

HB 2693 -- FIREARM DISPOSAL

SPONSOR: Lovasco

This bill specifies that a firearm in possession of the State shall not be destroyed unless the firearm has been offered for sale to the public in the same manner as surplus property, with public notice of the sale; and has not been purchased after being offered for sale to the public on at least two separate occasions at a price of one cent.

Any purchase of a firearm through a public sale must be processed through a licensed firearms dealer before delivery to the purchaser; and subject to purchasing restrictions governing commercial firearms transactions.

Currently, no governmental body, or agent of a governmental body, may participate in a program in which individuals are given value in exchange for surrendering a firearm to the governmental body unless the resolution, ordinance, or rule enacted provides that any firearm received will be offered for sale or trade to a licensed firearms dealer. The bill adds the provision that any firearm remaining in the possession of the governmental body must also be offered for sale to the public after the firearm has been offered for sale or trade to at least two licensed firearms dealers before the firearm may be destroyed.

Currently, upon conviction for or attempting to commit a felony in violation of any law perpetrated by the use of a firearm, the court may order the confiscation and disposal or sale or trade to a licensed firearms dealer of firearms used in the commission of the crime. The bill removes the court's ability to dispose of a firearm involved in a crime and adds the option to purchase said firearm at a public sale.

Currently, any weapon which is owned or possessed by a member of a criminal street gang for the commission of certain offenses may be confiscated by law enforcement and destroyed. This bill prohibits the destruction of firearms under these circumstances and instead requires that firearms be offered for sale to the public.