1508(4), 18-1508(5), 18-1508(6) (lewd conduct with minor or child under sixteen), 18-2501 (rescuing prisoners), 18-2505 (escape by one charged with or convicted of a felony), 18-2506 (escape by one charged with or convicted of a misdemeanor), 18-4003 (degrees of murder), 18-4006 (manslaughter), 18-4015 (assault with intent to murder), 18-4501 (kidnapping defined), 18-5001 (mayhem defined), 18-6101 (rape defined), 18-6501 (robbery defined), 37-2732(a) (delivery, manufacture or possession of a controlled substance with intent to deliver) or 37-2732B (trafficking), Idaho Code, who displayed, used,</p>	<p><i>Concealed Carry License</i></p> <p>The sheriff of a county, on behalf of the state of Idaho, shall, within ninety (90) days after the filing of an application by any person who is not disqualified from possessing or receiving a firearm under state or federal law, issue a license to the person to carry a weapon concealed on his person within this state. For licenses issued before July 1, 2006, a license shall be valid for four (4) years from the date of issue. For licenses issued on or after July 1, 2006, a license shall be valid for five (5) years from the date of issue. The citizen's constitutional right to bear arms shall not be denied to him, unless he is or has been adjudicated guilty of or received a withheld judgment or suspended sentence for one (1) or more crimes of violence constituting a misdemeanor, unless three (3) years have elapsed since disposition or pardon has occurred prior to the date on which the application is submitted, or is subject to a protection order issued under chapter 63, title 39, Idaho Code, that restrains the person from harassing, stalking or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child. Idaho Code §§18-3302(1)(h), (n) (2013).</p> <p><i>Concealed Carry License Exception</i></p> <p>The requirement to secure a license to carry a concealed weapon under this section shall not apply to officials of a county, city, state of</p>

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		<p>threatened, or attempted to use a firearm or other deadly weapon while committing or attempting to commit the crime, shall be sentenced to an extended term of imprisonment. The extended term of imprisonment authorized in this section shall be computed by increasing the maximum sentence authorized for the crime for which the person was convicted by fifteen (15) years.</p> <p>For the purposes of this section, "firearm" means any deadly weapon capable of ejecting or propelling one (1) or more projectiles by the action of any explosive or combustible propellant, and includes unloaded firearms and firearms which are inoperable but which can readily be rendered operable.</p> <p>The additional terms provided in this section shall not be imposed unless the fact of displaying, using, threatening, or attempting to use a firearm or other deadly weapon while committing the crime is separately charged in the information or indictment and admitted by the accused or found to be true by the trier of fact at the trial of the substantive crime.</p> <p>This section shall apply even in those cases where the use of a firearm is an element of the offense. Idaho Code § 19-2520 (2014).</p>	<p>Idaho, the United States, peace officers, guards of any jail, court appointed attendants or any officer of any express company on duty. Idaho Code § 18-3302(12)(a) (2013).</p>
<p><b>Illinois</b></p>	<p><i>Discretionary Prohibition</i></p> <p>(14.5) Prohibition of firearm possession.</p> <p>(a) A person who is subject to an existing order of protection, emergency order of protection, or plenary order of protection, issued under this Code may not lawfully</p>	<p><i>Seizure of Firearms at Domestic Violence Incident</i></p> <p>Whenever a law enforcement officer has reason to believe that a person has been abused by a family or household member, the officer shall immediately use all reasonable means to prevent further abuse, including if</p>	<p><i>Application for the Firearm Owner's Identification Card</i></p> <p>(a) Each applicant for a Firearm Owner's Identification Card must:</p> <p>(1) Make application on blank forms prepared and furnished at convenient</p>

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	<p>possess weapons under Section 8.2 of the Firearm Owners Identification Card Act [430 ILCS 65/8.2].</p> <p>(b) Any firearms in the possession of the respondent, except as provided in subparagraph (C) of this paragraph (14.5), shall be ordered by the court to be turned over to a person with a valid Firearm Owner's Identification Card, which in turn shall immediately mail the card to the Department of State Police Firearm Owner's Identification Card Office for safekeeping. The court shall issue an order that the respondent's Firearm Owner's Identification Card be turned over to the local law enforcement agency, which in turn shall immediately mail the card to the Department of State Police Firearm Owner's Identification Card Office for safekeeping. The period of safekeeping shall be for the duration of the order of protection. The firearm or firearms and Firearm Owner's Identification Card, if unexpired, shall at the respondent's request be returned to the respondent at expiration of the order of protection.</p> <p>(c) If the respondent is a peace officer as defined in Section 2-13 of the Criminal Code of 1961 [720 ILCS 5/2-13], the court shall order that any firearms used by the respondent in the performance of his or her duties as a peace officer be surrendered to the chief law enforcement executive of the agency in which the respondent is employed, who shall retain the firearms for safekeeping for the duration of the order of protection.</p>	<p>there is probable cause to believe that particular weapons were used to commit the incident of abuse, subject to constitutional limitations, seizing and taking inventory of the weapons. 725 ILCS 5/112A-30(a)(2) (2014).</p> <p><i>Assistance by Law Enforcement Officers</i></p> <p>Whenever a law enforcement officer has reason to believe that a person has been abused, neglected, or exploited by a family or household member, the officer shall immediately use all reasonable means to prevent further abuse, neglect, or exploitation, including if there is probable cause to believe that particular weapons were used to commit the incident of abuse, subject to constitutional limitations, seizing and taking inventory of the weapons. 750 ILCS 60/304(2)(2014).</p> <p><i>Conditions of Bail Bond</i></p> <p>(a) If a person is released prior to conviction, either upon payment of bail security or on his or her own recognizance, the conditions of the bail bond shall be that he or she will:</p> <p>(5) (5) At a time and place designated by the court, surrender all firearms in his or her possession to a law enforcement officer designated by the court to take custody of and impound the firearms and physically surrender his or her Firearm Owner's Identification Card to the clerk of the circuit court when the offense the person has been charged with is a forcible felony, stalking, aggravated stalking, domestic battery, any violation of the</p>	<p>locations throughout the State by the Department of State Police, or by electronic means, if and when made available by the Department of State Police; and</p> <p>(2) Submit evidence to the Department of State Police that:</p> <p>(i) He or she is 21 years of age or over, or if he or she is under 21 years of age that he or she has the written consent of his or her parent or legal guardian to possess and acquire firearms and firearm ammunition and that he or she has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he or she is not an individual prohibited from having a Card;</p> <p>(ii) He or she has not been convicted of a felony under the laws of this or any other jurisdiction;</p> <p>(iii) He or she is not addicted to narcotics;</p> <p>(iv) He or she has not been a patient in a mental institution within the past 5 years or if he or she has been a patient in a mental health facility more than 5 years ago submit the certification</p>

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	<p>(d) Upon expiration of the period of safekeeping, if the firearms or Firearm Owner's Identification Card cannot be returned to respondent because respondent cannot be located, fails to respond to requests to retrieve the firearms, or is not lawfully eligible to possess a firearm, upon petition from the local law enforcement agency, the court may order the local law enforcement agency to destroy the firearms, use the firearms for training purposes, or for any other application as deemed appropriate by the local law enforcement agency; or that the firearms be turned over to a third party who is lawfully eligible to possess firearms, and who does not reside with respondent. IL ST CH 725 § 5/112A-14 (14.5) (2014).</p>	<p>Illinois Controlled Substances Act [720 ILCS 570/100 et seq.], the Methamphetamine Control and Community Protection Act [720 ILCS 646/1], or the Cannabis Control Act [720 ICLS 550/1 et seq.] that is classified as a Class 2 or greater felony, or any felony violation of Article 24 of the Criminal Code of 1961;3 the court may, however, forgo the imposition of this condition when the circumstances of the case clearly do not warrant it or when its imposition would be impractical; if the Firearm Owner's Identification Card is confiscated, the clerk of the circuit court shall mail the confiscated card to the Illinois State Police; all legally possessed firearms shall be returned to the person upon the charges being dismissed, or if the person is found not guilty, unless the finding of not guilty is by reason of insanity. 725 ILCS 5/110-10(5)(2014).</p> <p><i>Weapons and Firearms -- Display and Use</i></p> <p>It shall be unlawful for any person, other than authorized peace officers, to display or use on Department-controlled lands, except as authorized by the Department on hunting (reference 17 Ill. Adm. Code 510, 530, 550, 570, 590, 650, 660, 670, 680, 690, 710, 715, 720, 730, and 740), field trials (reference 17 Ill. Adm. Code 910), target or special event areas, any gun including shotgun, rifle, pistol, revolver, air or BB gun, sling shot, bow and arrow, switchblade knife with spring loaded blade, throwing knife, tomahawk or throwing axe, or martial arts devices. 17 Ill Adm. Code 110.170 (2014).</p>	<p>required under subsection (u) of Section 8 of this Act;</p> <p>(v) He or she is not intellectually disabled;</p> <p>(vi) He or she is not an alien who is unlawfully present in the United States under the laws of the United States;</p> <p>(vii) He or she is not subject to an existing order of protection prohibiting him or her from possessing a firearm;</p> <p>(viii) He or she has not been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;</p> <p>(ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after the effective date of this amendatory Act of the 97th General Assembly;</p> <p>(x) (Blank);</p> <p>(xi) He or she is not an alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), or that he or she is an alien who has been lawfully</p>

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			<p>admitted to the United States under a non-immigrant visa if that alien is:</p> <p>(1) admitted to the United States for lawful hunting or sporting purposes;</p> <p>(2) an official representative of a foreign government who is:</p> <p>(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or</p> <p>(B) en route to or from another country to which that alien is accredited;</p> <p>(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;</p> <p>(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or</p> <p>(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);</p> <p>(xii) He or she is not a minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony; and</p>

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			<p>(xiii) He or she is not an adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 [705 ILCS 405/5-520] for the commission of an offense that if committed by an adult would be a felony; and</p> <p>(3) Upon request by the Department of State Police, sign a release on a form prescribed by the Department of State Police waiving any right to confidentiality and requesting the disclosure to the Department of State Police of limited mental health institution admission information from another state, the District of Columbia, any other territory of the United States, or a foreign nation concerning the applicant for the sole purpose of determining whether the applicant is or was a patient in a mental health institution and disqualified because of that status from receiving a Firearm Owner's Identification Card. No mental health care or treatment records may be requested. The information received shall be destroyed within one year of receipt.</p> <p>(a-5) Each applicant for a Firearm Owner's Identification Card who is over the age of 18 shall furnish to the Department of State Police either his or her driver's license</p>

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			<p>number or Illinois Identification Card number.</p> <p>(a-10) Each applicant for a Firearm Owner's Identification Card, who is employed as an armed security officer at a nuclear energy, storage, weapons, or development facility regulated by the Nuclear Regulatory Commission and who is not an Illinois resident, shall furnish to the Department of State Police his or her driver's license number or state identification card number from his or her state of residence. The Department of State Police may promulgate rules to enforce the provisions of this subsection (a-10).</p> <p>(b) Each application form shall include the following statement printed in bold type: "Warning: Entering false information on an application for a Firearm Owner's Identification Card is punishable as a Class 2 felony in accordance with subsection (d-5) of Section 14 of the Firearm Owners Identification Card Act [430 ILCS 65/14]."</p> <p>(c) Upon such written consent, pursuant to Section 4, paragraph (a)(2)(i), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition. 430 ILCS 65/4 (2014).</p> <p style="text-align: center;"><i>Denial or Revocation of Firearm Owners Identification Card</i></p> <p>Sec. 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the</p>

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			<p>applicant or the person to whom such card was issued is or was at the time of issuance:</p> <p>(j) (Blank);</p> <p>(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;</p> <p>(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after the effective date of this amendatory Act of the 97th General Assembly;</p> <p>(m) (Blank);</p> <p>(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law. 430 ILCS 65/8(j)-(n) (2014).</p> <p style="text-align: center;"><i>Project Exile</i></p> <p>Sec. 2605-555. Pilot program; Project Exile.</p> <p>(a) The Department shall establish a Project Exile pilot program to combat gun violence.</p> <p>(b) Through the pilot program, the Department, in coordination with local law enforcement agencies, State's Attorneys, and United States Attorneys, shall, to the extent possible, encourage the prosecution</p>

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			<p>in federal court of all persons who illegally use, attempt to use, or threaten to use firearms against the person or property of another, of all persons who use or possess a firearm in connection with a violation of the Cannabis Control Act [720 ILCS 550/1 et seq.], the Illinois Controlled Substances Act [720 ILCS 570/201 et seq.], or the Methamphetamine Control and Community Protection Act [720 ILCS 646/1 et seq.], all persons who have been convicted of a felony under the laws of this State or any other jurisdiction who possess any weapon prohibited under Section 24-1 of the Criminal Code of 1961 [720 ILCS 5/24-1] or any firearm or any firearm ammunition, and of all persons who use or possess a firearm in connection with a violation of an order of protection issued under the Illinois Domestic Violence Act of 1986 [750 ILCS 60/101 et seq.] or Article 112A of the Code of Criminal Procedure of 1963 [725 ILCS 5/112A] or in connection with the offense of domestic battery. The program shall also encourage public outreach by law enforcement agencies.</p> <p>(c) There is created the Project Exile Fund, a special fund in the State treasury. Moneys appropriated for the purposes of Project Exile and moneys from any other private or public source, including without limitation grants from the Department of Commerce and Economic Opportunity, shall be deposited into the Fund. Moneys in the Fund, subject to appropriation, may be used by the Department of State Police to develop and administer the Project Exile pilot program.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>(d) The Department shall report to the General Assembly by March 1, 2003 regarding the implementation and effects of the Project Exile pilot program and shall by that date make recommendations to the General Assembly for changes in the program that the Department deems appropriate.</p> <p>The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader, and the Clerk of the House of Representatives, with the President, the Minority Leader, and the Secretary of the Senate, and with the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act [25 ILCS 5/3.1], and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act [15 ILCS 320/7]. 20 ILCS 2605/2605-555 (2014).</p>
<p><b>Indiana</b></p>	<p><i>Discretionary Prohibition</i></p> <p>(c) A court may grant the following relief after notice and a hearing, whether or not a respondent appears, in an order for protection or in a modification of an order for protection:</p> <p>(4) Prohibit a respondent from using or possessing a firearm, ammunition, or a deadly weapon specified by the court, and direct the respondent to surrender to a specified law enforcement agency the firearm, ammunition, or deadly weapon for the duration of the order for protection</p>	<p><i>Law Enforcement Response to Incident</i></p> <p>(b) A law enforcement officer may confiscate and remove a firearm, ammunition, or a deadly weapon from the scene if the law enforcement officer has:</p> <p>(1) probable cause to believe that a crime involving domestic or family violence has occurred;</p> <p>(2) a reasonable belief that the firearm, ammunition, or deadly weapon:</p> <p>(A) exposes the victim to an immediate</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>unless another date is ordered by the court.</p> <p>An order issued under subdivision (4) does not apply to a person who is exempt under 18 U.S.C. 925.</p> <p>(d) The court shall:</p> <p>(5) indicate in the order if the order and the parties meet the criteria under 18 U.S.C. 922(g)(8). Burns Ind. Code Ann. §34-26-5-9 (c)(4), (d)(5) (2014).</p> <p>(f) A finding that domestic or family violence has occurred sufficient to justify the issuance of an order under this section means that a respondent represents a credible threat to the safety of a petitioner or a member of a petitioner's household. Upon a showing of domestic or family violence by a preponderance of the evidence, the court shall grant relief necessary to bring about a cessation of the violence or the threat of violence. The relief may include an order directing a respondent to surrender to a law enforcement officer or agency all firearms, ammunition, and deadly weapons:</p> <p>(1) in the control, ownership, or possession of a respondent; or</p> <p>(2) in the control or possession of another person on behalf of a respondent;</p> <p>for the duration of the order for protection unless another date is ordered by the court. Burns Ind. Code Ann. §34-26-5-9 (f) (2014).</p>	<p>risk of serious bodily injury; or</p> <p>(B) was an instrumentality of the crime involving domestic or family violence; and</p> <p>(3) observed the firearm, ammunition, or deadly weapon at the scene during the response.</p> <p>(c) If a firearm, ammunition, or a deadly weapon is removed from the scene under subsection (b), the law enforcement officer shall provide for the safe storage of the firearm, ammunition, or deadly weapon during the pendency of a proceeding related to the alleged act of domestic or family violence. Burns Ind. Code Ann §35-33-1-1.5(b)-(c) (2014).</p> <p style="text-align: center;"><i>Guilty Plea</i></p> <p>(a) The court shall not accept a plea of guilty or guilty but mentally ill at the time of the crime without first determining that the defendant:</p> <p>(4) has been informed that the person will lose the right to possess a firearm if the person is convicted of a crime of domestic violence (IC 35-31.5-2-78). Burns Ind. Code Ann. 35-35-1-2(a)(4) (2014).</p> <p style="text-align: center;"><i>Conviction for Domestic Battery</i></p> <p>(c) Unless the person's right to possess a firearm has been restored under IC 35-47-4-7, a person who has been convicted of domestic battery under IC 35-42-2-1.3 may not possess</p>	

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	<p style="text-align: center;"><i>Forms</i></p> <p>The following statements must be printed in boldface type or in capital letters on an order for protection, a no contact order, a workplace violence restraining order, or a child protective order:</p> <p><b>VIOLATION OF THIS ORDER IS PUNISHABLE BY CONFINEMENT IN JAIL, PRISON, AND/OR A FINE.</b></p> <p><b>IF SO ORDERED BY THE COURT, THE RESPONDENT IS FORBIDDEN TO ENTER OR STAY AT THE PETITIONER'S RESIDENCE OR RESIDENCE OF ANY CHILD WHO IS THE SUBJECT OF THE ORDER, EVEN IF INVITED TO DO SO BY THE PETITIONER OR ANY OTHER PERSON. IN NO EVENT IS THE ORDER FOR PROTECTION VOIDED.</b></p> <p><b>PURSUANT TO 18 U.S.C. 2265, THIS ORDER FOR PROTECTION SHALL BE GIVEN FULL FAITH AND CREDIT IN ANY OTHER STATE OR TRIBAL LAND AND SHALL BE ENFORCED AS IF IT WERE AN ORDER ISSUED IN THAT STATE OR TRIBAL LAND. PURSUANT TO 18 U.S.C. 922(g), ONCE A RESPONDENT HAS RECEIVED NOTICE OF THIS ORDER AND AN OPPORTUNITY TO BE HEARD, IT IS A FEDERAL VIOLATION TO PURCHASE, RECEIVE, OR POSSESS A FIREARM WHILE SUBJECT TO THIS ORDER IF THE PROTECTED PERSON IS:</b></p> <p><b>(A) THE RESPONDENT'S CURRENT OR FORMER SPOUSE;</b></p> <p><b>(B) A CURRENT OR FORMER PERSON WITH WHOM THE RESPONDENT RESIDED</b></p>	<p>or carry a handgun. Burns Ind. Code Ann §35-47-2-1(c) (2014).</p> <p><i>Possession of firearm by domestic batterer.</i></p> <p>(a) A person who has been convicted of domestic battery under IC 35-42-2-1.3 and who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a domestic batterer, a Class A misdemeanor.</p> <p>(b) It is a defense to a prosecution under this section that the person's right to possess a firearm has been restored under IC 35-47-4-7. Burns Ind. Code Ann. § 35-47-4-6 (2014).</p>	

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	<p><b>WHILE IN AN INTIMATE RELATIONSHIP; OR</b></p> <p><b>(C) A PERSON WITH WHOM THE RESPONDENT HAS A CHILD.</b></p> <p><b>INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT THE RESPONDENT TO FEDERAL CRIMINAL PENALTIES UNDER 18 U.S.C. 2261 AND 18 U.S.C. 2262.</b></p> <p>Burns Ind. Code Ann. § 34-26-5-3(c) (2014).</p>		
<p><b>Iowa</b></p>	<p><i>Catch all Provision</i></p> <p>1. Upon a finding that the defendant has engaged in domestic abuse:</p> <p>b. The court may grant a protective order or approve a consent agreement which may contain but is not limited to any of the following provisions:</p> <p>(1) That the defendant cease domestic abuse of the plaintiff.</p> <p>3. The order shall state whether a person is to be taken into custody by a peace officer for a violation of the terms stated in the order. Iowa Code §236.5(1)(b)(1), (3) (2013).</p>		<p><i>Permit to Carry</i></p> <p>No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:</p> <p>1. Is less than eighteen years of age for a professional permit or less than twenty-one years of age for a nonprofessional permit.</p> <p>2. Is addicted to the use of alcohol.</p> <p>3. Probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others.</p> <p>4. Is subject to the provisions of section 724.26.</p> <p>5. Has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in chapter 708 not involving the use of a firearm or explosive.</p>

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			6. Is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm. Iowa Code § 724.8 (2013).
<b>Kansas</b>	<p style="text-align: center;"><i>Catch all Provision</i></p> <p>(a) The court may approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children or grant any of the following orders:</p> <p style="padding-left: 40px;">(10) Ordering or restraining any other acts deemed necessary to promote the safety of the plaintiff or of any minor children of the parties. K.S.A. § 60-3107(a)(10) (2013).</p>		
<b>Kentucky</b>	<p style="text-align: center;"><i>Catchall Provision</i></p> <p>(1) If, upon review of the petition, as provided for in KRS 403.735, the court determines that the allegations contained therein indicate the presence of an immediate and present danger of domestic violence and abuse, the court shall issue, upon proper motion, ex parte, an emergency protective order:</p> <p style="padding-left: 40px;">(h) Enter other orders the court believes will be of assistance in eliminating future acts of domestic violence and abuse; or any combination thereof. KRS §403.740(1)(h) (2014).</p>	<p style="text-align: center;"><i>Pretrial Release</i></p> <p>(2) Before releasing a person arrested for or charged with a crime specified in subsection (1) of this section, the court shall make findings, on the record if possible, concerning the determination made in accordance with subsection (1) of this section, and may impose conditions of release or bail on the person to protect the alleged victim of domestic violence or abuse and to ensure the appearance of the person at a subsequent court proceeding. The conditions may include:</p> <p style="padding-left: 40px;">(d) An order prohibiting the person from using or possessing a firearm or other weapon specified by the court; KRS § 431.064(2)(d) (2014).</p>	<p style="text-align: center;"><i>License to Carry Concealed Deadly Weapon</i></p> <p>(3) Prior to the issuance of an original or renewal license to carry a concealed deadly weapon, the Department of Kentucky State Police shall conduct a background check to ascertain whether the applicant is eligible under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law to purchase, receive, or possess a firearm or ammunition, or both. The background check shall include:</p> <p style="padding-left: 40px;">(a) A state records check covering the items specified in this subsection, together with any other requirements of this section;</p> <p style="padding-left: 40px;">(b) A federal records check, which shall include a National Instant Criminal Background Check System (NICS) check;</p> <p style="padding-left: 40px;">(c) A federal Immigration Alien Query if the</p>

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			<p>person is an alien who has been lawfully admitted to the United States by the United States government or an agency thereof; and</p> <p>(d) In addition to the Immigration Alien Query, if the applicant has not been lawfully admitted to the United States under permanent resident status, the Department of Kentucky State Police shall, if a doubt exists relating to an alien's eligibility to purchase a firearm, consult with the United States Department of Homeland Security, United States Department of Justice, United States Department of State, or other federal agency to confirm whether the alien is eligible to purchase a firearm in the United States, bring a firearm into the United States, or possess a firearm in the United States under federal law.</p> <p>(4) The Department of Kentucky State Police shall issue an original or renewal license if the applicant:</p> <p>(a) Is not prohibited from the purchase, receipt, or possession of firearms, ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or applicable federal or state law; KRS § 237.110 (2014).</p> <p style="text-align: center;"><i>Attempt to Purchase Firearm</i></p> <p>(1) Upon receiving notice that a person barred from purchasing a firearm under 18 U.S.C. sec. 922(g)(8) has purchased or attempted to purchase a firearm, any agency with the responsibility of entering domestic</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>violence records into the Law Information Network of Kentucky shall notify:</p> <p>(a) The court in the jurisdiction where the domestic violence order was issued under KRS 403.750; and</p> <p>(b) The law enforcement agencies, as designated by the Department of Kentucky State Police, that have jurisdiction in the county where the domestic violence order was issued and in the county of the victim's residence if different from the county where the domestic violence order was issued.</p> <p>(2) The Department of Kentucky State Police shall develop a protocol for providing notice to the required court and law enforcement agencies under subsection (1) of this section. Within the protocol, the Department of Kentucky State Police shall designate which local law enforcement agencies are to receive notice in each county. A minimum of one (1) law enforcement agency shall be designated in each county.</p> <p>(3) When a designated law enforcement agency for the county where the domestic violence order was issued or where the victim resides receives notice under subsection (1)(b) of this section, that agency shall make reasonable efforts to ensure that the petitioner who obtained the domestic violence order is notified that the respondent has purchased or attempted to purchase a firearm.</p> <p>(4) Any person carrying out responsibilities</p>

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			<p>under this section shall be immune from civil liability for good faith conduct in carrying out those responsibilities.</p> <p>(5) This section shall apply only to domestic violence orders issued, or reissued, on or after July 14, 2000, through July 15, 2002. KRS § 237.095 (2014).</p> <p style="text-align: center;"><i>Right of Kentucky Residents, Out-of-State Residents, and Residents of Other Countries to Buy Firearms</i></p> <p>(1) Residents of the Commonwealth of Kentucky who are citizens of the United States shall have the right to purchase or otherwise acquire rifles, shotguns, handguns, and any other firearms which they are permitted to purchase or otherwise acquire under federal law and the Kentucky Revised Statutes from properly licensed dealers, manufacturers, importers, or collectors, and unlicensed individual persons in Kentucky or in any other state or nation outside of the Commonwealth of Kentucky.</p> <p>(2) Residents of states other than the Commonwealth of Kentucky who are citizens of the United States shall have the right to purchase or otherwise acquire rifles, shotguns, handguns, and any other firearms which they are permitted to purchase or otherwise acquire under federal law and the Kentucky Revised Statutes from properly licensed dealers, manufacturers, importers, or collectors, and from unlicensed individual persons in the Commonwealth of Kentucky.</p> <p>(3) Citizens of countries other than the United</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>States shall have the right to purchase or otherwise acquire rifles, shotguns, handguns, and any other firearms which they are permitted to purchase or otherwise acquire under federal law and the Kentucky Revised Statutes from properly licensed dealers, manufacturers, importers, or collectors, and from unlicensed individual persons in the Commonwealth of Kentucky.</p> <p>(4) All such sales shall conform to the requirements of federal law, the Kentucky Revised Statutes, applicable local ordinances, and the law of the purchaser's state. KRS § 237.020 (2014).</p>
<p><b>Louisiana</b></p>	<p><i>Catch-all Provision</i></p> <p>A. Upon good cause shown in an ex parte proceeding, the court may enter a temporary restraining order, without bond, as it deems necessary to protect from abuse the petitioner, any minor children, or any person alleged to be an incompetent. Any person who shows immediate and present danger of abuse shall constitute good cause for purposes of this Subsection. La. R.S. § 46:2135(A) (2014).</p>	<p><i>Possession During a Crime of Violence</i></p> <p>If the offender uses, possesses, or has under his immediate control any firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, while committing or attempting to commit a crime of violence or while in the possession of or during the sale or distribution of a controlled dangerous substance, the offender shall be fined not more than ten thousand dollars and imprisoned at hard labor for not less than five nor more than ten years without the benefit of probation, parole, or suspension of sentence. Upon a second or subsequent conviction, the offender shall be imprisoned at hard labor for not less than twenty years nor more than thirty years without the benefit of probation, parole, or suspension of sentence. La. R.S. § 14:95(E) (2014).</p>	<p><i>Concealed Handgun Permit Application</i></p> <p>G. Repealed by Acts 2013, No 402, § 3, effective August 1, 2013.</p> <p>H. The deputy secretary of the Department of Public Safety shall have the authority to grant to an individual a concealed handgun permit from the office of state police. Before the individual applies to the deputy secretary for a permit, he must have been granted a concealed handgun permit by the chief law enforcement officer of the parish in which he is officially domiciled. Any individual who receives a concealed handgun permit from the office of state police must be bonded in the amount of five thousand dollars and must adhere to all restrictive stipulations as provided in the concealed handgun permit. Further, the deputy secretary shall have the authority to promulgate and adopt regulations providing with respect to the issuance and use of said permit. La. R.S. 40:1379.1 (G)-(H) (2014).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p data-bbox="947 180 1394 240"><i>Sentencing Enhancement for Possession, Use, or Discharge of Firearm</i></p> <p data-bbox="915 277 1417 565">A. If the court finds by clear and convincing evidence that the offender actually <b>possessed</b> a firearm during the commission of the felony or specifically enumerated misdemeanor for which he was convicted, the court shall impose a term of imprisonment of two years; however, if the maximum sentence for the underlying offense is less than two years, the court shall impose the maximum sentence.</p> <p data-bbox="915 602 1417 889">B. If the court finds by clear and convincing evidence that the offender actually <b>used</b> a firearm in the commission of the felony or specifically enumerated misdemeanor for which he was convicted, the court shall impose a term of imprisonment of five years; however, if the maximum sentence for the underlying offense is less than five years, the court shall impose the maximum sentence.</p> <p data-bbox="915 927 1417 1247">C. If the court finds by clear and convincing evidence that the offender actually <b>discharged</b> a firearm in the commission of the felony or specifically enumerated misdemeanor for which he was convicted, the court shall impose a term of imprisonment of ten years; however, if the maximum sentence for the underlying offense is less than ten years, the court shall impose the maximum sentence.</p> <p data-bbox="915 1284 1417 1437">D. If the court finds by clear and convincing evidence that a firearm was actually <b>used or discharged</b> by the defendant during the commission of the felony for which he was convicted, and thereby caused bodily injury,</p>	

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		<p>the court shall impose a term of imprisonment of fifteen years; however, if the maximum sentence for the underlying felony is less than fifteen years, the court shall impose the maximum sentence.</p> <p>I. For the purpose of this Article, "firearm" is defined as an instrument used in the propulsion of shot, shell, or bullets by the action of gunpowder exploded within.</p> <p>J. For purposes of this Article, the specifically enumerated misdemeanors to which these sentencing provisions are applicable shall be:</p> <p>(1) R.S. 14:79, violation of a protective order, involving an assault or battery of the person protected.</p> <p>(2) R.S. 14:67, theft.</p> <p>(3) R.S. 14:35, simple battery.</p> <p>(4) R.S. 14:37, aggravated assault.</p> <p>(5) R.S. 14:40.2, stalking.</p> <p>(6) R.S. 14:35.3, domestic abuse battery. La. C.Cr.P. Art. 893.3(A)-(D),(I),(J) (2014).</p>	
<b>Maine</b>	<p><i>Discretionary Prohibition</i></p> <p>1. PROTECTION ORDER; CONSENT AGREEMENT. The court, after a hearing and upon finding that the defendant has committed the alleged abuse or engaged in the alleged conduct described in section 4005, subsection 1, may grant a protective order or, upon making that finding, approve a consent agreement to bring about a cessation</p>	<p><i>Release on Bail</i></p> <p>3. RELEASE ON CONDITIONS. Release on a condition or combination of conditions pursuant to subsection 1, paragraph B or C must be as provided in this subsection.</p> <p>A. If, after consideration of the factors listed in subsection 4, the judicial officer determines that the release described in</p>	<p><i>Concealed Carry Permit</i></p> <p>1. CRITERIA FOR ISSUING PERMIT. The issuing authority shall, upon written application, issue a permit to carry concealed handguns to an applicant over whom it has issuing authority and who has demonstrated good moral character and who meets the following requirements:</p>

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	<p>of abuse or the alleged conduct. This subsection does not preclude the parties from voluntarily requesting a consent agreement without a finding of abuse. The court may enter a finding that the defendant represents a credible threat to the physical safety of the plaintiff or a minor child residing in the plaintiff's household. Relief granted under this section may include:</p> <p>A. Directing the defendant to refrain from threatening, assaulting, molesting, harassing, attacking or otherwise abusing the plaintiff and any minor children residing in the household;</p> <p>A-1. Directing the defendant not to possess a firearm or other dangerous weapon for the duration of the order. 19-A M.R.S. § 4007 (1)(A-1)(2014).</p> <p><i>Mandatory Prohibition for Certain Orders</i></p> <p>1. POSSESSION PROHIBITED. A person may not own, possess or have under that person's control a firearm, unless that person has obtained a permit under this section, if that person:</p> <p>D. Is subject to an order of a court of the United States or a state, territory, commonwealth or tribe that restrains that person from harassing, stalking or threatening an intimate partner, as defined in 18 United States Code, Section 921(a), of that person or a child of the intimate partner of that person, or from engaging in other conduct that would place the intimate partner in reasonable fear of</p>	<p>subsection 2-A will not reasonably ensure the appearance of the defendant at the time and place required, will not reasonably ensure that the defendant will refrain from any new criminal conduct, will not reasonably ensure the integrity of the judicial process or will not reasonably ensure the safety of others in the community, the judicial officer shall order the pretrial release of the defendant subject to the least restrictive further condition or combination of conditions that the judicial officer determines will reasonably ensure the appearance of the defendant at the time and place required, will reasonably ensure that the defendant will refrain from any new criminal conduct, will reasonably ensure the integrity of the judicial process and will reasonably ensure the safety of others in the community. These conditions may include that the defendant:</p> <p>8) Refrain from possessing a firearm or other dangerous weapon; 15 M.R.S. § 1026 (3)(A)(8)(2014).</p> <p><i>Probation Conditions</i></p> <p>As a condition of probation, the court in its sentence may require the convicted person to refrain from possessing any firearms or other dangerous weapon. 17-A M.R.S. § 1204 (2-A)(G) (2014).</p> <p><i>Threatening Display of or Carrying Concealed Weapon</i></p> <p>1. DISPLAY OR CARRYING PROHIBITED. A</p>	<p>A. Is 18 years of age or older;</p> <p>B. Is not disqualified to possess a firearm pursuant to Title 15, section 393, is not disqualified as a permit holder under that same section and is not disqualified to possess a firearm based on federal law as a result of a criminal conviction.</p> <p>2. COMPLETE APPLICATION; CERTIFICATION BY APPLICANT. The requirements set out in subsection 1, constitute a complete application. By affixing the applicant's signature to the application, the applicant certifies the following:</p> <p>A-1. That the applicant understands that an affirmative answer to the question in subsection 1, paragraph D, subparagraph (5), division (l) or (o) is cause for refusal unless the applicant is nonetheless authorized to possess a firearm under Title 15, section 393;</p> <p>A-2. That the applicant understands that an affirmative answer to subsection 1, paragraph D, subparagraph (5), division (p) is cause for refusal if the order of the court meets the preconditions contained in Title 15, section 393, subsection 1, paragraph D. If the order of the court does not meet the preconditions, the conduct underlying the order may be used by the issuing authority, along with other information, in judging good moral character under subsection 4;</p> <p>B. That the applicant understands that an affirmative answer to one or more of the</p>

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	<p>bodily injury to the intimate partner or the child, except that this paragraph applies only to a court order that was issued after a hearing for which that person received actual notice and at which that person had the opportunity to participate and that:</p> <p>1) Includes a finding that the person represents a credible threat to the physical safety of an intimate partner or a child; or</p> <p>2) By its terms, explicitly prohibits the use, attempted use or threatened use of physical force against an intimate partner or a child that would reasonably be expected to cause bodily injury; 15 M.R.S. § 393 (1)(D)(2014).</p> <p>1. POSSESSION PROHIBITED. A person may not own, possess or have under that person's control a firearm, unless that person has obtained a permit under this section, if that person:</p> <p>A. Deleted. Laws 2001, c. 549, § 2. 15 M.R.S. § 393 (1)(A)(2014).</p>	<p>person may not, unless excepted by a provision of law:</p> <p>A. Display in a threatening manner a firearm, sling shot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on or defense of a person. 25 M.R.S. § 2001-A (2014).</p>	<p>questions in subsection 1, paragraph D, subparagraph (5), divisions (a), (k), (n) or (q) to (x) is cause for refusal;</p> <p>B-1. That the applicant understands that an affirmative answer to one or more of the questions in subsection 1, paragraph D, subparagraph (5), divisions (b) to (j), (m), (y), (z) or (aa) to (ff) is used by the issuing authority, along with other information, in judging good moral character under subsection 4. 25 M.R.S. § 2003(1)(A), (B), (2)(A-1), (A-2), (B), (B-1) (2014).</p>
<b>Maryland</b>	<p><i>Mandatory Prohibition Final Protection Order</i></p> <p>The final protective order shall order the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the protective order. Md. Code Ann., Fam. Law § 4-506(f) (2014).</p>	<p><i>Law Enforcement Response to Domestic Violence</i></p> <p>(a) In general. -- When responding to the scene of an alleged act of domestic violence, as described in this subtitle, a law enforcement officer may remove a firearm from the scene if:</p> <p>(2) the law enforcement officer has observed the firearm on the scene during the response.</p>	<p><i>Application to Purchase Firearm</i></p> <p>(b) Required information. -- A firearm application shall contain:</p> <p>(3) a statement by the firearm applicant under the penalty of perjury that the firearm applicant:</p> <p>(ii) has never been convicted of a disqualifying crime;</p>

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	<p style="text-align: center;"><i>Discretionary Prohibition - Ex Parte Order</i></p> <p>§ 4-505. Temporary protective orders [Amendment subject to abrogation]</p> <p>(a) In general. --</p> <p>(2) The temporary protective order may order any or all of the following relief:</p> <p>(viii) order the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the temporary protective order if the abuse consisted of:</p> <ol style="list-style-type: none"> <li>1. the use of a firearm by the respondent against a person eligible for relief;</li> <li>2. a threat by the respondent to use a firearm against a person eligible for relief;</li> <li>3. serious bodily harm to a person eligible for relief caused by the respondent; or</li> <li>4. a threat by the respondent to cause serious bodily harm to a person eligible for relief. Md. Code Ann., Fam. Law § 4-505(a)(2)(viii) (2014).</li> </ol>	<p>(b) Duty of law enforcement officer. -- If a firearm is removed from the scene under subsection (a) of this section, the law enforcement officer shall:</p> <ol style="list-style-type: none"> <li>(1) provide to the owner of the firearm information on the process for retaking possession of the firearm; and</li> <li>(2) provide for the safe storage of the firearm during the pendency of any proceeding related to the alleged act of domestic violence.</li> </ol> <p>(c) When owner may resume possession. -- At the conclusion of a proceeding on the alleged act of domestic violence, the owner of the firearm may retake possession of the firearm unless ordered to surrender the firearm under § 4-506 of this subtitle. Md. Code Ann., Fam. Law § 4-511(a)(2),(b),(c) (2014).</p> <p style="text-align: center;"><i>Restrictions on Possession of Regulated Firearms</i></p> <p>(a) Preemption by State. -- This section supersedes any restriction that a local jurisdiction in the State imposes on the possession by a private party of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the possession of a regulated firearm.</p> <p>(b) Possession of regulated firearm prohibited. -- A person may not possess a regulated firearm if the person:</p> <p>(12)(i) is a respondent against whom a current non ex parte civil protective order has been</p>	<p>(xiii) 1. is not a respondent against whom a current non ex parte civil protective order has been entered under § 4-506 of the Family Law Article. Md. PUBLIC SAFETY § 5-118 (b)(3)(ii),(viii)(2014).</p> <p style="text-align: center;"><i>Prohibited Sale</i></p> <p>(b) Sale, rental, or transfer of regulated firearm prohibited. -- A dealer or other person may not sell, rent, or transfer a regulated firearm to a purchaser, lessee, or transferee who the dealer or other person knows or has reasonable cause to believe:</p> <p>(2) has been convicted of a disqualifying crime;</p> <p>(10) is a respondent against whom a current non ex parte civil protective order has been entered under § 4-506 of the Family Law Article. Md. PUBLIC SAFETY § 5-134(b)(2),(10) (2014).</p> <p>(ii) if convicted of a crime described in item (i) of this item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c); (5) based on an investigation:</p> <ol style="list-style-type: none"> <li>(i) has not exhibited a propensity for violence or instability that may reasonably render the person's possession of a handgun a danger to the person or to another; and</li> <li>(ii) has good and substantial reason to wear, carry, or transport a handgun, such as a finding that the</li> </ol>

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		<p>entered under § 4-506 of the Family Law Article; or</p> <p>(c) Penalty for possession by person convicted of crime of violence. --</p> <p>(1) A person may not possess a regulated firearm if the person was previously convicted of:</p> <p>(i) a crime of violence; or</p> <p>(ii) a violation of § 5-602, § 5-603, § 5-604, § 5-605, § 5-612, § 5-613, or § 5-614 of the Criminal Law Article.</p> <p>(iii) an offense under the laws of another state or the United States that would constitute one of the crimes listed in item (i) or (ii) of this paragraph if committed in this State.</p> <p>(2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment for not less than 5 years, no part of which may be suspended.</p> <p>(3) A person sentenced under paragraph (1) of this subsection may not be eligible for parole.</p> <p>(4) Each violation of this subsection is a separate crime.</p> <p>(d) Possession by person under age of 21 years prohibited; exceptions. –</p> <p>(1) Except as provided in paragraph (2) of</p>	<p>permit is necessary as a reasonable precaution against apprehended danger. Md. PUBLIC SAFETY § 5-306 (a)(2),(5) (2014).</p>

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		<p>this subsection, a person who is under the age of 21 years may not possess a regulated firearm or ammunition solely designed for a regulated firearm.</p> <p>(2) Unless a person is otherwise prohibited from possessing a regulated firearm, this subsection does not apply to:</p> <p>(i) the temporary transfer or possession of a regulated firearm or ammunition solely designed for a regulated firearm if the person is:</p> <ol style="list-style-type: none"> <li>1. under the supervision of another who is at least 21 years old and who is not prohibited by State or federal law from possessing a firearm; and</li> <li>2. acting with the permission of the parent or legal guardian of the transferee or person in possession;</li> </ol> <p>(ii) the transfer by inheritance of title, and not of possession, of a regulated firearm;</p> <p>(iii) a member of the armed forces of the United States or the National Guard while performing official duties;</p> <p>(iv) the temporary transfer or possession of a regulated firearm or ammunition solely designed for a regulated firearm if the person is:</p> <ol style="list-style-type: none"> <li>1. participating in marksmanship training of a recognized organization; and</li> </ol>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>2. under the supervision of a qualified instructor;</p> <p>(v) a person who is required to possess a regulated firearm for employment and who holds a permit under Subtitle 3 of this title; or</p> <p>(vi) the possession of a firearm or ammunition for self-defense or the defense of others against a trespasser into the residence of the person in possession or into a residence in which the person in possession is an invited guest. Md. PUBLIC SAFETY § 5-133(a),(b)(8),(c),(d) (2014).</p>	
<b>Massachusetts</b>	<p><i>Mandatory Prohibition</i></p> <p><i>Suspension of Firearm License and Surrender of Firearms With Temporary or Emergency Order; Petition for Review</i></p> <p>Upon issuance of a temporary or emergency order under section four or five of this chapter, the court shall, if the plaintiff demonstrates a substantial likelihood of immediate danger of abuse, order the immediate suspension and surrender of any license to carry firearms and or firearms identification card which the defendant may hold and order the defendant to surrender all firearms, rifles, shotguns, machine guns and ammunition which he then controls, owns or possesses in accordance with the provisions of this chapter and any license to carry firearms or firearms identification cards which the defendant may hold shall be surrendered to the appropriate law enforcement officials in accordance with the provisions of this</p>		<p><i>License to Carry Firearm</i></p> <p>(d) Any person residing or having a place of business within the jurisdiction of the licensing authority or any law enforcement officer employed by the licensing authority or any person residing in an area of exclusive federal jurisdiction located within a city or town may submit to such licensing authority or the colonel of state police, an application for a Class A or Class B license to carry firearms, or renewal of the same, which such licensing authority or said colonel may issue if it appears that the applicant is a suitable person to be issued such license, and that the applicant has good reason to fear injury to his person or property, or for any other reason, including the carrying of firearms for use in sport or target practice only, subject to such restrictions expressed or authorized under this section, unless the applicant:</p> <p>(vi) is currently subject to: (A) an order for</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>chapter and, said law enforcement official may store, transfer or otherwise dispose of any such weapon in accordance with the provisions of section 129D of chapter 140; provided however, that nothing herein shall authorize the transfer of any weapons surrendered by the defendant to anyone other than a licensed dealer. Notice of such suspension and ordered surrender shall be appended to the copy of abuse prevention order served on the defendant pursuant to section seven. Law enforcement officials, upon the service of said orders, shall immediately take possession of all firearms, rifles, shotguns, machine guns, ammunition, any license to carry firearms and any firearms identification cards in the control, ownership, or possession of said defendant. Any violation of such orders shall be punishable by a fine of not more than five thousand dollars, or by imprisonment for not more than two and one-half years in a house of correction, or by both such fine and imprisonment.</p> <p>Any defendant aggrieved by an order of surrender or suspension as described in the first sentence of this section may petition the court which issued such suspension or surrender order for a review of such action and such petition shall be heard no later than ten court business days after the receipt of the notice of the petition by the court. If said license to carry firearms or firearms identification card has been suspended upon the issuance of an order issued pursuant to section four or five, said petition may be heard contemporaneously with the hearing specified in the second sentence of the second paragraph of section four. Upon the</p>		<p>suspension or surrender issued pursuant to section 3B or 3C of chapter 209A or a similar order issued by another jurisdiction; or (B) a permanent or temporary protection order issued pursuant to chapter 209A or a similar order issued by another jurisdiction; or (e) Within seven days of the receipt of a completed application for a license to carry or possess firearms, or renewal of same, the licensing authority shall forward one copy of the application and one copy of the applicant's fingerprints to the colonel of state police, who shall within 30 days advise the licensing authority, in writing, of any disqualifying criminal record of the applicant arising from within or without the commonwealth and whether there is reason to believe that the applicant is disqualified for any of the foregoing reasons from possessing a license to carry or possess firearms. In searching for any disqualifying history of the applicant, the colonel shall utilize, or cause to be utilized, files maintained by the department of probation and statewide and nationwide criminal justice, warrant and protection order information systems and files including, but not limited to, the National Instant Criminal Background Check System. The colonel shall inquire of the commissioner of the department of mental health relative to whether the applicant is disqualified from being so licensed. If the information available to the colonel does not indicate that the possession of a firearm or large capacity firearm by the applicant would be in violation of state or federal law, he shall certify such fact, in writing, to the licensing authority within said 30 day</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>filing of an affidavit by the defendant that a firearm, rifle, shotgun, machine gun or ammunition is required in the performance of the defendant's employment, and upon a request for an expedited hearing, the court shall order said hearing within two business days of receipt of such affidavit and request but only on the issue of surrender and suspension pursuant to this section. ALM GL ch. 209A, § 3B (2014).</p> <p><i>Continuation or Modification of Firearm Suspension and Surrender Order</i></p> <p>Upon the continuation or modification of an order issued pursuant to section 4 or upon petition for review as described in section 3B, the court shall also order or continue to order the immediate suspension and surrender of a defendant's license to carry firearms, including a Class A or Class B license, and firearms identification card and the surrender of all firearms, rifles, shotguns, machine guns or ammunition which such defendant then controls, owns or possesses if the court makes a determination that the return of such license to carry firearms, including a Class A or Class B license, and firearm identification card or firearms, rifles, shotguns, machine guns or ammunition presents a likelihood of abuse to the plaintiff. A suspension and surrender order issued pursuant to this section shall continue so long as the restraining order to which it relates is in effect; and, any law enforcement official to whom such weapon is surrendered may store, transfer or otherwise dispose of any such weapon in accordance with the provisions of section 129D of chapter 140; provided,</p>		<p>period. ALM GL ch. 140, § 131(d),(e) (2014).</p>

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	<p>however, that nothing herein shall authorize the transfer of any weapons surrendered by the defendant to anyone other than a licensed dealer. Any violation of such order shall be punishable by a fine of not more than \$5,000 or by imprisonment for not more than two and one-half years in a house of correction or by both such fine and imprisonment. ALM GL ch. 209A, § 3C (2014).</p>		
<p><b>Michigan</b></p>	<p><i>Discretionary Prohibition-Domestic Violence Protection Order</i></p> <p>(1) Except as provided in subsections (27) and (28), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin a spouse, a former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a dating relationship, or an individual residing or having resided in the same household as the petitioner from doing 1 or more of the following:</p> <p>(e) Purchasing or possessing a firearm.</p> <p>(15) The clerk of the court that issues a personal protection order shall do all of the following immediately upon issuance and without requiring a proof of service on the individual restrained or enjoined:</p> <p>(d) If the personal protection order prohibits respondent from purchasing or possessing a firearm, notify the</p>	<p><i>Law Enforcement Response to Violation of Protection Order</i></p> <p>A peace officer, without a warrant, may arrest and take into custody an individual when the peace officer has or receives positive information that another peace officer has reasonable cause to believe a personal protection order has been issued under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or is a valid foreign protection order, or the individual named in the personal protection order is violating or has violated the order. An individual is violating or has violated the order if that individual commits 1 or more of the following acts the order specifically restrains or enjoins the individual from committing, which includes purchasing or possessing a firearm. MCLS § 764.15b(1)(a),(b)(vi) (2014).</p> <p><i>Law Enforcement Response to Domestic Violence Incident</i></p> <p>After investigating or intervening in a domestic violence incident, a peace officer shall provide the victim with a copy of the notice in this section. The notice shall be written and shall include all of the following:</p>	<p><i>License to Purchase, Carry or Transport Pistol</i></p> <p>(3) The commissioner or chief of police of a city, township, or village police department that issues licenses to purchase, carry, possess, or transport pistols, or his or her duly authorized deputy, or the sheriff or his or her duly authorized deputy, in the parts of a county not included within a city, township, or village having an organized police department, in discharging the duty to issue licenses shall with due speed and diligence issue licenses to purchase, carry, possess, or transport pistols to qualified applicants residing within the city, village, township, or county, as applicable unless he or she has probable cause to believe that the applicant would be a threat to himself or herself or to other individuals, or would commit an offense with the pistol that would violate a law of this or another state or of the United States. An applicant is qualified if all of the following circumstances exist:</p> <p>(a) The person is not subject to an order or disposition for which he or she has received notice and an opportunity for a hearing, and which was entered into the law enforcement information network pursuant to any of the following:</p>

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	<p>concealed weapon licensing board in respondent's county of residence about the existence and contents of the personal protection order. MCLS § 600.2950(1)(e),(15)(d) (2014).</p> <p><i>Law Enforcement Officers-Domestic Violence Protection Order</i></p> <p>If the respondent is a person who is issued a license to carry a concealed weapon and is required to carry a weapon as a condition of his or her employment, a police officer certified by the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616, a sheriff, a deputy sheriff or a member of the Michigan department of state police, a local corrections officer, department of corrections employee, or a federal law enforcement officer who carries a firearm during the normal course of his or her employment, the petitioner shall notify the court of the respondent's occupation prior to the issuance of the personal protection order. This subsection does not apply to a petitioner who does not know the respondent's occupation. MCLS § 600.2950(2) (2014).</p> <p><i>Law Enforcement Officers Stalking Protection Order</i></p> <p>If the respondent to a petition under this section is a person who is issued a license to carry a concealed weapon and is required to carry a weapon as a condition of his or her employment, a police officer certified by the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616, a</p>	<p>(c) Substantially the following statement:</p> <p>"You may obtain a copy of the police incident report for your case by contacting this law enforcement agency at the telephone number provided. The domestic violence shelter program and other resources in your area are (include local information). Information about emergency shelter, counseling services, and the legal rights of domestic violence victims is available from these resources.</p> <p>Your legal rights include the right to go to court and file a petition requesting a personal protection order to protect you or other members of your household from domestic abuse which could include restraining or enjoining the abuser from doing the following:</p> <p>(f) Purchasing or possessing a firearm." MCLS § 764.15c (2014).</p> <p><i>Bail Conditions</i></p> <p>(1) A judge or district court magistrate may release under this section a defendant subject to conditions reasonably necessary for the protection of 1 or more named persons. If a judge or district court magistrate releases under this section a defendant subject to protective conditions, the judge or district court magistrate shall make a finding of the need for protective conditions and inform the defendant on the record, either orally or by a writing that is personally delivered to the defendant, of the specific conditions imposed and that if the defendant violates a condition of release, he or she will be subject to arrest</p>	<p>(ii) Section 5107 of the estates and protected individuals code, 1998 PA 386, MCL 700.5107, or section 444a of former 1978 PA 642.</p> <p>(e) The person is not prohibited from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm under section 224f of the Michigan penal code, 1931 PA 328, MCL 750.224f. MCLS § 28.422 (3)(a)(ii),(e) (2014).</p> <p><i>License to Carry Concealed Pistol</i></p> <p>(1) To obtain a license to carry a concealed pistol, an individual shall apply to the concealed weapon licensing board in the county in which that individual resides. The application shall be filed with the county clerk during the county clerk's normal business hours. The application shall be on a form provided by the director of the department of state police and shall allow the applicant to designate whether the applicant seeks a temporary license. The application shall be signed under oath by the applicant. The oath shall be administered by the county clerk or his or her representative. The application shall contain all of the following information:</p> <p>(e) A statement by the applicant regarding whether he or she has ever been convicted in this state or elsewhere for any of the following:</p> <p>(ii) A misdemeanor listed under subsection (7)(h) or (i), if the applicant was convicted of violating that misdemeanor in the 8 years immediately preceding the</p>

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	<p>sheriff, a deputy sheriff or a member of the Michigan department of state police, a local corrections officer, a department of corrections employee, or a federal law enforcement officer who carries a firearm during the normal course of his or her employment, the petitioner shall notify the court of the respondent's occupation before the personal protection order is issued. This subsection does not apply to a petitioner who does not know the respondent's occupation. MCLS § 600.2950a(5) (2014).</p>	<p>without a warrant and may have his or her bail forfeited or revoked and new conditions of release imposed, in addition to any other penalties that may be imposed if the defendant is found in contempt of court.  (3) An order or amended order issued under this subsection and subsection (1) may impose a condition that the defendant not purchase or possess a firearm. However, if the court orders the defendant to carry or wear a global positioning system device as a condition of release as described in subsection (6), the court shall also impose a condition that the defendant not purchase or possess a firearm. MCLS § 765.6b(1),(3) (2014).</p> <p style="text-align: center;"><i>Discretionary Prohibition-Probation</i></p> <p>(1) Except as provided in section 2a of this chapter, if the defendant is convicted for an offense that is not a felony, the probation period shall not exceed 2 years. Except as provided in section 2a of this chapter, if the defendant is convicted of a felony, the probation period shall not exceed 5 years.</p> <p>(2) The court shall by order, to be filed or entered in the cause as the court may direct by general rule or in each case, fix and determine the period and conditions of probation. The order is part of the record in the cause. The court may amend the order in form or substance at any time.</p> <p>(3) A defendant who was placed on probation under section 1(4) of this chapter as it existed before March 1, 2003 for an offense committed before March 1, 2003 is subject to</p>	<p>date of the application.</p> <p>(7) The concealed weapon licensing board shall issue a license to an applicant to carry a concealed pistol within the period required under this act after the applicant properly submits an application under subsection (1) and the concealed weapon licensing board determines that all of the following circumstances exist:</p> <p>(h) The applicant has not been convicted of a misdemeanor violation of any of the following in the 8 years immediately preceding the date of application:</p> <p>(xv) Section 81 of the Michigan penal code, 1931 PA 328, MCL 750.81 (assault or domestic assault).</p> <p>(xvi) Section 81a (1) or (2) of the Michigan penal code, 1931 PA 328, MCL 750.81a (aggravated assault or aggravated domestic assault).</p> <p>(xlii) Section 411h of the Michigan penal code, 1931 PA 328, MCL 750.411h (stalking).</p> <p>(i) The applicant has not been convicted of a misdemeanor violation of any of the following in the 3 years immediately preceding the date of application unless the misdemeanor violation is listed under subdivision (h) MCLS § 28.425b(1)(e)(2), (7)(h)(xv),(xvi),(xlii), (i) (2014).</p>

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		<p>the conditions of probation specified in section 3 of this chapter, including payment of a probation supervision fee as prescribed in section 3c of this chapter, and to revocation for violation of these conditions, but the probation period shall not be reduced other than by a revocation that results in imprisonment or as otherwise provided by law.</p> <p>(4) If an individual is placed on probation for a listed offense enumerated in section 2 of the sex offenders registration act, 1994 PA 295, MCL 28.722, the individual's probation officer shall register the individual or accept the individual's registration as provided in that act.</p> <p>(5) Subsection (1) does not apply to a juvenile placed on probation and committed under section 1(3) or (4) of chapter IX to an institution or agency described in the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309. MCLS § 771.2 (2014).</p>	
<b>Minnesota</b>	<p style="text-align: center;"><i>Catch-all Provision</i></p> <p>Upon notice and hearing, a court may order any or all of the relief enumerated in the statute, or may, in its discretion, order "other relief as it deems necessary for the protection of a family or household member, including orders or directives to the sheriff, constable, or other law enforcement or corrections officer. Minn. Stat. § 518B.01 subd. 6(a) (13) (2014).</p>	<p style="text-align: center;"><i>Bail Conditions – Crime Against a Person</i></p> <p>When a person is arrested for a crime against a person, the judge may order as a condition of release that the person surrender to the local law enforcement agency all firearms, destructive devices, or dangerous weapons owned or possessed by the person, and may not live in a residence where others possess firearms. Any firearm, destructive device, or dangerous weapon surrendered under this subdivision shall be inventoried and retained, with due care to preserve its quality and function, by the local law enforcement agency, and must be returned to the person upon the person's acquittal, when charges are dismissed, or if no charges are filed. If the</p>	<p style="text-align: center;"><i>Permit to Carry Pistol</i></p> <p>A sheriff must issue a permit to an applicant if the person is not prohibited from possessing a firearm under certain sections including the following: 609.244(5<sup>th</sup> degree assault) subd. 3, 609.2242 subd. 3 (domestic assault), 609.749 subd. 8 (harassment and stalking), 624.713, or any federal law. Minn. Stat. § 624.714 subd. 2(2014).</p>

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		<p>person is convicted, the firearm must be returned when the court orders the return or when the person is discharged from probation and restored to civil rights. If the person is convicted of a designated offense as defined in § 609.531, the firearm is subject to forfeiture as provided under that section. This condition may be imposed in addition to any other condition authorized by rule 6.02 of the rules of Criminal Procedure. Minn. Stat. § 629.715 subd. 2 (2014).</p> <p style="text-align: center;"><i>Bail Conditions – Domestic Abuse, Harassment, Violation of an Order for Protection or Violation of a Domestic Abuse No Contact Order</i></p> <p>The judge may impose conditions of release or bail, or both, on the person to protect the alleged victim or other family or household members and to ensure the appearance of the person at subsequent proceedings. These conditions may include an order prohibiting the person from possessing a firearm or other weapon specified by the court. Minn. Stat. § 629.72 subd. 2(b) (4) (2014).</p> <p style="text-align: center;"><i>Violation of Order of Protection</i></p> <p>A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$ 10,000, or both, if the person violates this subdivision while possessing a dangerous weapon, as defined in section 609.02, subdivision 6. Minn. Stat. § 518B.01 subd. 14(d) (2) (2014).</p> <p>When a person is convicted of violating an</p>	

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		<p>order for protection and the court determines that the person used a firearm in any way during commission of the violation, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 518B.01 subd. 14(j) (2014).</p> <p>Except as otherwise provided in paragraph (j), when a person is convicted of violating an order for protection, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 518B.01 subd. 14(k) (2014).</p> <p>If the court determines that a person convicted of violating an order for protection owns or possesses a firearm and used it in any way during the commission of the violation, it shall order that the firearm be summarily</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>forfeited under section 609.5316, subdivision 3. Minn. Stat. § 518B.01 subd. 14(m) (2014).</p> <p style="text-align: center;"><i>Domestic Assault</i></p> <p>When a person is convicted of a violation of this section or § 609.221, 609.222, 609.223, 609.224, or 609.2247, the court shall determine and make written findings on the record as to whether the assault was committed against a family or household member, as defined in § 518B.01, subd. 2; the defendant owns or possesses a firearm; and the firearm was used in any way during the commission of the assault. If the court determines that the assault was of a family or household member, and that the offender owns or possesses a firearm and used it in any way during the commission of the assault, it shall order that the firearm be summarily forfeited under § 609.5316, subd. 3. Minn. Stat. § 609.2242 subd. 3(a)-(b) (2014).</p> <p>When a person is convicted of assaulting a family or household member and is determined by the court to have used a firearm in any way during commission of the assault, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant whether and for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a</p>	

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		<p>defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 609.2242 subd. 3(c)(2014).</p> <p>Except as otherwise provided in a paragraph (c), when a person is convicted of a violation of this section or section 609.224 (5<sup>th</sup> degree assault) and the court determines that the victim was a family or household member, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 609.2242 subd. 3(d) (2014).</p> <p>Except as otherwise provided in paragraph (c), a person is not entitled to possess a pistol if the person has been convicted after August 1, 1992, of domestic assault under this section or assault in the fifth degree under § 609.224 and the assault victim was a family or household member as defined in § 518B.01, subd. 2, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section or § 609.224. Property rights may not be abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor. Minn. Stat. § 609.2242 subd. 3(e) (2014).</p>	

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		<p style="text-align: center;"><i>Stalking</i></p> <p>When a person is convicted of a stalking crime under this section and the court determines that the person used a firearm in any way during commission of the crime, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person’s life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 609.749 subd. 8(a) (2014).</p> <p>Except as otherwise provided in paragraph (a), when a person is convicted of a stalking under this section, the court shall inform the defendant that the defendant is prohibited from possessing a pistol for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the pistol possession prohibition or the gross misdemeanor penalty to that defendant. Minn. Stat. § 609.749 subd. 8(b) (2014).</p> <p>Except as otherwise provided in paragraph (a), a person is not entitled to possess a pistol if the person has been convicted after August</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>1, 1996, of a stalking crime under this section, unless three years have elapsed from the date of conviction and, during that time the person has not been convicted of any other violation of this section. Property rights may not be abated but access may be restricted by the courts. A person who possesses a pistol in violation of this paragraph is guilty of a gross misdemeanor. Minn. Stat. § 609.749 subd. 8(c) (2014).</p> <p>If the court determines that a person convicted of a stalking crime under this section owns or possesses a firearm and used it in any way during the commission of the crime, it shall order that the firearm be summarily forfeited under § 609.5316, subd. 3. Minn. Stat. § 609.749 subd. 8(d) (2014).</p> <p style="text-align: center;"><i>Pistols and Semiautomatic Military-Style Assault Weapons</i></p> <p>The following persons shall not be entitled to possess a pistol or semiautomatic military-style assault weapon or, except for clause (1), a person who has been convicted in another state of committing an offense similar to the offense described in § 609.224, subdivision 3, against a family or household member or § 609.2242, subdivision 3, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of § 609.224, subdivision 3, or § 609.2242, subdivision 3, or a similar law of another state; a person who has been convicted in this state or elsewhere of assaulting a family or household member and who was found by the court to have used a firearm in any way during commission of the</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>assault is prohibited from possessing any type of firearm for the period determined by the sentencing court; a person who has been convicted of the following offenses at the gross misdemeanor level, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of the enumerated sections, including § 609.749 (harassment and stalking). For purposes of this paragraph, the specified gross misdemeanor convictions include crimes committed in other states or jurisdictions which would have been gross misdemeanors if conviction occurred in this state.</p> <p>The lifetime prohibition on possessing, receiving, shipping, or transporting firearms for persons convicted or adjudicated delinquent of a crime of violence in clause (b), applies only to offenders who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993. Minn. Stat. § 624.713 subd. 1 (2014).</p> <p style="text-align: center;"><i>Transfer to Ineligible Person</i></p> <p>A person is guilty of a gross misdemeanor who intentionally transfers a pistol or semiautomatic military-style assault weapon to another if the person knows that the transferee has been denied a permit to carry under § 624.714 because the transferee is not eligible under § 624.713 to possess a pistol or semiautomatic military-style assault weapon, or is disqualified under § 624.713 from possessing a pistol or semiautomatic military-style assault weapon. Minn. Stat. § 624.7141 (2014).</p>	

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Mississippi			<p data-bbox="1562 180 1829 207"><i>Weapon Used in a Crime</i></p> <p data-bbox="1444 245 1934 597">Any weapon used in violation of Section 97-37-1, or used in the commission of any other crime, shall be seized by the arresting officer, may be introduced in evidence, and in the event of a conviction, shall be ordered to be forfeited, and shall be disposed of as ordered by the court having jurisdiction of such offense. In the event of dismissal or acquittal of charges, such weapon shall be returned to the accused from whom it was seized. Miss.Code.Ann. 97-37-3 (2013).</p> <p data-bbox="1556 634 1835 662"><i>Restrictions on Possession</i></p> <p data-bbox="1444 699 1940 1430">No permit shall be issued to any person who has ever been convicted of a felony under the laws of this or any other state or of the United States. To determine an applicant's eligibility for a permit, the person shall be fingerprinted. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The department shall charge a fee which includes the amounts required by the Federal Bureau of Investigation and the department for the national and state criminal history record checks and any necessary costs incurred by the department for the handling and administration of the criminal history background checks. In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of three (3) attempts, the</p>

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			Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Safety Patrol Highway at the request of the Department of Public Safety. Miss.Code.Ann. 97-37-7 (2013).
<b>Missouri</b>		<p style="text-align: center;"><i>Unlawful Possession of Firearms</i></p> <p>Possession of concealable firearm unlawful for certain persons -- penalty</p> <p>1. A person commits the crime of unlawful possession of a concealable firearm if he has any concealable firearm in his possession and:</p> <p style="padding-left: 40px;">(1) He has pled guilty to or has been convicted of a dangerous felony, as defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession; or</p> <p style="padding-left: 40px;">(2) He is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.</p> <p>2. Unlawful possession of a concealable firearm is a class C felony. R.S.Mo. § 571.070 (2014).</p>	

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<p><b>Montana</b></p>	<p><i>Mont. Code Anno., §40-15-201(f) (2013). §40-15-201. Temporary Order of Protection. 333</i></p> <p>(2) Upon a review of a petition and a finding that the petitioner is in danger of harm if the court does not act immediately, the court shall issue a temporary order of protection that grants the petitioner appropriate relief. The temporary order of protection may include an order prohibiting the respondent from possession or using the firearms used in the assault.</p>	<p><i>Mont. Code Anno., §45-5-206 (2013). §45-5-206. Partner or family member assault -- penalty.</i></p> <p>(7) The court may prohibit an offender convicted of partner or family member assault from possession or use of the firearm used in the assault. The court may enforce §45-8-323 (denial of concealed weapon permit) if a firearm was used in the assault.</p> <p><i>Mont. Code Anno., § 46-6-603 (2013). § 46-6-603. Partner or Family Member Assault -- Seizure of Weapon.</i></p> <p>(1) A peace officer who responds to a call relating to partner or family member assault shall seize the weapon used or threatened to be used in the alleged assault.</p> <p>(3) A weapon seized may not be returned to the offender until acquittal or until the return is ordered by the court.</p> <p><i>Mont. Code Anno., § 46-9-108 (2013). § 46-9-108. Bail - Conditions Upon Defendant's Release -- Notice to Victim of Stalker's Release.</i></p> <p>(1) The court may impose any condition that will reasonably ensure the appearance of the defendant as required or that will ensure the safety of any person or the community, including but not limited to the following conditions:</p> <p>(h) the defendant may not possess a firearm, destructive device, or other dangerous weapon</p>	<p><i>Mont. Code Anno., §45-8-321 (2013). §45-8-321. Permit to Carry Concealed Weapon.</i></p> <p>A county sheriff shall deny an application to carry a concealed weapon if the applicant has been convicted in any state or federal court of a crime that includes as an element of the crime an act, attempted, or threat of intentional homicide, violence, bodily or serious bodily harm, unlawful restraint, sexual abuse, or sexual intercourse or contact without consent.</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
<p><b>Nebraska</b></p>	<p><i>R.R.S. Neb. § 42-924 (2013). § 42-924 Catch-All-Provision</i></p> <p>(1) Any victim of domestic abuse may file a petition and affidavit for a protection order as provided in subsection (2) of this section. Upon the filing of such a petition and affidavit in support thereof, the court may issue a protection order without bond granting the following relief:</p> <p>(g) Enjoining the respondent from possessing or purchasing a firearm as defined in section 28-1201.</p>	<p><i>R.R.S. Neb. § 29-2262 (2013) § 29-2262. Probation; Conditions</i></p> <p>(2) The court may condition, as a requirement of probation that the offender:</p> <p>(i) possess no <b>firearm</b> or other dangerous <b>weapon</b> if convicted of a felony, or if convicted of any other offense, to possess no <b>firearm</b> or other dangerous <b>weapon</b> unless granted written permission by the court.</p>	<p><i>R.R.S. Neb. § 69-2404 (2013). § 69-2404. Concealed Weapon Permit.</i></p> <p>Any person desiring to purchase, lease, rent, or receive transfer of a handgun shall apply with the chief of police or sheriff of the applicant's place of residence for a certificate. The application may be made in person or by mail. The application form and certificate shall be made on forms approved by the Superintendent of Law Enforcement and Public Safety. The application shall include the applicant's full name, address, date of birth, and country of citizenship. If the applicant is not a United States citizen, the application shall include the applicant's place of birth and his or her alien or admission number. If the application is made in person, the applicant shall also present a current Nebraska motor vehicle operator's license, state identification card, or military identification card, or if the application is made by mail, the application form shall describe the license or card used for identification and be notarized by a notary public who has verified the identification of the applicant through such a license or card. An applicant shall receive a certificate if he or she is twenty-one years of age or older and is not prohibited from purchasing or possessing a handgun by 18 U.S.C. 922. A fee of five dollars shall be charged for each application for a certificate to cover the cost of a criminal history record check.</p>

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<p><b>Nevada</b></p>	<p><i>Nev. Rev. Stat. Ann. § 33.030 (2013). § 33.030. Contents of Order; Interlocutory Appeal.</i></p> <p>(1) The court by a temporary order may: (g) Order such other relief as it deems necessary in an emergency situation.</p> <p><i>Nev. Rev. Stat. Ann. § 33.031 (2013). § 33.031. Extended Order May Prohibit Possession of Firearm by Adverse Party; Factors for Court to Consider in Determining Whether to Prohibit Possession of Firearm; Exception; Penalty.</i></p> <p>(1) A court may include in an extended order issued pursuant to NRS 33.030:</p> <p>(a) A requirement that the adverse party surrender, sell or transfer any firearm in the adverse party’s possession or under the adverse party’s custody or control in the manner set forth in NRS 33.033; and</p> <p>(b) A prohibition on the adverse party against possessing or having under the adverse party’s custody or control any firearm while the order is in effect.</p> <p>(2) In determining whether to include the provision set forth in subsection 1 in an extended order, the court must consider, without limitation, whether the adverse party:</p> <p>(a) Has a documented history of domestic violence.</p>	<p><i>Nev. Rev. Stat. Ann. § 202.3665 (2013). § 202.3665. Duties of Sheriff Upon Receiving Notification That Applicant or Permittee has Been Charged with or Convicted of Crime Involving Use or Threatened Use of Force or Violence.</i></p> <p>1. If a sheriff who is processing an application for a permit receives notification pursuant to NRS 202.3657 that the applicant has been:</p> <p>(a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657:</p> <p>(1) Suspended the processing of the application until the final disposition of the charges against the applicant; or</p> <p>(2) Resumed the processing of the application following the dropping of charges against the applicant or the acquittal of the applicant.</p> <p>(b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657, denied the application.</p> <p>2. If a sheriff who has issued a permit to a permittee receives notification pursuant to NRS 202.3657 that the permittee has been:</p> <p>(a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS</p>	<p><i>Nev. Rev. Stat. Ann. § 202.3657 (2013). § 202.3657. Application for Permit; Eligibility; Denial or Revocation of Permit.</i></p> <p>1. Any person who is a resident of this State may apply to the sheriff of the county in which he or she resides for a permit on a form prescribed by regulation of the Department. Any person who is not a resident of this State may apply to the sheriff of any county in this State for a permit on a form prescribed by regulation of the Department. Application forms for permits must be furnished by the sheriff of each county upon request.</p> <p>4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee:</p> <p>g. Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.</p> <p><i>Nev. Rev. Stat Ann. §33.018 (2013). Acts Which Constitute Domestic Violence.</i></p> <p>Domestic violence occurs when a person commits one of the following acts against or upon his spouse, former spouse, any other person to whom he is related by blood or marriage, a person with whom he is or was actually residing, a person with whom he has or is having a dating relationship, a person with whom he has a child in common, the minor child or any of those persons or his minor child: battery; assault: compelling the</p>

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		<p>202.3657:</p> <p>(1) Suspended the permit of the permittee until the final disposition of the charges against the permittee; or</p> <p>(2) Restored the permit of the permittee following the dropping of charges against the permittee or the acquittal of the permittee.</p> <p>(b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657, revoked the permit of the permittee.</p> <p>3. The sheriff shall notify a victim pursuant to subsection 1 or 2 not later than 10 days after the date on which the sheriff performs one of the actions listed in subsection 1 or 2 concerning an application or a permit.</p>	<p>other by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform; a sexual assault; a knowing, purposeful or reckless course of conduct intended to harass the other, which may include, but is not limited to: stalking, arson, trespassing, larceny, destruction of private property, carrying a concealed weapon without a permit, false imprisonment, or unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry.</p>
<p><b>New Hampshire</b></p>	<p><i>RSA §173-B:4 (2013)</i> <i>§173-B:4. Temporary Relief</i></p> <p>I. Upon a showing of an immediate and present danger of abuse, the court may enter temporary orders to protect the plaintiff with or without actual notice to defendant. The court may issue such temporary orders by telephone or facsimile. Such telephonically issued orders shall be made by a district or superior court judge to a law enforcement officer, shall be valid in any jurisdiction in the state, and shall be effective until the close of the next regular court business day. Such orders shall be returnable to the district court where the plaintiff resides or to which the</p>	<p><i>RSA § 173-B:10 (2013).</i> <i>Law Enforcement Response to Incident of Domestic Violence</i></p> <p>Whenever any peace officer has probable cause to believe that a person has been abused, as defined in §173-B:1, that officer shall use all means within reason to prevent further abuse including, but not limited to:</p> <p>a) confiscating any deadly weapons involved in the alleged domestic abuse and any firearms and ammunition in the defendant's control, ownership, or possession. N.H. Rev. Stat. Ann. § 173-B:9 (2013).</p>	<p><i>RSA §173-B:5 (2013).</i> <i>§173-B:5. Relief.</i></p> <p>IX. (d) Notwithstanding any other provision of law, the administrative office of the courts or the department of safety. Its employees and agents. And law enforcement officials shall not be held criminally or civilly liable for action taken under this chapter or RSA 458:16, provided they are acting in good faith and without gross negligence, and within the scope of their duties and authority.</p> <p>IX-a. If a criminal record check conducted by the department of safety indicates that a potential buyer or transferee is prohibited</p>

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	<p>plaintiff has fled, unless otherwise ordered by the issuing justice. If non-telephonic temporary orders are made ex parte, the party against whom such relief is issued may file a written request with the clerk of the court and request a hearing on such orders. Such hearing shall be held no less than 3 business days and no more than 5 business days after the request is received by the clerk. Such hearings may constitute the final hearing described in RSA 173-B:3, VII. Such temporary relief may direct the defendant to relinquish to a peace officer any and all firearms and ammunition in the control, ownership, or possession of the defendant, or any other person on behalf of the defendant for the duration of the protective order. Other temporary relief may include:</p> <p>a) Protective orders:</p> <p>9) Directing the defendant to relinquish to the peace officer, in addition to the relief specified in RSA 173-B:4, I, any and all deadly weapons specified in the protective order that are in the control, ownership or possession of the defendant, or any their person on behalf of the defendant, for the duration of the protective order.</p> <p>II. The defendant may be prohibited from purchasing, receiving, or possessing any deadly weapons and any and all firearms and ammunition for the duration of the order. The court may subsequently issue a search warrant authorizing the peace officer to seize any deadly weapons specified in the protective order and any and all firearms and</p>	<p><i>Violation of Protective Order; Penalty</i></p> <p>I. (b) Subsequent to an arrest, the peace officer shall seize any firearms and ammunition in the control, ownership, or possession of the defendant and any deadly weapons that may have been used, or were threatened to be used, during the violation of the protective order. The law enforcement agency shall maintain possession of the firearms, ammunition, or deadly weapons until the court issues an order directing that the firearms, ammunition, or deadly weapons be relinquished and specifying the person to whom the firearms and ammunition or deadly weapons will be relinquished.</p>	<p>from receipt or possession of a firearm pursuant to a protective order issued under this chapter (protection of persons from domestic violence), the department of safety shall notify the administrative office of the courts of the denial. The court administration office of the courts shall immediately notify the plaintiff that the defendant has attempted to purchase a firearm in violation of the protective order.</p> <p>X. Within 15 days prior to the expiration of the protective order, the defendant may request, by motion to the court, the return of any and all firearms and ammunition and specified deadly weapons held by the law enforcement agency while the protective order was in effect. Upon receipt of such a motion, the court shall schedule a hearing no later than 15 days after the expiration of the order. The court shall provide written notice to the plaintiff, who shall have the right to appear and be heard, and to the law enforcement agency that has control of the firearms, ammunition, and specified deadly weapons. The scope of the hearing shall be limited to: establishing whether the defendant is subject to any state or federal law or court order that precluded the defendant from owning or possession a firearm, and, under circumstances where the plaintiff has requested an extension of the protective order, whether the plaintiff has established by a preponderance of the evidence that the defendant continues to represent a credible threat to the safety of the plaintiff. If the court finds that the defendant is not subject to any state or federal law or court order precluding the</p>

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	<p>ammunition, if there is probable cause to believe such firearms and ammunition and specified deadly weapons are kept on the premises or curtilage of the defendant and if the court has reason to believe that all such firearms and ammunition and specified deadly weapons have not been relinquished by the defendant.</p>		<p>ownership or possession of firearms, or if the court denies the plaintiff's request to extend the protective order, the court shall issue a written order directing the law enforcement agency to return the requested firearms, ammunition, or deadly weapons to the defendant. Law enforcement agencies may not release firearms and ammunition and specified deadly weapons without a court order. The law enforcement agency may charge the defendant a reasonable fee for the storage of any firearms and ammunition and specified deadly weapons taken pursuant to a protective order. The fee shall not exceed the actual cost incurred by the law enforcement agency for the storage of the firearms and ammunition and specified deadly weapons. The defendant may make alternative arrangements with a federally licensed firearms dealer for the storage of the firearms, at the defendant's own expense, upon approval by the court. Such firearms shall be turned over to the appropriate law enforcement agency for transfer to storage.</p>
<p><b>New Jersey</b></p>	<p><i>N.J. Stat. Ann. § 2C:25-28 (2014). § 2C:25-28. Filing Complaint Alleging Domestic Violence in Family Part; Proceeding</i></p> <p>j. Emergency relief may include forbidding the defendant from returning to the scene of the domestic violence, forbidding the defendant from possessing any firearm or other weapon enumerated in subsection r. of N.J.S.2C:39-1, ordering the search for and seizure of any such weapon at any location where the judge has reasonable cause to believe the weapon is located and the seizure of any firearms purchaser identification card or permit to purchase a handgun issued to the defendant</p>	<p><i>N.J. Stat. Ann. § 2C:39-7 (2014). § 2C:39-7. Certain Persons Not to Have Weapons.</i></p> <p>b.</p> <p>(1) A person having been convicted in this State or elsewhere of the crime of aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault, bias intimidation in violation of N.J.S.2C:16-1, endangering the welfare of a child pursuant to N.J.S.2C:24-4, stalking pursuant to P.L.1992, c. 209 (C.2C:12-10) or a crime</p>	<p><i>N.J. Stat. Ann. § 2C:2-:21 (2014). § 2C:25:21. Arrest of Alleged Attacker; Seizure of Weapons, etc.</i></p> <p>d.</p> <p>(1) In addition to a law enforcement officer's authority to seize any weapon that is contraband, evidence or an instrumentality of crime, a law enforcement officer who has probable cause to believe that an act of domestic violence has been committed shall:</p> <p>(a) question persons present to determine whether there are weapons on the</p>

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	<p>and any other appropriate relief. Other appropriate relief may include but is not limited to an order directing the possession of any animal owned, possessed, leased, kept, or held by either party or a minor child residing in the household and providing that the animal shall not be disposed of prior to entry of a final order pursuant to section 13 of P.L.1991, c. 261 (C.2C:25-29).</p> <p>The judge shall state with specificity the reasons for and scope of any search and seizure authorized by the order. The provisions of this subsection prohibiting a defendant from possessing a firearm or other weapon shall not apply to any law enforcement officer while actually on duty, or to any member of the Armed Forces of the United States or member of the National Guard while actually on duty or traveling to or from an authorized place of duty.</p> <p><i>N.J. Stat. Ann. § 2C:25-29 (2014). § 2C:25-29. Hearing Procedure; Relief</i></p> <p>(b) In proceedings in which complaints for restraining orders have been filed, the court shall grant any relief necessary to prevent further abuse. In addition to any other provisions, any restraining order issued by the court shall bar the defendant from purchasing, owning, possessing or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun pursuant to N.J.S.2C:58-3 during the period in which the restraining order is in effect or two years whichever is greater, except that this provision shall not apply to any law</p>	<p>involving domestic violence as defined in section 3 of P.L.1991, c. 261 (C.2C:25-19), whether or not armed with or having in his possession a weapon enumerated in subsection r. of N.J.S.2C: 39-1, or a person having been convicted of a crime pursuant to the provisions of N.J.S.2C:35-3 through N.J.S.2C:35-6, inclusive; section 1 of P.L.1987, c. 101 (C.2C:35-7); N.J.S.2C:35-11; N.J.S.2C:39-3; N.J.S.2C:39-4; or N.J.S.2C:39-9 who purchases, owns, possesses or controls a firearm is guilty of a crime of the second degree and upon conviction thereof, the person shall be sentenced to a term of imprisonment by the court. The term of imprisonment shall include the imposition of a minimum term, which shall be fixed at five years, during which the defendant shall be ineligible for parole. If the defendant is sentenced to an extended term of imprisonment pursuant to N.J.S.2C:43-7, the extended term of imprisonment shall include the imposition of a minimum term, which shall be fixed at, or between, one- third and one-half of the sentence imposed by the court or five years, whichever is greater, during which the defendant shall be ineligible for parole.</p> <p>(2) A person having been convicted in this State or elsewhere of a disorderly persons offense involving domestic violence, whether or not armed with or having in his possession a weapon enumerated in subsection r. of N.J.S. 2C:39-1, who purchases, owns, possesses or controls a firearm is guilty of a crime of the third degree.</p> <p>(3) A person whose firearm is seized pursuant</p>	<p>premises; and</p> <p>(b) upon observing or learning that a weapon is present on the premises, seize any weapon that the officer reasonably believes would expose the victim to a risk of serious bodily injury. If a law enforcement officer seizes any firearm pursuant to this paragraph, the officer shall also seize any firearm purchaser identification card or permit to purchase a handgun issued to the person accused of the act of domestic violence.</p> <p>(b)(3) Weapons seized in accordance with the "Prevention of Domestic Violence Act of 1991", P.L.1991, c. 261(C.2C:25-17 et seq.) shall be returned to the owner except upon order of the Superior Court. The prosecutor who has possession of the seized weapons may, upon notice to the owner, petition a judge of the Family Part of the Superior Court, Chancery Division, within 45 days of seizure, to obtain title to the seized weapons, or to revoke any and all permits, licenses and other authorizations for the use, possession, or ownership of such weapons pursuant to the law governing such use, possession, or ownership, or may object to the return of the weapons on such grounds as are provided for the initial rejection or later revocation of the authorizations, or on the grounds that the owner is unfit or that the owner poses a threat to the public in general or a person or persons in particular.</p> <p>A hearing shall be held and a record made</p>

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	<p>enforcement officer while actually on duty, or to any member of the Armed Forces of the United States or member of the National Guard while actually on duty or traveling to or from an authorized place of duty. At the hearing the judge of the Family Part of the Chancery Division of the Superior Court may issue an order granting any or all of the following relief:</p> <p>(16) In addition to the order required by this subsection prohibiting the defendant from possessing any firearm, the court may also issue an order prohibiting the defendant from possessing any other weapon enumerated in subsection r. of N.J.S.2C:39-1 and ordering the search for and seizure of any firearm or other weapon at any location where the judge has reasonable cause to believe the weapon is located. The judge shall state with specificity the reasons for and scope of the search and seizure authorized by the order.</p>	<p>to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c. 261 (C.2C:25-17 et seq.) and whose firearm has not been returned, or who is subject to a court order prohibiting the possession of firearms issued pursuant to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.) who purchases, owns, possesses or controls a firearm is guilty of a crime of the third degree, except that the provisions of this paragraph shall not apply to any law enforcement officer while actually on duty, or to any member of the Armed Forces of the United States or member of the National Guard while actually on duty or traveling to or from an authorized place of duty.</p>	<p>thereof within 45 days of the notice provided above. No formal pleading and no filing fee shall be required as a preliminary to such hearing. The hearing shall be summary in nature. Appeals from the results of the hearing shall be to the Superior Court, Appellate Division, in accordance with the law.</p> <p>If the prosecutor does not institute an action within 45 days of seizure, the seized weapons shall be returned to the owner.</p> <p>After the hearing the court shall order the return of the firearms, weapons and any authorization papers relating to the seized weapons to the owner if the court determines the owner is not subject to any of the disabilities set forth in N.J.S.2C:58-3c. and finds that the complaint has been dismissed at the request of the complainant and the prosecutor determines that there is insufficient probable cause to indict; or if the defendant is found not guilty of the charges; or if the court determines that the domestic violence situation no longer exists. Nothing in this act shall impair the right of the State to retain evidence pending a criminal prosecution. Nor shall any provision of this act be construed to limit the authority of the State or a law enforcement officer to seize, retain or forfeit property pursuant to chapter 64 of Title 2C of the New Jersey Statutes.</p>

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			<p>If, after the hearing, the court determines that the weapons are not to be returned to the owner, the court may:</p> <p>(a) With respect to weapons other than firearms, order the prosecutor to dispose of the weapons if the owner does not arrange for the transfer or sale of the weapons to an appropriate person within 60 days; or</p> <p>(b) Order the revocation of the owner's firearms purchaser identification card or any permit, license or authorization, in which case the court shall order the owner to surrender any firearm seized and all other firearms possessed to the prosecutor and shall order the prosecutor to dispose of the firearms if the owner does not arrange for the sale of the firearms to a registered dealer of the firearms within 60 days; or</p> <p>(c) Order such other relief as it may deem appropriate. When the court orders the weapons forfeited to the State or the prosecutor is required to dispose of the weapons, the prosecutor shall dispose of the property as provided in N.J.S.2C:64-6.</p>

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<p><b>New Mexico</b></p>	<p><i>N.M. Stat. Ann. § 40-13-5 (2014). § 40-13-5. Order of Protection; Contents; Remedies; Title to Property not Affected; Mutual Order of Protection.</i></p> <p>A. Upon finding that domestic abuse has occurred or upon stipulation of the parties, the court shall enter an order of protection ordering the restrained party to refrain from abusing the protected party or any other household member. The court shall specifically describe the acts the court has ordered the restrained party to do or refrain from doing. As a part of any order of protection, the court may:</p> <p>(7) order other injunctive relief as the court deems necessary for the protection of a party, including orders to law enforcement agencies as provided by this section.</p>		<p><i>N.M. Stat. Ann. § 29-19-4 (2014). § 29-19-4. Applicant Qualifications.</i></p> <p>A. The department shall issue a concealed handgun license to an applicant who:</p> <p>(1) is a citizen of the United States;</p> <p>(2) is a resident of New Mexico or is a member of the armed forces whose permanent duty station is located in New Mexico or is a dependent of such a member;</p> <p>(3) is twenty-one years of age or older;</p> <p>(4) is not a fugitive from justice;</p> <p>(5) has not been convicted of a felony in New Mexico or any other state or pursuant to the laws of the United States or any other jurisdiction;</p> <p>(6) is not currently under indictment for a felony criminal offense in New Mexico or any other state or pursuant to the laws of the United States or any other jurisdiction;</p> <p>(7) is not otherwise prohibited by federal law or the law of any other jurisdiction from purchasing or possessing a firearm;</p> <p>(8) has not been adjudicated mentally incompetent or committed to a mental institution;</p> <p>(9) is not addicted to alcohol or controlled substances; and</p>

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			<p>(10) has satisfactorily completed a firearms training course approved by the department for the category and the largest caliber of handgun that the applicant wants to be licensed to carry as a concealed handgun.</p> <p>B. The department shall deny a concealed handgun license to an applicant who has:</p> <ul style="list-style-type: none"> <li>(1) received a conditional discharge, a diversion or a deferment or has been convicted of, pled guilty to or entered a plea of nolo contendere to a misdemeanor offense involving a crime of violence within ten years immediately preceding the application;</li> <li>(2) been convicted of a misdemeanor offense involving driving while under the influence of intoxicating liquor or drugs within five years immediately preceding the application for a concealed handgun license;</li> <li>(3) been convicted of a misdemeanor offense involving the possession or abuse of a controlled substance within ten years immediately preceding the application; or</li> <li>(4) been convicted of a misdemeanor offense involving assault, battery or battery against a household member.</li> </ul> <p>Firearms training course instructors who are approved by the department shall not be required to complete a firearms training course pursuant to Paragraph (10) of Subsection A of this section.</p>

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<p><b>New York</b></p>	<p><i>NY Family Ct. Act §842-a (2014)</i>  <i>§ 842-a. Suspension and Revocation of a License to Carry, Possess, Repair or Dispose of a Firearm or Firearms Pursuant to Section 400.00 of the Penal Law and Ineligibility for Such a License; Order to Surrender Firearms.</i></p> <p>1. [fig 1] Suspension of firearms license and ineligibility for such a license upon the issuance of a temporary order of protection. Whenever a temporary order of protection is issued pursuant to section eight hundred twenty-eight of this article, or pursuant to article four, five, six, seven or ten of this act:</p> <p>(a) the court shall suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed where the court receives information that gives the court good cause to believe that: (i) the respondent has a prior conviction of any violent felony offense as defined in section 70.02 of the penal law; (ii) the respondent has previously been found to have willfully failed to obey a prior order of protection and such willful failure involved (A) the infliction of serious physical injury, as defined in subdivision ten of section 10.00 of the penal law, (B) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (C) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iii) the respondent has a prior</p>	<p><i>NY CLS CPL §530.14 (2014)</i>  <i>§530.14. Suspension and Revocation of a License to Carry, Possess, Repair or Dispose of a Firearm or Firearms Pursuant to Section 400.00 of the Penal Law and Ineligibility for Such a License; Order to Surrender Firearms.</i></p> <p>1. Suspension [fig 1] of firearms license and ineligibility for such a license upon issuance of temporary order of protection. Whenever a temporary order of protection is issued pursuant to subdivision one of section 530.12 or subdivision one of section 530.13 of this article:</p> <p>(a) the court shall suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed where the court receives information that gives the court good cause to believe that (i) the defendant has a prior conviction of any violent felony offense as defined in section 70.02 of the penal law; (ii) the defendant has previously been found to have willfully failed to obey a prior order of protection and such willful failure involved (A) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (B) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (C) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iii) the defendant has a prior conviction for stalking in the first degree as defined in section</p>	<p><i>NY CLS Penal §400.00 (2014).</i>  <i>§400.00. Licenses to carry, possess, repair and dispose of firearms.</i></p> <p>1. Eligibility. No license shall be issued or renewed pursuant to this section except by the licensing officer, and then only after investigation and finding that all statements in a proper application for a license are true. No license shall be issued or renewed except for an applicant (a) twenty-one years of age or older, provided, however, that where such applicant has been honorably discharged from the United States army, navy, marine corps, air force or coast guard, or the national guard of the state of New York, no such age restriction shall apply; (b) of good moral character; (c) who has not been convicted anywhere of a felony or a serious offense; (d) who is not a fugitive from justice; (e) who is not an unlawful user of or addicted to any controlled substance as defined in section 21 U.S.C. 802; (f) who being an alien (i) is not illegally or unlawfully in the United States or (ii) has not been admitted to the United States under a nonimmigrant visa subject to the exception in 18 U.S.C. 922(y)(2); (g) who has not been discharged from the Armed Forces under dishonorable conditions; (h) who, having been a citizen of the United States, has not renounced his or her citizenship; (i) who has stated whether he or she has ever suffered any mental illness [fig 1] ; (j) who has not been involuntarily committed to a facility under the jurisdiction of an office of the department of mental hygiene pursuant to article nine or fifteen of the mental hygiene law, article seven hundred thirty or section 330.20 of the</p>

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	<p>conviction for stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; and</p> <p>(b) the court shall where the court finds a substantial risk that the respondent may use or threaten to use a firearm unlawfully against the person or persons for whose protection the temporary order of protection is issued, suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed.</p> <p>2. Revocation [fig 1] or suspension of firearms license and ineligibility for such a license upon the issuance of an order of protection. Whenever an order of protection is issued pursuant to section eight hundred forty-one of this part, or pursuant to article four, five, six, seven or ten of this act:</p> <p>(a) the court shall revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed where the court finds that the conduct which resulted in the issuance of the order of protection involved (i) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (ii)</p>	<p>120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; and</p> <p>(b) the court shall where the court finds a substantial risk that the defendant may use or threaten to use a firearm unlawfully against the person or persons for whose protection the temporary order of protection is issued, suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed.</p> <p>Whenever an order of protection is issued pursuant to subdivision five of section 530.12 or subdivision four of section 530.13 of this article:</p> <p>(a) the court shall revoke any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed where such action is required by section 400.00 of the penal law; and</p> <p>(b) the court may where the court finds a substantial risk that the defendant may use or threaten to use a firearm unlawfully against the person or persons for whose protection the order of protection is issued, (i) revoke any such existing license possessed by the defendant, order the</p>	<p>criminal procedure law, section four hundred two or five hundred eight of the correction law, section 322.2 or 353.4 of the family court act, or has not been civilly confined in a secure treatment facility pursuant to article ten of the mental hygiene law; [fig 2] (k) who has not had a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the criminal procedure law or section eight hundred forty-two-a of the family court act; [fig 3] (l) in the county of Westchester, who has successfully completed a firearms safety course and test as evidenced by a certificate of completion issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor, except that: (i) persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are not required to have completed those hours of a firearms safety course pertaining to the safe use, carrying, possession, maintenance and storage of a firearm; and (ii) persons who were licensed to possess a pistol or revolver prior to the effective date of this paragraph are not required to have completed a firearms safety course and test; [fig 4] (m) who has not had a guardian appointed for him or her pursuant to any provision of state law, based on a determination that as a result of marked subnormal intelligence, mental illness, incapacity, condition or disease, he or she lacks the mental capacity to contract or manage his or her own affairs; and (n)</p>

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	<p>the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (iii) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; and</p> <p>(b) the court shall, where the court finds a substantial risk that the respondent may use or threaten to use a firearm unlawfully against the person or persons for whose protection the order of protection is issued, (i) revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed or (ii) suspend or continue to suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed.</p> <p>5. Surrender.</p> <p>(a) Where an order to surrender one or more firearms has been issued, the temporary order of protection or order of protection shall specify the place where such firearms shall be surrendered, shall specify a date and time by which the surrender shall be completed and, to the extent possible, shall describe such firearms to be surrendered and shall direct the authority receiving such surrendered firearms to immediately notify the court of such surrender.</p>	<p>defendant ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed or (ii) suspend or continue to suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms owned or possessed.</p> <p>3. Revocation [fig 1] or suspension of firearms license and ineligibility for such a license upon a finding of a willful failure to obey an order of protection. Whenever a defendant has been found pursuant to subdivision eleven of section 530.12 or subdivision eight of section 530.13 of this article to have willfully failed to obey an order of protection issued by a court of competent jurisdiction in this state or another state, territorial or tribal jurisdiction, in addition to any other remedies available pursuant to subdivision eleven of section 530.12 or subdivision eight of section 530.13 of this article:</p> <p>(a) the court shall revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed where the willful failure to obey such order involves (i) the infliction of serious physical injury, as defined in subdivision ten of section 10.00 of the penal law, (ii) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (iii) behavior constituting any violent felony</p>	<p>concerning whom no good cause exists for the denial of the license. No person shall engage in the business of gunsmith or dealer in firearms unless licensed pursuant to this section. An applicant to engage in such business shall also be a citizen of the United States, more than twenty-one years of age and maintain a place of business in the city or county where the license is issued. For such business, if the applicant is a firm or partnership, each member thereof shall comply with all of the requirements set forth in this subdivision and if the applicant is a corporation, each officer thereof shall so comply.</p>

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	<p>(b) The prompt surrender of one or more firearms pursuant to a court order issued pursuant<sup>1</sup> [to] this section shall be considered a voluntary surrender for purposes of subparagraph (f) of paragraph one of subdivision a of section 265.20 of the penal law. The disposition of any such firearms shall be in accordance with the provisions of subdivision six of section 400.05 of the penal law.</p> <p>(c) The provisions of this section shall not be deemed to limit, restrict or otherwise impair the authority of the court to order and direct the surrender of any or all pistols, revolvers, rifles, shotguns or other firearms owned or possessed by a respondent pursuant to this act.</p>	<p>offense as defined in section 70.02 of the penal law; or (iv) behavior constituting stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; and</p> <p>(b) the court may where the court finds a substantial risk that the respondent may use or threaten to use a firearm unlawfully against the person or persons for whose protection the order of protection was issued, (i) revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, whether or not the respondent possesses such a license, and order the immediate surrender of any or all firearms owned or possessed or (ii) suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms owned or possessed</p> <p>5. Surrender.</p> <p>(a) Where an order to surrender one or more firearms has been issued, the temporary order of protection or order of protection shall specify the place where such firearms shall be surrendered, shall specify a date and time by which the surrender shall be completed and, to the extent possible, shall describe such firearms to be surrendered, and shall direct the authority receiving such surrendered</p>	

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		<p>firearms to immediately notify the court of such surrender.</p> <p><i>NY CLS Penal §215.51 (2014).</i>  <i>§215.51. Criminal Contempt in the First Degree.</i></p> <p>A person is guilty of criminal contempt in the first degree when:</p> <p>(a) he contumaciously and unlawfully refuses to be sworn as a witness before a grand jury, or, when after having been sworn as a witness before a grand jury, he refuses to answer any legal and proper interrogatory; or</p> <p>(b) in violation of a duly served order of protection, or such order of which the defendant has actual knowledge because he or she was present in court when such order was issued, or an order of protection issued by a court of competent jurisdiction in this or another state, territorial or tribal jurisdiction, he or she:</p> <p>(i) intentionally places or attempts to place a person for whose protection such order was issued in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, dangerous instrument or what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm or by means of a threat or threats.</p>	

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<p><b>North Carolina</b></p>	<p><i>N.C. Gen. Stat. §50B-3.1 (2014). §50B-3.1. Relief.</i></p> <p>Upon issuance of an emergency or ex parte order pursuant to this Chapter, the court shall order the defendant to surrender to the sheriff all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant if the court finds any of the following factors:</p> <p>(1) The use or threatened use of a deadly weapon by the defendant or a pattern of prior conduct involving the use or threatened use of violence with a firearm against persons.</p> <p>(2) Threats to seriously injure or kill the aggrieved party or minor child by the defendant.</p> <p>(3) Threats to commit suicide by the defendant.</p> <p>(4) Serious injuries inflicted upon the aggrieved party or minor child by the defendant.</p> <p>(b) Ex Parte or Emergency Hearing. -- The court shall inquire of the plaintiff, at the ex parte or emergency hearing, the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and</p>	<p><i>N.C. Gen. Stat. §50B-3.1 (2014). §50B-3.1. Surrender and Disposal of Firearms; Violations; Exemptions.</i></p> <p>(i) It is unlawful for any person subject to a protective order prohibiting the possession or purchase of firearms to:</p> <p>(1) Fail to surrender all firearms, ammunition, permits to purchase firearms, and permits to carry concealed firearms to the sheriff as ordered by the court;</p> <p>(2) Fail to disclose all information pertaining to the possession of firearms, ammunition, and permits to purchase and permits to carry concealed firearms as requested by the court; or</p> <p>(3) Provide false information to the court pertaining to any of these items.</p> <p>(j) In accordance with G.S. 14-269.8, it is unlawful for any person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive protective order entered against that person pursuant to this Chapter is in effect. Any defendant violating the provisions of this section shall be guilty of a Class H felony.</p>	<p><i>N.C. Gen. Stat. §14-415.12 (2014). §14-415.12. Criteria to Qualify for the Issuance of a Permit.</i></p> <p>(b) The sheriff shall deny a permit to an applicant who:</p> <p>(8) Is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes, or a violation of a misdemeanor under G.S. 14-225.2, 14-226.1, 14-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-276.1, 14-277, 14-277.1, 14-277.2, 14-277.3A, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-288.20A, 14-318.2, 14-415.21(b), 14-415.26(d), or former G.S. 14-277.3.</p>

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	<p>location of firearms, ammunition, and permits in the order.</p> <p>(c) Ten-Day Hearing. -- The court, at the 10-day hearing, shall inquire of the defendant the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and location of firearms, ammunition, and permits in the order.</p> <p>(d) Surrender. -- Upon service of the order, the defendant shall immediately surrender to the sheriff possession of all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant. In the event that weapons cannot be surrendered at the time the order is served, the defendant shall surrender the firearms, ammunitions, and permits to the sheriff within 24 hours of service at a time and place specified by the sheriff. The sheriff shall store the firearms or contract with a licensed firearms dealer to provide storage.</p> <p>(1) If the court orders the defendant to surrender firearms, ammunition, and permits, the court shall inform the plaintiff and the defendant of the terms of the protective order and include these terms on the face of the order, including that the defendant is prohibited from possessing, purchasing, or receiving or attempting to possess, purchase, or receive a firearm for so long as the</p>	<p><i>N.C. Gen. Stat. §14-134.3 (2014)</i> <i>§14-134.3. Domestic Criminal Trespass</i></p> <p>(b) A person convicted of a violation of this section is guilty of a Class G felony if the person is trespassing upon property operated as a safe house or haven for victims of domestic violence and the person is armed with a deadly weapon at the time of the offense.</p> <p><i>N.C. Gen. Stat. §15A-1343 (2014)</i> <i>§15A-1343. Conditions of Probation</i></p> <p>(b) Regular Conditions. -- As regular conditions of probation, a defendant must:</p> <p>(5) Possess no firearm, explosive device or other deadly weapon listed in G.S. 14-269 without the written permission of the court.</p> <p><i>N.C. Gen. Stat. §15A-1368.4 (2014).</i> <i>§15A-1368.4. Conditions of Post-Release Supervision.</i></p> <p>(e) Controlling Conditions. -- Appropriate controlling conditions, violation of which may result in revocation of post-release supervision, are: Not possess a firearm, destructive device, or other dangerous weapon unless granted written permission by the Commission or a post-release supervision officer.</p>	

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	<p>protective order or any successive protective order is in effect. The terms of the order shall include instructions as to how the defendant may request retrieval of any firearms, ammunition, and permits surrendered to the sheriff when the protective order is no longer in effect. The terms shall also include notice of the penalty for violation of G.S. 14-269.8.</p> <p>(2) The sheriff may charge the defendant a reasonable fee for the storage of any firearms and ammunition taken pursuant to a protective order. The fees are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer. The fees shall be used by the sheriff to pay the costs of administering this section and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only. The sheriff shall not release firearms, ammunition, or permits without a court order granting the release. The defendant must remit all fees owed prior to the authorized return of any firearms, ammunition, or permits. The sheriff shall not incur any civil or criminal liability for alleged damage or deterioration due to storage or transportation of any firearms or ammunition held pursuant to this section.</p> <p>(e) Retrieval. -- If the court does not enter a protective order when the ex parte or emergency order expires, the defendant may retrieve any weapons surrendered to the sheriff unless the court finds that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or final disposition of any pending criminal charges committed</p>		

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	<p>against the person that is the subject of the current protective order.</p> <p>(f) Motion for Return. -- The defendant may request the return of any firearms, ammunition, or permits surrendered by filing a motion with the court at the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order and not later than 90 days after the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order. Upon receipt of the motion, the court shall schedule a hearing and provide written notice to the plaintiff who shall have the right to appear and be heard and to the sheriff who has control of the firearms, ammunition, or permits. The court shall determine whether the defendant is subject to any State or federal law or court order that precludes the defendant from owning or possessing a firearm. The inquiry shall include: (1) Whether the protective order has been renewed. (2) Whether the defendant is subject to any other protective orders. (3) Whether the defendant is disqualified from owning or possessing a firearm pursuant to 18 U.S.C. § 922 or any State law. (4) Whether the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order.</p> <p>The court shall deny the return of firearms, ammunition, or permits if the court finds</p>		

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	<p>that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or if the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order until the final disposition of those charges.</p> <p>(g) Motion for Return by Third-Party Owner. --- A third-party owner of firearms, ammunition, or permits who is otherwise eligible to possess such items may file a motion requesting the return to said third party of any such items in the possession of the sheriff seized as a result of the entry of a domestic violence protective order. The motion must be filed not later than 30 days after the seizure of the items by the sheriff. Upon receipt of the third party's motion, the court shall schedule a hearing and provide written notice to all parties and the sheriff. The court shall order return of the items to the third party unless the court determines that the third party is disqualified from owning or possessing said items pursuant to State or federal law. If the court denies the return of said items to the third party, the items shall be disposed of by the sheriff as provided in subsection (h) of this section.</p> <p>(h) Disposal of Firearms. -- If the defendant does not file a motion requesting the return of any firearms, ammunition, or permits surrendered within the time period prescribed by this section, if the court determines that the defendant is precluded from regaining possession of any firearms,</p>		

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	<p>ammunition, or permits surrendered, or if the defendant or third-party owner fails to remit all fees owed for the storage of the firearms or ammunition within 30 days of the entry of the order granting the return of the firearms, ammunition, or permits, the sheriff who has control of the firearms, ammunition, or permits shall give notice to the defendant, and the sheriff shall apply to the court for an order of disposition of the firearms, ammunition, or permits. The judge, after a hearing, may order the disposition of the firearms, ammunition, or permits in one or more of the ways authorized by law, including subdivision (4), (4b), (5), or (6) of G.S. 14-269.1. If a sale by the sheriff does occur, any proceeds from the sale after deducting any costs associated with the sale, and in accordance with all applicable State and federal law, shall be provided to the defendant, if requested by the defendant by motion made before the hearing or at the hearing and if ordered by the judge.</p> <p>(i) It is unlawful for any person subject to a protective order prohibiting the possession or purchase of firearms to:</p> <p>(1) Fail to surrender all firearms, ammunition, permits to purchase firearms, and permits to carry concealed firearms to the sheriff as ordered by the court;</p> <p>(2) Fail to disclose all information pertaining to the possession of firearms, ammunition, and permits to purchase and permits to carry concealed firearms</p>		

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	<p>as requested by the court; or</p> <p>(3) Provide false information to the court pertaining to any of these items.</p> <p>(j) Violations. -- In accordance with G.S. 14-269.8, it is unlawful for any person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive protective order entered against that person pursuant to this Chapter is in effect. Any defendant violating the provisions of this section shall be guilty of a Class H felony.</p> <p>(k) Official Use Exemption. -- This section shall not prohibit law enforcement officers and members of any branch of the Armed Forces of the United States, not otherwise prohibited under federal law, from possessing or using firearms for official use only.</p> <p>(l) Nothing in this section is intended to limit the discretion of the court in granting additional relief as provided in other sections of this Chapter.</p> <p>N.C. Gen. Stat. §14-269.8 (2014).  §14-269.8. Purchase or Possession of Firearms by Person Subject to Domestic Violence Order Prohibited</p> <p>In accordance with G.S. 50B3.1, it is unlawful for any person to possess, purchase, or</p>		

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	<p>receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive protective order entered against that person pursuant to Chapter 50B of the General Statutes is in effect. Any person violating the provisions of this section shall be guilty of a Class H felony.</p>		
<p><b>North Dakota</b></p>	<p><i>N.D. Cent. Code §14-07.1-02 (2014). §14-07.1-02. Domestic Violence Protection Order.</i></p> <p>(4) Upon a showing of actual or imminent domestic violence, the court may enter a protection order after due notice and full hearing. The relief provided by the court may include any or all of the following:</p> <p>(g) Requiring the respondent to surrender for safekeeping any firearm or other specified dangerous weapon, as defined in section 12.1-01-04, in the respondent's immediate possession or control or subject to the respondent's immediate control, if the court has probable cause to believe that the respondent is likely to use, display, or threaten to use the firearm or other dangerous weapon in any further acts of violence. If so ordered, the respondent shall surrender the firearm or other dangerous weapon to the sheriff, or the sheriff's designee, of the county in which the respondent resides or to the chief of police, or the chief's designee, of the city in which the respondent resides.</p>	<p><i>N.D. Cent. Code §62.1-02-01. (2014). §62.1-02-01. Persons Who are Not to Possess Firearms – Penalty.</i></p> <p>1.a. A person who has been convicted anywhere of a felony offense involving violence or intimidation in violation of chapters 12.1-16 through 12.1-25 or an equivalent felony offense of another state or the federal government is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of ten years after the date of conviction or the date of release from incarceration, parole, or probation, whichever is latest.</p> <p><i>N.D. Cent. Code §12.1-32-07 (2014). §12.1-32-07. Supervision of Probationer – Conditions of Probation – Revocation.</i></p> <p>(3) The court shall provide as an explicit condition of every probation that the defendant may not possess a firearm, destructive device, or other dangerous weapon while the defendant is on probation.</p>	<p><i>N.D. Cent. Code §62.1-04-03 (2014). §62.1-04-03. License to Carry a Firearm or Dangerous Weapon Concealed.</i></p> <p>1. The director of the bureau of criminal investigation shall issue a license to carry a firearm or dangerous weapon concealed upon review of an application submitted to the director by a resident or nonresident citizen of the United States if the following criteria are met:</p> <p>a. The applicant is at least twenty-one years of age for a class 1 firearm license or at least eighteen years of age for a class 2 firearm and dangerous weapon license.</p> <p>c. The applicant is not a person specified in section 62.1-02-01 and for a class 1 license the applicant:</p> <p>(6) Has not been convicted of an offense involving domestic violence;</p> <p>e. The applicant satisfactorily completes the bureau of criminal investigation application form and has successfully passed a background investigation or</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>criminal records check conducted by that agency. To pass a background investigation, an applicant shall provide all documentation relating to any court-ordered treatment or commitment for mental health or alcohol or substance abuse or incidents of domestic violence. The applicant shall provide the director of the bureau of criminal investigation written authorizations for disclosure of the applicant's mental health and alcohol or substance abuse evaluation and treatment records. The bureau may deny approval for a class 1 license if the bureau has reasonable cause to believe that the applicant or permitholder has been or is a danger to self or others as demonstrated by evidence, including past pattern of behavior involving unlawful violence or threats of unlawful violence; past participation in incidents involving unlawful violence or threats of unlawful violence; or conviction of a weapons offense. In determining whether the applicant or permitholder has been or is a danger to self or others, the bureau may inspect expunged records of arrests and convictions of adults and juvenile court records.</p>
<p><b>Northern Mariana Islands</b></p>	<p><i>Code Not Available.</i></p>		
<p><b>Ohio</b></p>	<p><i>ORC Ann. §3113.31 (2014). §3113.31. Definitions; Jurisdiction; Petition; Hearing; Protection Orders; Consent Agreements.</i></p> <p>(E) (1) After an ex parte or full hearing, the</p>	<p><i>ORC Ann. §2935.03 (2014). §2935.03. Officer's Authority to Arrest Without Warrant; Pursuit Outside Jurisdiction.</i></p> <p>(B) (3) (h) If a peace officer described in division</p>	<p><i>ORC Ann. §2923.125 (2014). §2923.125. Application for License to Carry Concealed Handgun; Issuance, Renewal.</i></p> <p>The following must be applicable for the applicant to be issued a license:</p>

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	<p>court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members. The order or agreement may:</p> <p>(h) Grant other relief that the court considers equitable and fair.</p>	<p>(A) of this section responds to a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order and if the circumstances of the incident involved the use or threatened use of a deadly weapon or any person involved in the incident brandished a deadly weapon during or in relation to the incident, the deadly weapon that was used, threatened to be used, or brandished constitutes contraband, and, to the extent possible, the officer shall seize the deadly weapon as contraband pursuant to Chapter 2981. of the Revised Code. Upon the seizure of a deadly weapon pursuant to division (B)(3)(h) of this section, section 2981.12 of the Revised Code shall apply regarding the treatment and disposition of the deadly weapon. For purposes of that section, the “underlying criminal offense” that was the basis of the seizure of a deadly weapon under division (B)(3)(h) of this section and to which the deadly weapon had a relationship is any of the following that is applicable:</p> <p>(i) The alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded;</p> <p>(ii) Any offense that arose out of the same facts and circumstances as the report of the alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded</p>	<p>(D) (1) Except as provided in division (D)(3) or (4) of this section, within forty-five days after a sheriff's receipt of an applicant's completed application form for a concealed handgun license under this section, the supporting documentation, and, if not waived, the license fee, the sheriff shall make available through the law enforcement automated data system in accordance with division (H) of this section the information described in that division and, upon making the information available through the system, shall issue to the applicant a concealed handgun license that shall expire as described in division (D)(2)(a) of this section if all of the following apply:</p> <p>(d) The applicant is not under indictment for or otherwise charged with a felony; an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; a misdemeanor offense of violence; or a violation of section 2903.14 (negligent assault) or 2923.1211 of the Revised Code (invalid license).</p> <p>(f) Except as otherwise provided in division (D)(5) of this section, the applicant, within three years of the date of the application, has not been convicted of or pleaded guilty to a misdemeanor offense of violence other than a misdemeanor violation of section 2921.33 of the Revised Code (resisting arrest) or a violation of section 2903.13 of the Revised Code (assault) when the victim of the violation is</p>

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		<p><i>ORC Ann. §2903.211 (2014). §2903.211. Menacing by Stalking.</i></p> <p>(B)            (2)(f) Menacing by stalking is a felony of the fourth degree if while committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control.</p>	<p>a peace officer, or a misdemeanor violation of section 2923.1211 of the Revised Code; and has not been adjudicated a delinquent child for committing an act that if committed by an adult would be a misdemeanor offense of violence other than a misdemeanor violation of section 2921.33 of the Revised Code or a violation of section 2903.13 of the Revised Code when the victim of the violation is a peace officer or for committing an act that if committed by an adult would be a misdemeanor violation of section 2923.1211 of the Revised Code.</p> <p>(j) The applicant is not currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state.</p>
<b>Oklahoma</b>	<p><i>22 Okla. Stat. §60.4 (2013). §60.4. Service of Emergency Ex Parte Order, Petition for Protective Order and Notice of Hearing – Full Hearing – Final Protective Order.</i></p> <p>C.            1. At the hearing, the court may impose any terms and conditions in the protective order that the court reasonably believes are necessary to bring about the cessation of domestic abuse against the victim or stalking or harassment of the victim or the immediate family of the victim but shall not impose any term and condition that may compromise the safety of the victim including, but not limited to, mediation, couples counseling, family counseling, parenting classes or joint victim-offender counseling sessions. The court may order the defendant to obtain domestic abuse</p>	<p><i>22 Okla. Stat. §60.8 (2013). §60.8. Seizure and Forfeiture of Weapons Used to Commit Act of Domestic Abuse.</i></p> <p>A. Each peace officer of this state shall seize any weapon or instrument when such officer has probable cause to believe such weapon or instrument has been used to commit an act of domestic abuse as defined by Section 60.1 of this title, provided an arrest is made, if possible, at the same time.</p> <p>B. After any such seizure, the District Attorney shall file a notice of seizure and forfeiture as provided in this section within ten (10) days of such seizure, or any weapon or instrument seized pursuant to this section shall be returned to the owner.</p> <p>C. The seizure and forfeiture provisions of</p>	<p><i>21 Okla. Stat. § 1290.10 (2013). § 1290.10. Mandatory Preclusions.</i></p> <p>In addition to the requirements stated in Section 1290.9 of this title, the conditions stated in this section shall preclude a person from eligibility for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 et seq. of this title. The occurrence of any one of the following conditions shall deny the person the right to have a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. Prohibited conditions are:</p> <p>5. Conviction of any one of the following misdemeanor offenses in this state or in any other state:</p> <p>a. any assault or battery which caused</p>

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	<p>counseling or treatment in a program certified by the Attorney General at the expense of the defendant pursuant to Section 644 of Title 21 of the Oklahoma Statutes.</p> <p style="text-align: center;"><i>22 Okla. St. §60.11 (2013). 22, §60.11. Protective Order – Statement Required – Validity.</i></p> <p>In addition to any other provisions required by the Protection from Domestic Abuse Act, or otherwise required by law, each ex parte or final protective order issued pursuant to the Protection from Domestic Abuse Act shall have a statement printed in bold-faced type or in capital letters containing the following information:</p> <p>5. Possession of a firearm or ammunition by a defendant while an order is in effect may subject the defendant to prosecution for a violation of federal law even if the order does not specifically prohibit the defendant from possession of a firearm or ammunition.</p>	<p>Section 991a-19 of this title shall be followed for any seizure and forfeiture of property pursuant to this section. No weapon or instrument seized pursuant to this section or monies from the sale of any such seized weapon or instrument shall be turned over to the person from whom such property was seized if a forfeiture action has been filed within the time required by subsection B of this section, unless authorized by this section. Provided further, the owner may prove at the forfeiture hearing that the conduct giving rise to the seizure was justified, and if the owner proves justification, the seized property shall be returned to the owner. Any proceeds gained from this seizure shall be placed in the Crime Victims Compensation Revolving Fund.</p>	<p>serious physical injury to the victim, or any second or subsequent assault and battery conviction,</p> <p>b. any aggravated assault and battery,</p> <p>c. any stalking pursuant to Section 1173 of this title, or a similar law of another state, Okla. Stat. Ann. Tit. 21§ 1290.10(5) (2012).</p> <p>d. a violation relating to the Protection from Domestic Abuse Act, Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any violation of a victim protection order of another state,</p> <p style="text-align: center;"><i>21 Okla. Stat. § 1290.11 (2013). § 1290.10. Other Preclusions.</i></p> <p>A. The following conditions shall preclude a person from being eligible for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act for a period of time as prescribed in each of the following paragraphs:</p> <p>1. An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:</p> <p>a. any assault and battery which caused serious physical injury to the victim or any second or subsequent assault and battery;</p> <p>b. any aggravated assault and battery;</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
			<p>c. any stalking pursuant to Section 1173 of this title, or a similar law of another state;</p> <p>d. any violation of the Protection from Domestic Abuse Act or any violation of a victim protection order of another state,</p> <p>e. any violation relating to illegal drug use or</p> <p>f. possession, or an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the law of another state.</p> <p>The preclusive period for this paragraph shall be three (3) years and shall begin upon the final determination of the matter.</p>
<p><b>Oregon</b></p>	<p><i>Or. Rev. Stat. Ann. §107.718 (2014). §107.718. Restraining Order; Service of Order; Request for Hearing.</i></p> <p>(1) When a person files a petition under ORS 107.710, the circuit court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day. Upon a showing that the petitioner has been the victim of abuse committed by the respondent within 180 days preceding the filing of the petition, that there is an imminent danger of further abuse to the petitioner and that the respondent represents a credible threat to the physical safety of the petitioner or the petitioner's child, the court shall, if requested by the petitioner, order:</p> <p>(h) Other relief that the court considers necessary to:</p>	<p><i>Or. Rev. Stat. Ann. §163.738 (2012). §163.738. Effect of Citation; Contents; Hearing; Court's Order; Use of Statements Made at Hearing.</i></p> <p>(1)</p> <p>(a) A citation shall notify the respondent of a circuit court hearing where the respondent shall appear at the place and time set forth in the citation. The citation shall contain:</p> <p>(H) Notice to the respondent of potential liability under federal law for the possession or purchase of firearms or firearm ammunition and for other acts prohibited by 18 U.S.C. 2261 to 2262.</p> <p>(2)(B)(iii)(b) In the order, the court shall specify the conduct from which the respondent is to refrain, which may include all contact listed in ORS 163.730 and any attempt</p>	<p><i>Or. Rev. Stat. Ann. §166.291 (2013). §166.291. Issuance of concealed handgun license; application; fees; liability.</i></p> <p>(1) The sheriff of a county shall issue the person a concealed handgun license if the person:</p> <p>(g) has never been convicted of a felony or found guilty, except for insanity under ORS 161.295, of a felony;</p> <p>(h) has been convicted of a misdemeanor or found guilty, except for insanity under ORS 161.295, of a misdemeanor within the four years prior to the application;</p> <p>(m) is not subject to a citation issued under ORS 163.735 (stalking citation) or an order issued under ORS 30.866 (stalking protective order), 107.700 (Family Abuse</p>

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	<p>(A) provide for the safety and welfare of the petitioner and the children in the custody of the petitioner, including but not limited to emergency monetary assistance from the respondent.</p> <p><i>Or. Rev. Stat. Ann. § 107.095 (2014). § 107.095. Provisions Court May Make After Commencement Suit and Before Judgment.</i></p> <p>(5) When a court orders relief under subsection (1)(c) or (d) of this section, the court may include in its order an expiration date for the order to allow entry of the order into the Law Enforcement Data System and the databases of the National Crime Information Center of the United States Department of Justice as provided in ORS 107.720. If the person being restrained was provided notice and an opportunity to be heard, the court shall also include in the order, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) or (g)(8) to affect the person's ability to possess firearms and ammunition or engage in activities involving firearms.</p>	<p>to make contact listed in ORS 163.730. The order is of unlimited duration unless limited by law. If the respondent was provided notice and an opportunity to be heard, the court shall also include in the order, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) and (g)(8) to affect the respondent's ability to possess firearms and ammunition or engage in activities involving firearms.</p> <p><i>Or. Rev. Stat. Ann. §135.250 (2014). §135.250. General conditions of release agreement.</i></p> <p>(2)</p> <p>(c) If the defendant was provided notice and an opportunity to be heard, the court shall also include in the agreement, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) and (g)(8) to affect the defendant's ability to possess firearms and ammunition or engage in activities involving firearms.</p>	<p>Prevention Act (domestic violence protective order)) to 107.735 or 163.738 (protective order).</p>
<p><b>Pennsylvania</b></p>	<p><i>23 Pa. Cons. Stat. §6108 (2014). §6108. Relief.</i></p> <p>(a) General rule. -- The court may grant any protection order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children. The order or agreement may include:</p> <p>(10) granting any other appropriate relief sought by the plaintiff.</p>	<p><i>23 Pa. Cons. Stat. §6105 (2014). §6105. Responsibilities of Law Enforcement Agencies.</i></p> <p>(c) Mandatory report. -- Each law enforcement agency shall make an incident report, on a form prescribed by the Pennsylvania State Police, consistent with the report required by the Federal National Incident-Based Reporting System (NIBRS). The mandate for incident report completion shall not be operative until the Pennsylvania State Police have implemented NIBRS. The incident</p>	<p><i>18 Pa. Cons. Stat. §6109 (2014). §6109. Licenses.</i></p> <p>(e) Issuance of license.</p> <p>(1) A license to carry a firearm shall be for the purpose of carrying a firearm concealed on or about one's person or in a vehicle and shall be issued if, after an investigation not to exceed 45 days, it appears that the applicant is an individual concerning whom no good cause exists to deny the license. A license shall not be issued to any of the</p>

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	<p><i>23 Pa. Cons. Stat. §6108 (2014). §6108. Relief.</i></p> <p>(a) General Rule. -- The court may grant any protection order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children. The order or agreement may include:</p> <p>(7) Ordering the defendant to temporarily relinquish to the sheriff the defendant's other weapons and ammunition which have been used or been threatened to be used in an incident of abuse against the plaintiff or the minor children and the defendant's firearms and prohibiting the defendant from acquiring or possessing any firearm for the duration of the order and requiring the defendant to relinquish to the sheriff any firearm license, issued under section 6108.3 (relating to relinquishment to third party for safekeeping) or 18 Pa.C.S. § 6106 (relating to firearms not to be carried without a license) or 6109 (relating to licenses) the defendant may possess. A copy of the court's order shall be transmitted to the chief or head of the police force or police department of the municipality and to the sheriff of the county of which the defendant is a resident. When relinquishment is ordered, the following shall apply:</p> <p>(A) The court's order shall require the defendant to relinquish such firearms, other weapons, ammunition and any firearm license pursuant to the provisions of this chapter within 24 hours of service of a temporary order or</p>	<p>report may include the following;</p> <p>(5) what, if any, weapons were used or threatened to be used.</p> <p><i>23 Pa. Cons. Stat. §6113 (2014). §6113. Arrest for Violation of Order.</i></p> <p>(a) General Rule. -- An arrest for violation of an order issued pursuant to this chapter or a foreign protection order may be without warrant upon probable cause whether or not the violation is committed in the presence of the police officer or sheriff in circumstances where the defendant has violated a provision of an order consistent with section 6108(a)(1), (2), (3), (4), (6), (7) or (9) (relating to relief). The police officer or sheriff may verify the existence of a protection order by telephone, radio or other electronic communication with the appropriate police department, Pennsylvania State Police registry, protection order file or issuing authority. A police officer or sheriff shall arrest a defendant for violating an order issued under this chapter by a court within the judicial district, issued by a court in another judicial district within this Commonwealth or a foreign protection order issued by a comparable court.</p> <p>(b) Seizure of firearms, other weapons and ammunition. -- Subsequent to an arrest, the police officer or sheriff shall seize all firearms, other weapons and ammunition used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in the defendant's possession. As soon as it is reasonably possible, the arresting officer shall</p>	<p>following:</p> <p>(i) An individual whose character and reputation is such that the individual would be likely to act in a manner dangerous to public safety.</p> <p>(iii) An individual convicted of a crime enumerated in section 6105.</p> <p>(xiii) An individual who is otherwise prohibited from possessing, using, manufacturing, controlling, purchasing, selling or transferring a firearm as provided by section 6105.</p> <p>(xiv) An individual who is prohibited from possessing or acquiring a firearm under the statutes of the United States.</p> <p><i>18 Pa. Cons. Stat. §6111(2014). §6111. Sale or Transfer of Firearms.</i></p> <p>(b)</p> <p>(6) Unless it has been discovered pursuant to a criminal history, juvenile delinquency and mental health records background check that the potential purchaser or transferee is prohibited from possessing a firearm pursuant to section 6105, no information received via telephone following the implementation of the instantaneous background check system from a purchaser or transferee who has received a unique approval number shall be retained by the Pennsylvania State Police.</p> <p>(7) For purposes of the enforcement of 18</p>

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	<p>the entry of a final order or the close of the next business day as necessary by closure of the sheriffs' offices, except for cause shown at the hearing, in which case the court shall specify the time for relinquishment of any or all of the defendant's firearms.</p> <p>(B) A defendant subject to a temporary order requiring the relinquishment of firearms, other weapons or ammunition shall, in lieu of relinquishing specific firearms, other weapons or ammunition which cannot reasonably be retrieved within the time for relinquishment in clause (A) due to their current location, provide the sheriff with an affidavit listing the firearms, other weapons or ammunition and their current location. If the defendant, within the time for relinquishment in clause (A), fails to provide the affidavit or fails to relinquish, pursuant to this chapter, any firearms, other weapons or ammunition ordered to be relinquished which are not specified in the affidavit, the sheriff shall, at a minimum, provide immediate notice to the court, the plaintiff and appropriate law enforcement authorities. The defendant shall not possess any firearms, other weapons or ammunition specifically listed in the affidavit provided to the sheriff pursuant to this clause for the duration of the temporary order.</p> <p>(C) As used in this subparagraph, the term "cause" shall be limited to facts relating to the inability of the defendant</p>	<p>deliver the confiscated firearms, other weapons and ammunition to the office of the sheriff. The sheriff shall maintain possession of the firearms, other weapons and ammunition until the court issues an order specifying the firearms, other weapons and ammunition to be relinquished and the persons to whom the firearms, other weapons and ammunition shall be relinquished.</p> <p style="text-align: center;"><i>18 Pa. Cons. Stat. §6105 (2014). §6105. Persons Not to Possess, Use Manufacture, Control, Sell or Transfer Firearms.</i></p> <p>(a) Offense defined.</p> <p>(1) A person who has been convicted of an offense enumerated in subsection (b), within or without this Commonwealth, regardless of the length of sentence or who conduct meets the criteria in subsection (c) shall not possess, use, control, sell, transfer or manufacture or obtain a license to possess, use, control, sell, transfer or manufacture a firearm in this Commonwealth if they are:</p> <p>(a.1) Penalty.</p> <p>(2) A person who is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108 (relating to relief), which order provided for the relinquishment of firearms, other weapons or ammunition during the period of time the order is in effect, commits a misdemeanor of the first degree if he</p>	<p>U.S.C. § 922(d)(9), (g)(1) and (s)(1) (relating to unlawful acts), in the event the criminal history or juvenile delinquency background check indicates a conviction for a misdemeanor that the Pennsylvania State Police cannot determine is or is not related to an act of domestic violence, the Pennsylvania State Police shall issue a temporary delay of the approval of the purchase or transfer. During the temporary delay, the Pennsylvania State Police shall conduct a review or investigation of the conviction with courts, local police departments, district attorneys and other law enforcement or related institutions as necessary to determine whether or not the misdemeanor conviction involved an act of domestic violence. The Pennsylvania State Police shall conduct the review or investigation as expeditiously as possible. No firearm may be transferred by the dealer to the purchaser who is the subject of the investigation during the temporary delay. The Pennsylvania State Police shall notify the dealer of the termination of the temporary delay and either deny the sale or provide the unique approval number under paragraph (4).</p> <p style="text-align: center;"><i>23 Pa. Cons. Stat. §6105 (2014). §6105. Responsibilities of Law Enforcement Agencies.</i></p> <p>(e) Statewide registry.</p> <p>(1) The Pennsylvania State Police shall establish a Statewide registry of protection orders and shall maintain a complete and systematic record and index of all valid temporary and final court orders of</p>

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	<p>to retrieve a specific firearm within 24 hours due to the current location of the firearm.</p> <p>(ii) The court's order shall contain a list of any firearm, other weapon or ammunition ordered relinquished. Upon the entry of a final order, the defendant shall inform the court in what manner the defendant is going to relinquish any firearm, other weapon or ammunition ordered relinquished. Relinquishment may occur pursuant to section 6108.2 (relating to relinquishment for consignment sale, lawful transfer or safekeeping) or 6108.3 or to the sheriff pursuant to this paragraph. Where the sheriff is designated, the sheriff shall secure custody of the defendant's firearms, other weapons or ammunition and any firearm license listed in the court's order for the duration of the order or until otherwise directed by court order. In securing custody of the defendant's relinquished firearms, the sheriff shall comply with 18 Pa.C.S. § 6105(f)(4) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms). In securing custody of the defendant's other weapons and ammunition, the sheriff shall provide the defendant with a signed and dated written receipt which shall include a detailed description of the other weapon or ammunition and its condition.</p>	<p>intentionally or knowingly fails to relinquish a firearm, other weapon or ammunition to the sheriff as required by the order unless, in lieu of relinquishment, he provides an affidavit which lists the firearms, other weapons or ammunition to the sheriff in accordance with either 23 Pa.C.S. § 6108(a)(7)(i)(B), 6108.2 (relating to relinquishment for consignment sale, lawful transfer or safekeeping) or 6108.3 (relating to relinquishment to third party for safekeeping).</p> <p>(i) A person commits a misdemeanor of the third degree if he intentionally or knowingly accepts possession of a firearm, other weapon or ammunition from a person he knows is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, which order provided for the relinquishment of the firearm, other weapon or ammunition during the period of time the order is in effect.</p> <p>This paragraph shall not apply to: a third party who accepts possession of a firearm, other weapon or ammunition relinquished pursuant to 23 Pa.C.S. § 6108.3; or a dealer licensed pursuant to section 6113 (relating to licensing of dealers) or subsequent purchaser from a dealer licensed pursuant to section 6113, who accepts possession of a firearm, other weapon or ammunition relinquished pursuant to 23 Pa.C.S. § 6108.2.</p> <p>(b) Enumerated offenses. – The following</p>	<p>protection, court-approved consent agreements and a foreign protection order filed pursuant to section 6104(d) (relating to full faith and credit and foreign protection orders). The Statewide registry shall include, but need not be limited to, the following:</p> <p>(ix) Whether or not any or all firearms, other weapons or ammunition were ordered relinquished.</p> <p>(4) When an order granting relief under section 6108(a)(7) has been entered by a court, such information shall be available to the Pennsylvania State Police for the purpose of conducting a criminal history records check in compliance with the applicable provisions of 18 Pa.C.S. Ch. 61 Subch. A (relating to Uniform Firearms Act).</p> <p><i>23 Pa. Cons. Stat §6108.1(a) (2014). §6108.1. Return of Relinquished Firearms, Other Weapons and Ammunition and Additional Relief.</i></p> <p>(a) General rule. -- Any court order requiring the relinquishment of firearms, other weapons or ammunition shall provide for the return of the relinquished firearms, other weapons or ammunition to the defendant upon expiration of the order or dismissal of a petition for a protection from abuse order. The defendant may take custody of the firearms, other weapons and ammunition provided that the defendant is otherwise eligible to lawfully possess the relinquished</p>

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	<p>(iii) The sheriff shall provide the plaintiff with the name of the person to which any firearm, other weapon or ammunition was relinquished.</p> <p>(iv) Unless the defendant has complied with subparagraph (i)(B) or section 6108.2 or 6108.3, if the defendant fails to relinquish any firearm, other weapon, ammunition or firearm license within 24 hours or upon the close of the next business day due to closure of sheriffs' offices or within the time ordered by the court upon cause being shown at the hearing, the sheriff shall, at a minimum, provide immediate notice to the court, the plaintiff and appropriate law enforcement agencies.</p> <p>(v) Any portion of any order or any petition or other paper which includes a list of any firearm, other weapon or ammunition ordered relinquished shall be kept in the files of the court as a permanent record thereof and withheld from public inspection except: upon an order of the court granted upon cause shown; as necessary, by law enforcement and court personnel; or after redaction of information listing any firearm, other weapon or ammunition.</p> <p>(vi) As used in this paragraph, the term "defendant's firearms" shall, if the defendant is a licensed firearms dealer, only include firearms in the</p>	<p>offenses shall apply to subsection (a): A person convicted under Section 2709.1 (relating to stalking)</p> <p>(c)</p> <p>(6) A person who is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, which order provided for the relinquishment of firearms during the period of time the order is in effect. This prohibition shall terminate upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms.</p> <p>(9) A person who is prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(9) (relating to unlawful acts). If the offense which resulted in the prohibition under 18 U.S.C. § 922(g)(9) was committed, as provided in 18 U.S.C. § 921(a)(33)(A)(ii) (relating to definitions), by a person in any of the following relationships:</p> <ul style="list-style-type: none"> <li>(i) the current or former spouse, parent or guardian of the victim;</li> <li>(ii) a person with whom the victim shares a child in common;</li> <li>(iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or</li> <li>(iv) a person similarly situated to a spouse, parent or guardian of the victim;</li> </ul>	<p>items. The defendant shall not be required to pay any fees, costs or charges associated with the returns, whether those fees, costs or charges are imposed by the Pennsylvania State Police, any local law enforcement agency or any other entity, including a licensed importer, licensed manufacturer or licensed dealer in order to secure return of the relinquished firearms, other weapons or ammunition.</p> <p style="text-align: center;"><i>23 Pa. Cons. Stat. §6119 (2014). §6119. Immunity.</i></p> <p>(a) Law enforcement agencies and their employees, including police officers and sheriffs, shall, except as provided in subsection (b), be immune from civil liability for actions taken in good faith to carry out their duties relating to the seizure and relinquishment of firearms, other weapons and ammunition as provided for in this chapter, except for gross negligence, intentional misconduct or reckless, willful or wanton misconduct.</p> <p>(b) Exception. -- Law enforcement agencies and their employees, including police officers and sheriffs, shall be liable to the lawful owner of confiscated, seized or relinquished firearms in accordance with 18 Pa.C.S. § 6105(f) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms) and shall be liable to the lawful owner of confiscated, seized or relinquished other weapons or ammunition for any loss, damage or substantial decrease in the value of the other weapons or ammunition that is a direct result of a lack of reasonable care by</p>

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	<p>defendant's personal firearms collection pursuant to 27 CFR § 478.125a (relating to personal firearms collection).</p> <p>(7.1) If the defendant is a licensed firearms dealer, ordering the defendant to follow such restrictions as the court may require concerning the conduct of his business, which may include ordering the defendant to relinquish any Federal or State license for the sale, manufacture or importation of firearms as well as firearms in the defendant's business inventory. In restricting the defendant pursuant to this paragraph, the court shall make a reasonable effort to preserve the financial assets of the defendant's business while fulfilling the goals of this chapter.</p> <p><i>23 Pa. Cons. Stat. §6107 (2014). §6107. Hearings.</i></p> <p>(a) General Rule. -- Within ten business days of the filing of a petition under this chapter, a hearing shall be held before the court, at which the plaintiff must prove the allegation of abuse by a preponderance of the evidence. The court shall, at the time the defendant is given notice of the hearing, advise the defendant of the right to be represented by counsel, of the possibility that any firearm, other weapon or ammunition owned and any firearm license possessed may be ordered temporarily relinquished, of the options for relinquishment of a firearm pursuant to this chapter, of the possibility that Federal law may prohibit the possession of firearms, including an explanation of 18 U.S.C. § 922(g)(8) (relating to unlawful acts), and that</p>	<p>then the relationship need not be an element of the offense to meet the requirements of this paragraph.</p>	<p>the law enforcement agency or its employees.</p>

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	<p>any protection order granted by a court may be considered in any subsequent proceedings under this title. This notice shall be printed and delivered in a manner which easily attracts attention to its content and shall specify that child custody is one of the proceedings where prior protection orders may be considered.</p> <p>(b) Temporary orders.</p> <p>(1) If a plaintiff petitions for temporary order for protection from abuse and alleges immediate and present danger of abuse to the plaintiff or minor children, the court shall conduct an ex parte proceeding.</p> <p>(2) The court may enter such a temporary order as it deems necessary to protect the plaintiff or minor children when it finds they are in immediate and present danger of abuse. The order shall remain in effect until modified or terminated by the court after notice and hearing.</p> <p>(3) In addition to any other relief, the court may, pursuant to section 6108 (relating to relief), direct that the defendant temporarily relinquish to the sheriff any firearms, other weapons or ammunition for the duration of the temporary order if the petition demonstrates any of the following:</p> <ul style="list-style-type: none"> <li>(i) Abuse which involves a firearm or other weapon;</li> <li>(ii) An immediate and present danger of abuse. In determining whether an immediate and present danger of abuse</li> </ul>		

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	<p>exists, the court shall consider a number of factors, including, but not limited to:</p> <p>(A) Whether the temporary order of protection from abuse is not likely to achieve its purpose in the absence of such a condition.</p> <p>(B) Whether the defendant has previously violated a protection from abuse order.</p> <p>(C) Whether past or present abuse to the plaintiff or any of the plaintiff's minor children resulted in injury.</p> <p>(D) Whether the abuse occurred in public.</p> <p>(E) Whether the abuse includes: threats of abuse or suicide; killing or threatening to kill pets; an escalation of violence; stalking or obsessive behavior; sexual violence; or drug or excessive alcohol use.</p> <p>(4) If the court orders the defendant to temporarily relinquish any firearm, other weapon or ammunition pursuant to paragraph (3), the defendant shall decide in what manner the defendant is going to relinquish any firearm, other weapon or ammunition listed in the order. Relinquishment may be to the sheriff pursuant to section 6108(a)(7) or to a third party for safekeeping pursuant to section 6108.3 (relating to relinquishment to third party for safekeeping).</p>		

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	<p data-bbox="422 180 856 240"><i>23 Pa. Cons. Stat. §6106 (2014). §6106. Commencement of Proceedings.</i></p> <p data-bbox="390 277 884 561">(a.2) Notification of defendant's occupation. - - The plaintiff shall notify the court if the plaintiff has reason to believe that the defendant is a licensed firearms dealer, is employed by a licensed firearms dealer or manufacturer, is employed as a writer, researcher or technician in the firearms or hunting industry or is required to carry a firearm as a condition of employment.</p> <p data-bbox="411 602 869 724"><i>23 Pa. Cons. Stat. §6108.1 (2014). §6108.1. Return of Relinquished Firearms, Other Weapons and Ammunition and Additional Relief.</i></p> <p data-bbox="390 764 884 854">(b) Modification of court's order providing for return of relinquished firearm, other weapon or ammunition.</p> <p data-bbox="415 894 890 1114">(1) The defendant may petition the court to allow for the return of firearms, other weapons and ammunition to the defendant prior to the expiration of the court's order. The petition shall be served upon the plaintiff and the plaintiff shall be a party to the proceedings regarding that petition.</p> <p data-bbox="415 1154 890 1406">(2) Any other person may petition the court to allow for the return of that other person's firearms, other weapons and ammunition prior to the expiration of the court's order. The petition shall be served upon the plaintiff, and the plaintiff shall be given notice and an opportunity to be heard regarding that petition.</p>		

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	<p>(c) Modification of court's order provide for alternative means of relinquishing firearms, other weapons or ammunition. -- The defendant may petition the court for modification of the order to provide for an alternative means of relinquishment in accordance with this chapter. The petition shall be served upon the plaintiff, and the plaintiff shall have an opportunity to be heard at the hearing as provided in subsection (d). Where the court orders a modification pursuant to this subsection providing for alternative means of relinquishment, the sheriff shall proceed as directed by the court.</p> <p>(d) Hearing. -- Within ten business days of the filing of any petition under this section, a hearing shall be held before the court.</p> <p style="text-align: center;"><i>23 Pa. Cons. Stat. §6108.2 (2014). §6108.2. Relinquishment for Consignment Sale, Lawful Transfer or Safekeeping.</i></p> <p>(a) General rule. -- Notwithstanding any other provision of law, a defendant who is the subject of a final protection from abuse order, which order provides for the relinquishment of firearms, other weapons or ammunition during the period of time the order is in effect may, within the time frame specified in the order and in lieu of relinquishment to the sheriff, relinquish to a dealer licensed pursuant to 18 Pa.C.S. § 6113 (relating to licensing of dealers) any firearms, other weapons or ammunition for consignment sale, lawful transfer or safekeeping.</p>		

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	<p><i>23 Pa. Cons. Stat. §6108.3 (2014). §6108.3. Relinquishment to Third Party for Safekeeping.</i></p> <p>(a) General Rule. -- A defendant who is the subject of a protection from abuse order, which order provides for the relinquishment of firearms, other weapons or ammunition during the period of time the order is in effect, may, within the time frame specified in the order and in lieu of relinquishment to the sheriff, relinquish any firearms, other weapons or ammunition to a third party for safekeeping. 23 Pa. Cons. Stat. §6108.3(a) (2014).</p>		
<p><b>Rhode Island</b></p>	<p><i>Discretionary Prohibition</i></p> <p>A person suffering from domestic abuse may file a complaint in the district court requesting any order which will protect her or him from the abuse, including but not limited to the following: after notice to the respondent and after a hearing, the court may order the defendant to surrender physical possession of all firearms in his or her possession, care, custody or control.</p> <p>If the defendant is present in court at a duly noticed hearing, the court may, in addition to any other restrictions, order the defendant to physically surrender any firearm(s) in that person's immediate physical possession or control, or subject to that person's immediate physical possession or control, within twenty-four (24) hours of the order, by surrendering the possession of the firearm(s) to the control of any individual not legally prohibited from possessing a firearm who is not related to the defendant by blood, marriage, or relationship</p>	<p><i>Law Enforcement Response to Domestic Violence Incident</i></p> <p>(a) A law enforcement officer who responds to or investigates a domestic violence incident shall complete a domestic violence report, whether or not an arrest occurs.</p> <p>(b) For the purpose of establishing accurate data on the extent and severity of domestic violence in the state and on the degree of compliance with the requirements of § 12-29-3, the domestic violence training and monitoring unit of the court system shall prescribe a form for making domestic violence reports. The form shall include, but is not limited to, the following information: (8) Number and types of weapons involved. R.I. Gen. Laws §12-29-8 (a), (b) (b8) (2014).</p> <p><i>Prohibitions of Third Party Accepting Firearm</i></p> <p>Any individual who accepts physical possession of a firearm pursuant to this</p>	<p><i>Sale to Minors and Others Forbidden</i></p> <p>No person shall sell a pistol or revolver to any person under the age of twenty-one (21) or to one who he or she has reasonable cause to believe falls under the provisions of § 11-47-5 (convicted of crime of violence/fugitive from justice), 11-47-6 (mentally incompetent, drug addict or drunkard), 11-47-7 (alien), or 11-47-23 (false information). R.I. Gen. Laws § 11-47-37 (2014).</p>

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	<p>as defined by § 15-15-1(3), (4), or (5) of the Rhode Island general laws, or by surrendering any firearm(s) to the Rhode Island state police or local police department, or by surrendering the firearm(s) to a licensed gun dealer. If the defendant is not present at the hearing, the defendant shall surrender the firearm(s) within forty-eight (48) hours after being served with the order. A person ordered to surrender possession of any firearm(s) pursuant to this subsection shall file with the court a receipt showing the firearm(s) was either physically surrendered to an individual not legally prohibited from possessing a firearm who is not related to the defendant by blood, marriage, or relationship as defined by § 15-15-1 (3), (4), or (5) or surrender to a licensed gun dealer within seventy-two (72) hours after receiving the order. Any defendant transporting a firearm to surrender in accordance with the above shall not be liable to prosecution under § 11-47-8.</p> <p>(f) The prohibition against possessing a firearm(s) due solely to the existence of a domestic violence restraining order issued under this section shall not apply with respect to sworn peace officers as defined in § 12-7-21 and active members of military service including members of the reserve components thereof, who are required by law or departmental policy to carry departmental firearms while on duty or any person who is required by their employment to carry a firearm in the performance of their duties. Any individual exempted pursuant to this exception may possess a firearm only during the course of their employment. Any firearm required for employment must be stored at</p>	<p>section is prohibited from returning any firearm to any defendant under a restraining order during the existence of the restraining order. Violation of this provision shall subject both the defendant and the individual responsible for the return of the firearm to the defendant, to being found in contempt of court. R.I. Gen. Stat. §8-8.1-3(b) (2014).</p> <p style="text-align: center;"><i>Forms</i></p> <p>The district court shall provide a notice on all forms requesting a protective order that, at the hearing for a protective order, the defendant may be ordered to surrender possession or control of any firearms and not to purchase or receive or attempt to purchase or receive any firearms for a period not to exceed the duration of the restraining order. R.I. Gen. Stat. §8-8.1-3(c) (2014).</p> <p style="text-align: center;"><i>Use of Firearms During Crime of Violence</i></p> <p>No person shall use a firearm while committing or attempting to commit a crime of violence. Every person violating the provisions of this section shall be punished: for the first offense by imprisonment for ten (10) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(6), the term of imprisonment shall be thirty (30) years; for a second conviction under this section by imprisonment for twenty (20) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(6), the term of imprisonment shall be life; and for a third or subsequent conviction, the person shall be sentenced to life, or life without the</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>the place of employment when not being possessed for employment use; all other firearm(s) must be surrendered in accordance with § 8-8.1-3. R.I. Gen. Laws. §8-8.1-3(a)(4), (d), (f) (2014).</p>	<p>possibility of parole by the sentencing judge after consideration of aggravating and mitigating circumstances contained in §§ 12-19.2-3 and 12-19.2-4. Any sentence imposed upon a person pursuant to this section shall be imposed consecutively to and not concurrently with any sentence imposed for the underlying crime or attempted crime, and the person shall not be afforded the benefits of deferment of sentence or parole; provided, that unless sentenced to life without the possibility of parole pursuant to subdivision (3) of this subsection, a person sentenced to life under this section may be granted parole.</p> <p>Every person who, while committing an offense violating subsection (a) of this section, discharges a firearm shall be guilty of a felony and be imprisoned as follows: Ten (10) years, if no injury to any other person results from the discharge; Twenty (20) years, if a person other than a police officer is injured by the discharge of the firearm, or if a police officer who is engaged in the performance of his or her duty is deliberately endangered by the person's discharge of the firearm; and Life, if a police officer who is engaged in the performance of his or her duty is injured by the discharge of the firearm, or if the death or permanent incapacity of any person (other than the person convicted) results from the discharge of the firearm.</p> <p>The penalties defined in subsection (b) of this section shall run consecutively, and not concurrently, to any other sentence imposed and, notwithstanding the provisions of chapter 8 of title 13, the person shall not be afforded the benefits of deferment of</p>	

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		<p>sentence or parole; provided, that a person sentenced to life under subdivision (b)(3) of this section may be granted parole. R.I. Gen. Laws §11-47-3.2 (2014).</p> <p><i>Effect of Conviction of Crime of Violence</i></p> <p>No person who has been convicted in this state or elsewhere of a crime of violence or who is a fugitive from justice shall purchase, own, carry, transport, or have in his or her possession any firearm. R.I. Gen Laws 11-47-5</p>	
<b>South Carolina</b>	<p><i>Discretionary Prohibition</i></p> <p>When the court has, after a hearing for any order of protection, issued an order of protection, it may, in addition award any other relief authorized by Section 63-3-530; provided, however, the court must have due regard for any prior family court orders issued in an action between the parties. S.C. Code Ann. § 20-4-60 (C ) (7) (2013).</p>	<p><i>Use of Firearm During Violent Crime</i></p> <p>If a person is in possession of a firearm or visibly displays what appears to be a firearm or visibly displays a knife during the commission of a violent crime and is convicted of committing or attempting to commit a violent crime as defined in §16-1-60, he must be imprisoned five years, in addition to the punishment provided for the principal crime. S.C. Code Ann. §16-23-490(A) (2013).</p>	
<b>South Dakota</b>	<p><i>Catch-all Provision</i></p> <p>Upon notice and a hearing, if the court finds by a preponderance of the evidence that domestic abuse has taken place, the court may provide relief as follows (6) order other relief as the court deems necessary for the protection of a family or household member, including orders or directives to a sheriff or constable.” S.D. Codified Laws §25-10-5(6) (2014).</p> <p><i>Surrender of Weapons</i></p> <p>The court may require the defendant to</p>	<p><i>Effect of Conviction of Misdemeanor Crime of Domestic Violence</i></p> <p>No person who has been convicted of any misdemeanor crime involving an act of domestic violence may possess or have control of a firearm for a period of one year from the date of conviction. Any violation of this section is a Class 1 misdemeanor. At the end of the one year period, any civil rights lost as a result of this provision shall be restored. Any person who has lost their right to possess or have control of a firearm as a result of a misdemeanor conviction involving an act of domestic violence, prior to July 1, 2005, shall</p>	<p><i>Temporary Permit to Carry Concealed Pistol – Requirements</i></p> <p>A temporary permit to carry a concealed pistol shall be issued within five days of application to a person if the applicant.  (7) has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or misdemeanor in the five years preceding the date of application or is not currently charged under indictment or information for such an offense; S.D. Codified Laws § 23-7-7.1 (7) (2014).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>surrender any dangerous weapon in his possession to local law enforcement. S.D. Codified Laws §25-10-24 (2014).</p>	<p>be restored to those civil rights one year after July 1, 2005. This section shall be repealed on the date when any federal law restricting the right to possess firearms for misdemeanor domestic violence convictions is repealed.</p> <p>One eligible under the statute, a person convicted under this section may petition the convicting court for an order reflecting the restoration of any firearm rights lost, if the person has not been convicted within the prior year of a crime for which firearm rights have been lost. A petition filed under this section shall be verified by the petitioner and served upon the states attorney in the county where the conviction occurred. Thirty days after service upon the states attorney, the court shall enter the order if the court finds the petitioner is eligible for relief under this section. S.D. Codified Laws §22-14-15.2 (2014).</p> <p>[Note: Pursuant to its own terms, this section is repealed on the date when any federal law restricting the rights to possess firearms for misdemeanor domestic violence convictions is repealed.]</p> <p><i>Effect of Conviction of Crime of Violence</i></p> <p>No person who has been convicted in this state or elsewhere of a crime of violence or a felony pursuant to § 22-42-2, 22-42-3, 22-42-4, 22-42-7, 22-42-8, 22-42-9, 22-42-10 or 22-42-19, may possess or have control of a firearm. A violation of this section is a Class 6 felony. The provisions of this section do not apply to any person who was last discharged from prison, jail, probation, or parole more</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		than fifteen years prior to the commission of the principle offense. S.D. Codified Laws §22-14-15 (2014).	
<b>Tennessee</b>	<p style="text-align: center;"><i>Catch-all Provision</i></p> <p>“A protection order granted under this part to protect the petitioner from the domestic abuse, stalking, or sexual assault may include, but is not limited to” the relief enumerated in the statute.” Tenn. Code Ann. §36-3-606(a) (2014).</p>	<p style="text-align: center;"><i>Law Enforcement Response to Domestic Violence Incident</i></p> <p>(a)</p> <p>(1) If a law enforcement officer has probable cause to believe that a criminal offense involving domestic abuse against a victim, as defined in §36-3-601 has occurred, the officer shall seize all weapons that are alleged to have been used by the abuser or threatened to be used by the abuser in the commission of a crime.</p> <p>(2) Incident to an arrest for a crime involving domestic abuse against a victim, as defined in § 36-3-601, a law enforcement officer may seize a weapon that is in plain view of the officer or discovered pursuant to a consensual search, if necessary for the protection of the officer or other persons; provided, that a law enforcement officer is not required to remove a weapon that the officer believes is needed by the victim for self-defense.</p> <p>(b) The provisions of §39-17-1317, relative to the disposition of confiscated weapons, shall govern all weapons seized pursuant to this section that were used or threatened to be used by the abuser to commit the crime; provided, that if multiple weapons are seized, the court shall have the authority to confiscate only the weapon or weapons actually used or threaten to be used by the abuser to commit the crime. All other weapons seized shall be returned</p>	<p style="text-align: center;"><i>Handgun Carry Permit</i></p> <p>A handgun carry permit will not be issued to the applicant if he/she is currently subject to any order of protection, has been convicted of either a misdemeanor crime of domestic violence as defined in 18. U.S.C §921(33) or stalking. Tenn. Code Ann §§ 39-17-1351(8), (16), (18) (2014).</p>

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
		<p>upon disposition of the case. Also, the officer shall append an inventory of all seized weapons to the domestic abuse report that the officer files with the officer's supervisor pursuant to §36-3-619(e). Tenn. Code Ann. §36-3-620 (a) (b) (2014).</p> <p style="text-align: center;"><i>Pretrial Release</i></p> <p>Before releasing a person arrested for or charged with an offense specified in subsection (a), or a violation of an order of protection, the magistrate shall impose one or more conditions of release or bail on the defendant to protect the alleged victim of any such offense and to ensure the appearance of the defendant at a subsequent court proceeding. The conditions may include an order prohibiting the defendant from using or possessing a firearm or other weapon specified by the magistrate. Tenn. Code Ann. §40-11-150(b)(4) (2014).</p> <p style="text-align: center;"><i>Notice of Effect of Guilty Pleas</i></p> <p>Before the court accepts the guilty pleas of a defendant charged with a domestic violence offense, it shall inform the defendant that it is a federal offense for a person convicted of a domestic violence offenses to posses or purchase a firearm and that the from the moment of conviction for such an offense the defendant will never again be able to lawfully possess or buy a firearm of any kind. After so informing the defendant, the court may accept the plea of guilty if the defendant clearly states on the record that the defendant is aware of the consequences of a conviction for a domestic violence offense</p>	

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		<p>and still wishes to enter a plea of guilty. Tenn. Code Ann. §40-14-109(b) (2014).</p> <p style="text-align: center;"><i>Probation Conditions</i></p> <p>Whenever a court sentences an offender to supervised probation, the court shall specify the terms of the supervision and may require the offender to comply with certain conditions which may include, but are not limited to, a requirement to refrain from possessing a firearm or other dangerous weapon. Tenn. Code Ann. §40-35-303(d)(6)(2014).</p>	
<p><b>Texas</b></p>	<p style="text-align: center;"><i>Discretionary Prohibition</i></p> <p>(b) In a protective order, the court may prohibit the person found to have committed family violence from:</p> <p>(6) possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; Tex. Fam. Code § 85.022(b)(6)(2014).</p> <p style="text-align: center;"><i>Forms</i></p> <p>All protective orders, including a temporary ex parte, must contain the following prominently displayed statements in the boldfaced type, capital letters:</p> <p>"IT IS UNLAWFUL FOR ANY PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN,</p>	<p style="text-align: center;"><i>Issuance of Criminal Protective Order</i></p> <p>(b) At a defendant's appearance before a magistrate after arrest for an offense involving family violence, the magistrate shall issue an order for emergency protection if the arrest is for an offense that also involves any of a number of factors including the following:</p> <p>(2) the use or exhibition of a deadly weapon during the commission of an assault;</p> <p>(C) (4) possession of a firearm, unless the person is a peace officer, as defined by §1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.</p> <p>(l) In the order for emergency protection, the magistrate shall suspend a license to carry a concealed handgun issued under §411.177, Government Code, that is held by the defendant. Tex. Code Crim. Proc. Art. 17.292 (b)(2), (c)(4) and (l) (2014).</p>	

State	Civil Protection Orders	Criminal Offenses, Procedures, and Orders, and Prohibited Transferees	Licenses/Permits, Background Checks, and Misc. Provisions
	<p>FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.” Tex. Fam. Code § 85.026(a)(2014).</p> <p style="text-align: center;"><i>Suspension of License to Carry Concealed Handgun</i></p> <p>The clerk of the court issuing an original or modified protective order under §85.022 that suspends a license to carry a concealed handgun and shall send a copy of the order to the appropriate division of the Department of Public Safety at its Austin headquarters. On receipt of the order suspending the license, the department shall: record the suspension of the license in the records of the department; report the suspension to local law enforcement agencies, as appropriate; and demand surrender of the suspended license from the license holder. Tex. Fam. Code § 85.042(e) (2014).</p>	<p>The magistrate or the clerk of the magistrate’s court issuing an order for emergency protection under Article 17.292 that suspends a license to carry a concealed handgun shall immediately send a copy of the order to the appropriate division of the Department of Public Safety and its Austin headquarters. On receipt of the order suspending the license, the department shall: record the suspension of the license in the records of the department; report the suspension to local law enforcement agencies, as appropriate; and demand surrender of the suspended license form the license holder. Tex. Code Crim. Proc. §17.293 (2014).</p> <p style="text-align: center;"><i>Violation of Civil or Criminal Protective Order</i></p> <p>A person commits an offense if , in violation of an order issued under §6.504 or Chapter 85, or Chapter 83, Family Code, under Article 17.292, Code of Criminal Procedure, or by another jurisdiction as provided by Chapter 88, Family Code, the person knowingly or intentionally possesses a firearm. Tex. Penal Code § 25.07(a)(4) (2014).</p> <p style="text-align: center;"><i>Effect of Misdemeanor Conviction</i></p> <p>A person who has been convicted of an offense under §22.01 (assault), punishable as a Class A misdemeanor and involving a member of the person’s family or household, commits an offense if the person possesses a firearm before the fifth anniversary of the later of: the date of the person’s release from confinement following conviction of the misdemeanor; or the date of the person’s release from community supervision following</p>	

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		<p>conviction of the misdemeanor. Tex. Penal Code § 46.04(b) (2014).</p> <p style="text-align: center;"><i>Prohibited Transfer</i></p> <p>A person commits an offense if the person sells, rents, leases, loans or gives a handgun to any person knowing that an active protective order is directed to the person to whom the handgun is to be delivered; or knowingly purchase, rents, leases, or receives as a loan or gift from another a handgun while an active protective order is directed to the actor. Tex. Penal Code § 46.06 (2014).</p>	
<p><b>Utah</b></p>	<p style="text-align: center;"><i>Discretionary Prohibition</i></p> <p>(1) If it appears from a petition for an order for protection or a petition to modify an order for protection that domestic violence or abuse has occurred or a modification of an order for protection is required, a court may:</p> <p>(2,d) upon finding that the respondent's use or possession of a weapon may pose a serious threat of harm to the petitioner, prohibit the respondent from purchasing, using, or possessing a firearm or other weapon specified by the court. Utah Code Ann. § 78B-7-106 (2)(d) (2013)</p>	<p style="text-align: center;"><i>Law Enforcement Response to Domestic Violence Incident</i></p> <p>A law enforcement officer who respond to an allegation of domestic violence shall use all reasonable means to protect the victim and prevent further violence, including confiscating the weapon or weapons involved in the alleged domestic violence. Utah Code Ann. §77-36-2.1(1)(b)(2013).</p> <p style="text-align: center;"><i>Probation Conditions</i></p> <p>The court may condition probation or a plea in abeyance on the perpetrator's compliance with one or more orders of the court which may include, but are limited to, an order prohibiting the perpetrator from purchasing, using, or possessing a firearm or other specified weapon and/or directing the perpetrator to surrender any weapons that he owns or possesses. Utah Code Ann. § 77-36-5.1(2)(e) and (f) (2013).</p>	

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		<p><i>Effect of Disorderly Conduct Conviction</i></p> <p>While the definition of domestic violence includes the crime of disorderly conduct, as defined in §76-9-102, if a conviction of disorderly conduct is the result of a plea agreement in which the defendant was originally charged with any of the domestic violence offenses otherwise described in this subsection. Conviction of disorderly conduct as a domestic violence offense does not constitute a misdemeanor crime of domestic violence under 18 U.S.C. §921 and is exempt from the provisions of the federal Firearms Act, 18 U.S.C. §921 et, seq., Utah Code Ann. § 77-36-1(2)(o) (2013).</p>	
<p><b>Vermont</b></p>	<p><i>Catch-all Provision</i></p> <p>(c)  (1) The court shall make such orders as it deems necessary to protect the plaintiff or the children, or both, if the court finds that the defendant has abused the plaintiff, and:</p> <p>(A) there is a danger of further abuse; or</p> <p>(B) the defendant is currently incarcerated and has been convicted of one of the following: murder, attempted murder, kidnapping, domestic assault, aggravated domestic assault, sexual assault, aggravated sexual assault, stalking, aggravated stalking, lewd or lascivious conduct with child, use of a child in a sexual performance, or consenting to a sexual performance [enumerated relief.] 15 V.S.A. § 1103 (c) (2013).</p>	<p><i>Assault with a Deadly Weapon</i></p> <p>(a) A person commits the crime of first degree aggravated domestic assault if the person uses,</p> <p>(2) uses, attempts to use, or is armed with a deadly weapon and threatens to use the deadly weapon on a family or household member. 13 V.S.A. § 1043(a)(2) (2013).</p> <p><i>Probation Conditions</i></p> <p>When imposing a sentence of probation the court may, as a condition of probation, require that the offender refrain from purchasing or possessing a firearm or ammunition, destructive device, or other dangerous weapon unless granted written permission by the court or probation officer. 28 V.S.A. § 252(b)(8) (2013).</p>	

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<p><b>Virgin Islands</b></p>	<p><i>Order of Protection; Enforcement</i></p> <p>(a) The court may make an order of protection in assistance of, or as a condition of, any other order authorized under this subchapter. The order of protection may set forth reasonable conditions of behavior to be observed for a specified period by any person who is before the court. 5 V.I.C. § 2552 (a) (2013).</p>	<p><i>Criminal Proceedings</i></p> <p>When a defendant charged with a crime or offense involving domestic violence is released from custody before trial on bail or personal recognizance, the Court authorizing the release may as a condition of release issue an Order prohibiting the defendant from having any contact with the victim, including, but not limited to, restraining the defendant from entering the victim's residence, place of employment or business, or school, and from harassing the victim or victim's relatives in any way, prohibiting the defendant from using or possessing a firearm or any other weapon, from possessing or consuming any alcohol or controlled substances and by imposing any other order required to protect the safety of the alleged victim or to ensure the defendant's appearance in court. The Clerk of the Court, or other person designated by the court, shall provide a copy of this Order to the victim forthwith. 16 V.I.C. § 99(c) (2013).</p>	<p><i>Persons Ineligible to Possess or Carry Firearms or Ammunition</i></p> <p>(a) The following persons are ineligible for a license to possess or carry a firearm or ammunition as provided in this chapter:</p> <ul style="list-style-type: none"> <li>(1) a person who has been convicted in any court for a crime punishable by imprisonment for a term exceeding one year;</li> <li>(2) a person who is a fugitive from justice;</li> <li>(3) a person who is an unlawful user of or addicted to any controlled substance as defined in title 19, section 593(6) of the Virgin Islands Code;</li> <li>(4) a person who has been adjudicated as a mental defective or who has been committed to a mental institution: <ul style="list-style-type: none"> <li>(A) For the purpose of this section the phrase "committed to a mental institution" includes commitment to a mental institution involuntarily, but does not include a person held in a mental institution for observation.</li> <li>(B) For the purpose of this section, the phrase "mental institution" includes mental health facilities, mental hospitals, sanitariums, psychiatric facilities and other facilities that provide diagnoses by licensed professionals for mental retardation or mental illness, including a psychiatric ward in a public or private hospital.</li> </ul> </li> </ul>

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			<p>(5) a person who, being an alien, is illegally or unlawfully in the United States;</p> <p>(6) a person who has been discharged from the United States Armed Forces under dishonorable conditions;</p> <p>(7) a person who, having been a citizen of the United States, has renounced his citizenship;</p> <p>(8) a person who is subject to a court order that-</p> <p style="padding-left: 40px;">(A) was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;</p> <p style="padding-left: 40px;">(B) restrains the person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and</p> <p style="padding-left: 40px;">(C)</p> <p style="padding-left: 80px;">(i) includes a finding that the person represents a credible threat to the physical safety of such intimate partner or child; or</p> <p style="padding-left: 80px;">(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably</p>

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			<p>be expected to cause bodily injury; or</p> <p>(9) a person who has been convicted in any court of a misdemeanor crime of domestic violence. 23 V.I.C. § 456a (2013).</p>
<p><b>Virginia</b></p>	<p><i>Catch-all Provision</i></p> <p>A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated respondent against whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the court may issue a protective order to protect the health and safety of the petitioner and family or household members of the petitioner. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:</p> <p>8. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner, including a provision for temporary custody or visitation of a minor child. Va. Code Ann. § 16.1-279.1(A)(8) (2014).</p>	<p><i>Possession of Firearms While Subject to Protection Order</i></p> <p>It shall be unlawful for any person who is subject to (i) a protective order entered pursuant to §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, or § 19.2-152.10; (ii) an order issued pursuant to subsection B of § 20-103; (iii) an order entered pursuant to subsection D of § 18.2-60.3; or (iv) an order issued by a tribunal of another state, the United States or any of its territories, possessions or commonwealths, or the District of Columbia pursuant to a statute that is substantially similar to those cited in clauses (i), (ii), or (iii) to purchase or transport any firearm while the order is in effect. Any person with a concealed handgun permit shall be prohibited from carrying any concealed firearm, and shall surrender his permit to the court entering the order, for the duration of any protective order referred to herein. A violation of this section is a Class 1 misdemeanor. Va. Code Ann. § 18.2-308.1:4 (2014).</p>	<p><i>Criminal History Record Information Check Required for the Transfer of Certain Firearms</i></p> <p>A. Any person purchasing from a dealer a firearm as herein defined shall consent in writing, on a form to be provided by the Department of State Police, to have the dealer obtain criminal history record information. Such form shall include only the written consent; the name, birth date, gender, race, citizenship, and social security number and/or any other identification number; the number of firearms by category intended to be sold, rented, traded, or transferred; and answers by the applicant to the following questions: (i) has the applicant been convicted of a felony offense or found guilty or adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that would be a felony if committed by an adult; (ii) is the applicant subject to a court order restraining the applicant from harassing, stalking, or threatening the applicant's child or intimate partner, or a child of such partner, or is the applicant subject to a protective order; and (iii) has the applicant ever been acquitted by reason of insanity and prohibited from purchasing, possessing or transporting a firearm pursuant to § 18.2-308.1:1 or any substantially similar law of any other jurisdiction, been adjudicated legally incompetent, mentally incapacitated or adjudicated an incapacitated person and</p>

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			<p>prohibited from purchasing a firearm pursuant to § 18.2-308.1:2 or any substantially similar law of any other jurisdiction, or been involuntarily admitted to an inpatient facility or involuntarily ordered to outpatient mental health treatment and prohibited from purchasing a firearm pursuant to § 18.2-308.1:3 or any substantially similar law of any other jurisdiction.</p> <p>B. (2) The State Police shall provide its response to the requesting dealer during the dealer's request, or by return call without delay. If the criminal history record information check indicates the prospective purchaser or transferee has a disqualifying criminal record or has been acquitted by reason of insanity and committed to the custody of the Commissioner of Behavioral Health and Developmental Services, the State Police shall have until the end of the dealer's next business day to advise the dealer if its records indicate the buyer or transferee is prohibited from possessing or transporting a firearm by state or federal law. If not so advised by the end of the dealer's next business day, a dealer who has fulfilled the requirements of subdivision 1 of this subsection may immediately complete the sale or transfer and shall not be deemed in violation of this section with respect to such sale or transfer. In case of electronic failure or other circumstances beyond the control of the State Police, the dealer shall be advised immediately of the reason for such delay and be given an estimate of the length of such delay. After such notification, the State Police shall, as soon as possible but in no event later</p>

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			<p>than the end of the dealer's next business day, inform the requesting dealer if its records indicate the buyer or transferee is prohibited from possessing or transporting a firearm by state or federal law. A dealer who fulfills the requirements of subdivision 1 of this subsection and is told by the State Police that a response will not be available by the end of the dealer's next business day may immediately complete the sale or transfer and shall not be deemed in violation of this section with respect to such sale or transfer. Va. Code Ann. § 18.2-308.2:2(A), (B)(2) (2014).</p>
<p><b>Washington</b></p>	<p><i>Surrender of Weapons or Licenses--Prohibition on Future Possession or Licensing</i></p> <p>(1) Any court when entering an order authorized under chapter 7.92 RCW, RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 shall, upon a showing by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040:</p> <p>(a) Require the party to surrender any firearm or other dangerous weapon;</p> <p>(b) Require the party to surrender any concealed pistol license issued under RCW 9.41.070;</p> <p>(c) Prohibit the party from obtaining or possessing a firearm or other dangerous</p>	<p><i>Surrender of Weapons or Licenses -- Prohibition on Future Possession or Licensing</i></p> <p>See provisions listed in the column to the left.</p> <p><i>Unlawful Possession of Firearms--Ownership, Possession by Certain Persons--Penalties</i></p> <p>(1)  (a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree, if the person owns, has in his or her possession, or has in his or her control any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense as defined in this chapter.</p> <p>(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW. [A "serious offense] is defined in Wash. Rev. Code § 9.41.010(16) (2010) as any of the enumerated felonies or a felony attempt to</p>	<p><i>Concealed Pistol License</i></p> <p>The applicant's constitutional right to bear arms shall not be denied, unless:</p> <p>(d) He or she is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590; Wash. Rev. Code § 9.41.070(1)(d) (2013).</p>

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	<p>weapon;</p> <p>(d) Prohibit the party from obtaining or possessing a concealed pistol license.</p> <p>(2) Any court when entering an order authorized under chapter 7.92 RCW, RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a pistol under the provisions of RCW 9.41.040:</p> <p>(a) Require the party to surrender any firearm or other dangerous weapon;</p> <p>(b) Require the party to surrender a concealed pistol license issued under RCW 9.41.070;</p> <p>(c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;</p> <p>(d) Prohibit the party from obtaining or possessing a concealed pistol license.</p> <p>(3) The court may order temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for</p>	<p>commit any of the enumerated crimes including the following: any crime of violence; rape in the third degree; or vehicular assault.]</p> <p>(2)</p> <p>(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, has in his or her possession, or has in his or her control any firearm:</p> <p>(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040); Wash. Rev. Code § 9.41.040(1)(a)-(2)(a)(i) (2013).</p> <p><i>Delivery to Ineligible Persons</i></p> <p>No person may deliver a firearm to any person whom he or she has reasonable cause to believe is ineligible under RCW 9.41.040 to possess a firearm. Any person violating this</p>	

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	<p>response has elapsed.</p> <p>(4) In addition to the provisions of subsections (1), (2), and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.</p> <p>(5) The requirements of subsections (1), (2), and (4) of this section may be for a period of time less than the duration of the order.</p> <p>(6) The court may require the party to surrender any firearm or other dangerous weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of the proceeding, the chief of police of the municipality having jurisdiction, or to the restrained or enjoined party's counsel or to any person designated by the court. Wash. Rev. Code § 9.41.800 (2013).</p>	<p>section is guilty of a class C felony, punishable under chapter 9A.20 RCW. Wash. Rev. Code § 9.41.080 (2013).</p> <p><i>Possession by Law Enforcement Officer</i></p> <p>(b) Law enforcement personnel, except that subsection (1)(b) of this section does apply to a law enforcement officer who is present at a courthouse building as a party to an action under chapter 10.14, 10.99, or 26.50 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 26.50.010; or</p> <p>(c) Security personnel while engaged in official duties. Wash. Rev. Code § 9.41.300(6)(b)-(c) (2013).</p>	
<b>West Virginia</b>	<p><i>Mandatory Prohibition</i></p> <p>If the magistrate court determines to enter an emergency protective order, the order shall prohibit the respondent from possessing firearms. W.Va. Code § 48-27-403(a) (2014).</p> <p>The protective order must inform the respondent that he or she is prohibited from possessing any firearm or ammunition, notwithstanding the fact that the respondent may have a valid license to possess a firearm,</p>	<p><i>Law Enforcement Response to Domestic Violence Incident</i></p> <p>Whenever any person is arrested pursuant to the provisions of this article or for a violation of an order issued pursuant to section five hundred nine or subsections (b) and (c), of section six hundred eight, article five of this chapter the arresting officer, subject to the requirements of the Constitutions of this state and of the United States:</p>	<p><i>Licensing Requirements</i></p> <p>That the applicant has not been convicted of a misdemeanor crime of violence other than an offense set forth in subsection (7) of this section in the five years immediately preceding the application. W. Va. Code. § 61-7-4(a)(6) (2014).</p>

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	<p>and that possession of a firearm or ammunition while subject to the court's protective order is a criminal offense under federal law. W. Va. Code § 48-27-502(c) (2014).</p>	<p>(1) Shall seize all weapons that are alleged to have been involved or threatened to be used in the commission of domestic violence;</p> <p>(2) May seize a weapon that is in plain view of the officer or was discovered pursuant to a consensual search, as necessary for the protection of the officer or other persons; and</p> <p>(3) May seize all weapons that are possessed in violation of a valid protective order. W. Va. Code § 48-27-1002(e) (2014).*</p> <p>* Passed March 13, 2010; in effect ninety days from passage.</p> <p><i>Persons Prohibited from Possessing Firearms</i></p> <p>Except as provided in this section, no person shall possess a firearm, as such is defined in section two of this article, who:</p> <p>....</p> <p>(7) Is subject to a domestic violence protective order that:</p> <p>(A) Was issued after a hearing of which such person received actual notice and at which such person had an opportunity to participate;</p> <p>(B) Restrains such person from harassing, stalking or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury</p>	

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		<p>to the partner or child; and</p> <p>(C)</p> <p>(i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or</p> <p>(ii) By its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or</p> <p>(8) Has been convicted of a misdemeanor offense of assault or battery either under the provisions of section twenty-eight, article two of this chapter or the provisions of subsection (b) or (c), section nine of said article in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or has been convicted in any court of any jurisdiction of a comparable misdemeanor crime of domestic violence.</p> <p>Any person who violates the provisions of this subsection shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than one thousand dollars or confined in the county jail for not less than ninety days nor more than one year, or both. W. Va. Code § 61-7-7(7)-(8) (2014).</p>	

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<p><b>Wisconsin</b></p>	<p style="text-align: center;"><i>Mandatory Prohibition</i></p> <p>Notice of restriction on firearm possession; surrender of firearms. (a) An injunction issued under sub. (4) shall do all of the following:</p> <ol style="list-style-type: none"> <li>1. Inform the respondent named in the petition of the requirements and penalties under s. 941.29.</li> <li>2. Except as provided in par. (ag), require the respondent to surrender any firearms that he or she owns or has in his or her possession to the sheriff of the county in which the action under this section was commenced, to the sheriff of the county in which the respondent resides or to another person designated by the respondent and approved by the judge or circuit court commissioner. The judge or circuit court commissioner shall approve the person designated by the respondent unless the judge or circuit court commissioner finds that the person is inappropriate and places the reasons for the finding on the record. If a firearm is surrendered to a person designated by the respondent and approved by the judge or circuit court commissioner, the judge or circuit court commissioner shall inform the person to whom the firearm is surrendered of the requirements and penalties under s. 941.29(4).</li> </ol> <p>If the respondent is a peace officer, an injunction issued under sub. (4) may not require the respondent to surrender a firearm that he or she is required, as a condition of employment, to possess whether or not he or she is on duty. Wis.</p>	<p style="text-align: center;"><i>Criminal Possession of Firearm</i></p> <p>A person may not possess a firearm if he/she is enjoined under an injunction issued under §813.12 (domestic violence injunction; §813.122 (child abuse restraining order; a tribal injunction , as defined in §813.12(1)(e) issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under §941.29 and that has been filed under §806.247(3); or who is ordered not to possess a firearm under §813.125(4m) (harassment restraining order). A person who violates any of these provisions is guilty of a class G. Felony.</p> <p>The prohibition against firearm possession under this section does not apply to a person is a peace officer and the person possess a firearm while in the line of duty or, if required to do so as a condition of employment, while off duty or the person is a member of the U.S. armed forces or national guard and the person possess a firearm while in the line of duty. Wis. Stat. § 941.29(1)(f)-(g), (2)(d)-(e) and (10) (2014).</p>	<p style="text-align: center;"><i>Surrender of Firearms</i></p> <p>When a respondent surrenders a firearm under par.</p> <p>(a)</p> <ol style="list-style-type: none"> <li>1. To a sheriff, the sheriff who is receiving the firearm shall prepare a receipt for each firearm surrendered to him or her. The receipt shall include the manufacturer, model and serial number of the firearm surrendered to the sheriff and shall be signed by the respondent and by the sheriff to whom the firearm is surrendered.</li> <li>2. The sheriff shall keep the original of a receipt prepared under subd. 1. and shall provide an exact copy of the receipt to the respondent. When the firearm covered by the receipt is returned to the respondent under par. (b), the sheriff shall surrender to the respondent the original receipt and all of his or her copies of the receipt.</li> <li>3. A receipt prepared under subd. 1. is conclusive proof that the respondent owns the firearm for purposes of returning the firearm covered by the receipt to the respondent under par. (b).</li> <li>4. The sheriff may not enter any information contained on a receipt prepared under subd. 1. into any computerized or direct electronic data transfer system in order to store the information or disseminate or provide access to the information.</li> </ol>

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	<p>Stat. § 813.12(4m) (2014).</p> <p><i>Conditional Mandatory Prohibition - Harassment Restraining Order/Injunction</i></p> <p>If a judge or circuit court commissioner issues an injunction under sub. (4) and the judge or circuit court commissioner determines, based on clear and convincing evidence presented at the hearing on the issuance of the injunction, that the respondent may use a firearm to cause physical harm to another or to endanger public safety, the judge or circuit court commissioner may prohibit the respondent from possessing a firearm.</p> <p>An order prohibiting a respondent from possessing a firearm issued under par. (a) remains in effect until the expiration of the injunction issued under sub. (4).</p> <p>[The procedures for surrender are the same as those in Wis. Stat. § 813.12(4m) (2012)] Wis. Stat. § 813.125 (4m)(a)-(b) (2014).</p>		<p>A sheriff may store a firearm surrendered to him or her under par. (a)2. in a warehouse that is operated by a public warehouse keeper licensed under ch. 99. If a sheriff stores a firearm at a warehouse under this paragraph, the respondent shall pay the costs charged by the warehouse for storing that firearm.</p> <p>(b) A firearm surrendered under par. (a)2. may not be returned to the respondent until a judge or circuit court commissioner determines all of the following:</p> <ol style="list-style-type: none"> <li>1. That the injunction issued under sub. (4) has been vacated or has expired and not been extended.</li> <li>2. That the person is not prohibited from possessing a firearm under any state or federal law or by the order of any federal court or state court, other than an order from which the judge or circuit court commissioner is competent to grant relief.</li> </ol> <p>(c) If a respondent surrenders a firearm under par. (a)2. that is owned by a person other than the respondent, the person who owns the firearm may apply for its return to the circuit court for the county in which the person to whom the firearm was surrendered is located.</p> <p>The court shall order such notice as it considers adequate to be given to all persons who have or may have an interest in the firearm and shall hold a hearing to hear all claims to its true ownership. If the right to possession is proved to the court's</p>

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			satisfaction, it shall order the firearm returned. If the court returns a firearm under this paragraph, the court shall inform the person to whom the firearm is returned of the requirements and penalties under s. 941.29(4). Wis. Stat. § 813.12(4m) (2014).
<b>Wyoming</b>	<p style="text-align: center;"><i>Catch-all Provision</i></p> <p>(a) Upon finding that an act of domestic abuse has occurred, the court shall enter an order of protection ordering the respondent household member to refrain from abusing the petitioner or any other household member. The order shall specifically describe the behavior that the court has ordered the respondent to do or refrain from doing. As a part of any order of protection, the court may (vi) Order other injunctive relief as the court deems necessary for the protection of the petitioner. Wyo. Stat. Ann. § 35-21-105(a)(vi) (2014).</p>	<p style="text-align: center;"><i>Law Enforcement Authority to Seize Weapons</i></p> <p>A peace officer may take into possession any deadly weapons found in the possession of a person arrested if: the peace officer has reason to believe the weapon will be used to endanger the safety of the officer or the public; or, the person arrested might seek to use the weapon to resist arrest or to escape. Wyo. Stat. Ann. § 7-2-104 (2012).</p> <p style="text-align: center;"><i>Wearing or Carrying Concealed Weapons; Penalties; Exceptions; Permits.</i></p> <p>(a) A person who wears or carries a concealed deadly weapon is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment in the county jail for not more than six (6) months, or both, unless [exceptions follow]. Wyo. Stat. Ann. § 6-8-104(a) (2014).</p>	<p style="text-align: center;"><i>Permit to Carry Concealed Weapon</i></p> <p>(b) The attorney general is authorized to issue permits to carry a concealed firearm to persons qualified as provided by this subsection. . . . The attorney general through the division shall issue a permit to any person who:</p> <p style="padding-left: 40px;">(iv) Is not ineligible to possess a firearm pursuant to 18 U.S.C. section 922(g) or W.S. 6-8-102;</p> <p>(c) The division may deny a permit if the applicant has been found guilty of or has pled nolo contendere to one (1) or more crimes of violence constituting a misdemeanor offense within the three (3) year period prior to the date on which the application is submitted or may revoke a permit if the permittee has been found guilty of or has pled nolo contendere to one (1) or more crimes of violence constituting a misdemeanor offense within the preceding three (3) years. Wyo. Stat. Ann. § 6-8-104(b), (c) (2014).</p>