

By: Goodwin

Floor Amendment to SB 1362:



SECTION __. Section __ of SB 1362 is amended to add the following:

**EXCEPTION FOR LAW ENFORCEMENT–INITIATED EXTREME RISK
PROTECTION ORDERS.**

Notwithstanding any provision of this Act, nothing herein shall be construed to prohibit a peace officer, law enforcement agency, or prosecuting attorney from petitioning a court of competent jurisdiction for a temporary extreme risk protection order to prevent an individual from accessing firearms, provided that:

1. The petitioner presents clear and convincing evidence that the individual poses an imminent risk of harm to themselves or others;
2. The petition includes sworn affidavits, incident reports, or other supporting documentation;
3. The court holds a hearing within 14 days of the issuance of a temporary order;
4. The individual subject to the order has the right to counsel and to contest the order at the hearing;
5. Any final order shall be limited in duration to no more than 6 months, subject to renewal upon further judicial review;
6. Firearms surrendered under such an order shall be returned promptly upon expiration or termination of the order.

This section shall be liberally construed to preserve public safety while safeguarding constitutional rights under the Second and Fourteenth Amendments.