

Section ____ of **SB 1362** is amended to add the following:

SECTION ____ . LOCAL GOVERNMENT AUTHORITY PRESERVED.

Notwithstanding any provision of this Act, a municipality or county may enact and enforce a local policy or ordinance allowing for the issuance of an extreme risk protection order by a court of competent jurisdiction, provided that:

(1) the local policy includes due process protections consistent with the Texas and U.S. Constitutions, including notice, a right to hearing, and the right to counsel;

(2) the petition for and order is based on sworn evidence that the individual poses an imminent danger of causing harm to self or others;

(3) the order is temporary and subject to judicial review, with a full hearing to be held within a reasonable period;

(4) the order does not permanently dispossess any individual of their lawfully owned firearms absent a separate criminal or mental health adjudication under state or federal law;

(5) the ordinance shall not be construed to authorize firearm confiscation without court approval.