



114252

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/28/2018	.	
	.	
	.	
	.	

---

The Committee on Appropriations (Galvano) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 281 - 297

and insert:

(d)1. A law enforcement officer taking custody of a person under this subsection may seize and hold a firearm or any ammunition the person possesses at the time of taking him or her into custody if the person poses a potential danger to himself or herself or others and has made a credible threat of violence against another person.



114252

11           2. If the law enforcement officer takes custody of the  
12 person at the person's residence and the criteria in  
13 subparagraph 1. have been met, the law enforcement officer may  
14 seek the voluntary surrender of firearms or ammunition kept in  
15 the residence which have not already been seized under  
16 subparagraph 1. If such firearms or ammunition are not  
17 voluntarily surrendered, or if the person has other firearms or  
18 ammunition that were not seized or voluntarily surrendered when  
19 he or she was taken into custody, a law enforcement officer may  
20 petition the appropriate court under s. 790.401 for a risk  
21 protection order against the person.

22           3. Firearms or ammunition seized or voluntarily surrendered  
23 under this paragraph must be made available for return no later  
24 than 24 hours after the person taken into custody can document  
25 that he or she is no longer subject to involuntary examination  
26 and has been released or discharged from any inpatient treatment  
27 provided or ordered under paragraph (g), unless a risk  
28 protection order entered under s. 790.401 directs the law  
29 enforcement agency to hold the firearms or ammunition for a  
30 longer period.

31           4. Law enforcement agencies must develop policies and  
32 procedures relating to the seizure, storage, and return of  
33 firearms or ammunition held under this paragraph.

34  
35 ===== T I T L E   A M E N D M E N T =====

36 And the title is amended as follows:

37           Delete lines 10 - 15

38 and insert:

39           authorizing a law enforcement officer to seek the



114252

40 voluntary surrender of firearms and ammunition kept in  
41 the residence if the law enforcement officer takes  
42 custody of the person at the person's residence and  
43 certain criteria are met; authorizing the law  
44 enforcement officer to petition an appropriate court  
45 for a risk protection order under certain  
46 circumstances; requiring that firearms and ammunition  
47 seized or voluntarily surrendered be returned within a  
48 certain timeframe under specified circumstances;  
49 requiring law enforcement agencies to develop policies  
50 and procedures relating to the seizure, storage, and  
51 return of firearms and ammunition; creating