

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for House Bill No. 301,
2 Page 4, Line 48, by inserting after said line the following:

3
4 "Further amend said bill, Page 21, Section 571.070, Line 19, by inserting after said section and line
5 the following:

6
7 "571.816. 1. As used in this section, the following terms mean:

8 (1) "Petitioner", a law enforcement officer or a law enforcement agency that petitions a
9 court for a risk protection order under this section;

10 (2) "Respondent", the individual who is identified as the respondent in a petition filed under
11 this section;

12 (3) "Risk protection order", a temporary ex parte order or a final order granted under this
13 section.

14 2. (1) An action is hereby created, to be known as a petition for a risk protection order.

15 (2) A petition for a risk protection order may be filed by a law enforcement officer or law
16 enforcement agency.

17 (3) An action under this section shall be filed in the county where the petitioner's law
18 enforcement office is located or the county where the respondent resides.

19 (4) Such petition for a risk protection order shall not require either party to be represented
20 by an attorney.

21 (5) Notwithstanding any other law, attorney's fees shall not be awarded in any proceeding
22 under this section.

23 (6) A petition shall:

24 (a) Allege that the respondent poses a significant danger of causing personal injury to
25 himself or herself or others by having a firearm or any ammunition in his or her custody or control
26 or by purchasing, possessing, or receiving a firearm or any ammunition and shall be accompanied
27 by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a
28 reasonable fear of significant dangerous acts by the respondent;

Action Taken _____ Date _____

1 (b) Identify the quantities, types, and locations of all firearms and ammunition the petitioner
2 believes to be in the respondent's current ownership, possession, custody, or control; and

3 (c) Identify whether there is a known existing protection order governing the respondent
4 under chapter 455 or under any other applicable statute.

5 (7) The petitioner shall make a good faith effort to provide notice to a family or household
6 member of the respondent and to any known third party who may be at risk of violence. The notice
7 shall state that the petitioner intends to petition the court for a risk protection order or has already
8 done so and shall include referrals to appropriate resources, including mental health, domestic
9 violence, and counseling resources. The petitioner shall attest in the petition to having provided
10 such notice or shall attest to the steps that will be taken to provide such notice.

11 (8) The petitioner shall list the address of record on the petition as being where the
12 appropriate law enforcement agency is located.

13 (9) A court or a public agency shall not charge fees for filing or for service of process to a
14 petitioner seeking relief under this section and shall provide the necessary number of certified
15 copies, forms, and instructional brochures free of charge.

16 (10) A person shall not be required to post a bond to obtain relief in any proceeding under
17 this section.

18 (11) The circuit courts of this state have jurisdiction over proceedings under this section.

19 3. (1) Upon receipt of a petition, the court shall order a hearing to be held no later than
20 fourteen days after the date of the order and shall issue a notice of hearing to the respondent for the
21 same, and:

22 (a) The clerk of the court shall cause a copy of the notice of hearing and petition to be
23 forwarded on or before the next business day to the appropriate law enforcement agency for service
24 upon the respondent as described under subsection 5 of this section;

25 (b) The court may, as provided in subsection 4 of this section, issue a temporary ex parte
26 risk protection order pending the hearing ordered under this subsection. Such temporary ex parte
27 order shall be served concurrently with the notice of hearing and petition as provided in subsection 5
28 of this section; and

29 (c) The court may conduct a hearing by telephone pursuant to a local court rule to
30 reasonably accommodate a disability or exceptional circumstances. The court shall receive
31 assurances of the petitioner's identity before conducting a telephonic hearing.

32 (2) Upon notice and a hearing on the matter, if the court finds by clear and convincing
33 evidence that the respondent poses a significant danger of causing personal injury to himself or
34 herself or others by having in his or her custody or control, or by purchasing, possessing, or
35 receiving, a firearm or any ammunition, the court shall issue a risk protection order for a period that
36 it deems appropriate, up to and including but not exceeding twelve months.

37 (3) In determining whether grounds for a risk protection order exist, the court may consider
38 any relevant evidence including, but not limited to:

1 (a) Any recent act or threat of violence by the respondent against himself or herself or
2 others, regardless of whether such violence or threat of violence involved a firearm;

3 (b) Any act or threat of violence by the respondent within the past twelve months including,
4 but not limited to, acts or threats of violence by the respondent against himself or herself or others;

5 (c) Evidence of the respondent being seriously mentally ill or having recurring mental
6 health issues;

7 (d) Any violation by the respondent of a risk protection order or a no-contact order issued
8 under chapter 455;

9 (e) Any previous or existing risk protection order issued against the respondent;

10 (f) Any violation of a previous or existing risk protection order issued against the
11 respondent;

12 (g) Whether the respondent, in this state or any other state, has been convicted of, had
13 adjudication withheld on, or pled nolo contendere to a crime that constitutes domestic violence as
14 defined in section 455.010;

15 (h) Whether the respondent has used, or has threatened to use, against himself or herself or
16 others any weapons;

17 (i) Any unlawful or reckless use, display, or brandishing of a firearm by the respondent;

18 (j) Any recurring use of, or threat to use, physical force by the respondent against another
19 person or the respondent stalking another person;

20 (k) Whether the respondent, in this state or any other state, has been arrested for, convicted
21 of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of
22 violence;

23 (l) Any corroborated evidence of the abuse of controlled substances or alcohol by the
24 respondent;

25 (m) Evidence of recent acquisition of firearms or ammunition by the respondent;

26 (n) Any relevant information from family and household members concerning the
27 respondent; and

28 (o) Witness testimony, taken while the witness is under oath, relating to the matter before
29 the court.

30 (4) A person, including an officer of the court, who offers evidence or recommendations
31 relating to the cause of action shall either:

32 (a) Present the evidence or recommendations in writing to the court with copies to each
33 party and his or her attorney, if one is retained; or

34 (b) Present the evidence under oath at a hearing at which all parties are present.

35 (5) In a hearing under this section, the rules of evidence apply to the same extent as in a
36 domestic violence injunction proceeding under chapter 455.

37 (6) During the hearing, the court shall consider whether a mental health evaluation or
38 chemical dependency evaluation is appropriate and, if such determination is made, may order such
39 evaluations.

1 (7) A risk protection order shall include:

2 (a) A statement of the grounds supporting the issuance of the order;

3 (b) The date the order was issued;

4 (c) The date the order ends;

5 (d) Whether a mental health evaluation or chemical dependency evaluation of the
6 respondent is required;

7 (e) The address of the court in which any responsive pleading should be filed;

8 (f) A description of the requirements for the surrender of all firearms and ammunition that
9 the respondent owns, as set forth under subsection 7 of this section; and

10 (g) The following statement: "To the subject of this protection order: This order will last
11 until the date noted above. If you have not done so already, you shall surrender immediately to the
12 _____ (insert name of local law enforcement agency) all firearms and ammunition that you
13 own in your custody, control, or possession and any license to carry a concealed weapon or firearm
14 issued to you under 571.101 to 571.126, RSMo, or 571.205 to 571.230, RSMo. You shall not have
15 in your custody or control, or purchase, possess, receive, or attempt to purchase or receive, a firearm
16 or ammunition while this order is in effect. You have the right to request one hearing to vacate this
17 order, starting after the date of the issuance of this order, and to request another hearing after every
18 extension of the order, if any. You may seek the advice of an attorney as to any matter connected
19 with this order."

20 (8) If the court issues a risk protection order, the court shall inform the respondent that he or
21 she is entitled to request a hearing to vacate the order in the manner provided by subsection 6 of this
22 section. The court shall provide the respondent with a form to request a hearing to vacate.

23 (9) If the court denies the petitioner's request for a risk protection order, the court shall state
24 the particular reasons for the denial.

25 4. (1) A petitioner may request that a temporary ex parte risk protection order be issued
26 before a hearing for a risk protection order, without notice to the respondent, by including in the
27 petition detailed allegations based on personal knowledge that the respondent poses a significant
28 danger of causing personal injury to himself or herself or others in the near future by having in his
29 or her custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition.

30 (2) In considering whether to issue a temporary ex parte risk protection order under this
31 section, the court shall consider all relevant evidence, including any evidence described under
32 subdivision (3) of subsection 3 of this section.

33 (3) If a court finds reasonable cause to believe that the respondent poses a significant danger
34 of causing personal injury to himself or herself or others in the near future by having in his or her
35 custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition, the court
36 shall issue a temporary ex parte risk protection order.

37 (4) The court shall hold a temporary ex parte risk protection order hearing in person or by
38 telephone on the day the petition is filed or on the business day immediately following the day the
39 petition is filed.

1 (5) A temporary ex parte risk protection order shall include all of the following:

2 (a) A statement of the grounds asserted for the order;

3 (b) The date the order was issued;

4 (c) The address of the court in which any responsive pleading may be filed;

5 (d) The date and time of the scheduled hearing;

6 (e) A description of the requirements for the surrender of all firearms and ammunition that
7 the respondent owns, as set forth under subsection 7 of this section; and

8 (f) The following statement: "To the subject of this protection order: This order is valid until
9 the date noted above. You are required to surrender all firearms and ammunition that you own in
10 your custody, control, or possession. You shall not have in your custody or control, or purchase,
11 possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in
12 effect. You shall surrender immediately to the _____ (insert name of local law enforcement
13 agency) all firearms and ammunition in your custody, control, or possession and any license to carry
14 a concealed weapon or firearm issued to you under 571.101 to 571.126, RSMo, or 571.205 to
15 571.230, RSMo. A hearing will be held on the date and at the time noted above to determine if a
16 risk protection order should be issued. Failure to appear at that hearing may result in a court issuing
17 an order against you which is valid for one year. You may seek the advice of an attorney as to any
18 matter connected with this order."

19 (6) A temporary ex parte risk protection order ends upon the hearing on the risk protection
20 order.

21 (7) A temporary ex parte risk protection order shall be served by a law enforcement officer
22 in the same manner as provided for in subsection 5 of this section for service of the notice of hearing
23 and petition and shall be served concurrently with the notice of hearing and petition.

24 (8) If the court denies the petitioner's request for a temporary ex parte risk protection order,
25 the court shall state the particular reasons for the denial.

26 5. (1) The clerk of the court shall furnish a copy of the notice of hearing, petition, and
27 temporary ex parte risk protection order or risk protection order, as applicable, to the sheriff of the
28 county in which the respondent resides or can be found, who shall serve it upon the respondent as
29 soon thereafter as practicable on any day of the week and at any time of the day or night. When
30 requested by the sheriff, the clerk of the court may transmit a facsimile copy of a temporary ex parte
31 risk protection order or a risk protection order that has been certified by the clerk of the court, and
32 this facsimile copy may be served in the same manner as a certified copy. Upon receiving a
33 facsimile copy, the sheriff shall verify receipt with the sender before attempting to serve it upon the
34 respondent. The clerk of the court shall be responsible for furnishing to the sheriff information on
35 the respondent's physical description and location. Notwithstanding any other law to the contrary,
36 the chief judge of each circuit, in consultation with the appropriate sheriff, may authorize a law
37 enforcement agency within the jurisdiction to effect service. A law enforcement agency effecting
38 service pursuant to this section shall use service and verification procedures consistent with those of

1 the sheriff. Service under this section takes precedence over the service of other documents unless
2 the other documents are of a similar emergency nature.

3 (2) All orders issued, changed, continued, extended, or vacated after the original service of
4 documents specified in subdivision (1) of this subsection shall be certified by the clerk of the court
5 and delivered to the parties at the time of the entry of the order. The parties may acknowledge
6 receipt of such order in writing on the face of the original order. If a party fails or refuses to
7 acknowledge the receipt of a certified copy of an order, the clerk shall note on the original order that
8 service was effected. If delivery at the hearing is not possible, the clerk shall mail certified copies of
9 the order to the parties at the last known address of each party. Service by mail is complete upon
10 mailing. If an order is served pursuant to this subsection, the clerk shall prepare a written
11 certification to be placed in the court file specifying the time, date, and method of service and shall
12 notify the sheriff.

13 6. (1) The respondent may submit one written request for a hearing to vacate a risk
14 protection order issued under this section, starting after the date of the issuance of the order, and
15 may request another hearing after every extension of the order, if any. Regarding the request:

16 (a) Upon receipt of a request for a hearing to vacate a risk protection order, the court shall
17 set a date for a hearing. Notice of the request shall be served on the petitioner in accordance with
18 subsection 5 of this section. The hearing shall occur no sooner than fourteen days and no later than
19 thirty days after the date of service of the request upon the petitioner;

20 (b) The respondent shall have the burden of proving by clear and convincing evidence that
21 the respondent does not pose a significant danger of causing personal injury to himself or herself or
22 others by having in his or her custody or control, purchasing, possessing, or receiving a firearm or
23 ammunition. The court may consider any relevant evidence, including evidence of the
24 considerations listed in subdivision (3) of subsection 3 of this section;

25 (c) If the court finds after the hearing that the respondent has met his or her burden of proof,
26 the court shall vacate the order; and

27 (d) The law enforcement agency holding any firearm or ammunition or license to carry a
28 concealed weapon or firearm that has been surrendered pursuant to this section shall be notified of
29 the court order to vacate the risk protection order.

30 (2) The court shall notify the petitioner of any impending end of a risk protection order.
31 Notice shall be received by the petitioner at least thirty days before the date the order ends.

32 (3) The petitioner may, by motion, request an extension of a risk protection order at any
33 time within the thirty days before the order ends. If the petitioner does so:

34 (a) Upon receipt of the motion to extend, the court shall order that a hearing be held no later
35 than fourteen days after the date the order is issued and shall schedule such hearing, and:

36 a. The court may schedule a hearing by telephone in the manner provided under paragraph
37 (c) of subdivision 1 of subsection 3 of this section; and

38 b. The respondent shall be personally serviced in the same manner provided by subsection 5
39 of this section;

1 (b) In determining whether to extend a risk protection order issued under this section, the
2 court may consider all relevant evidence, including evidence of the considerations listed in
3 subdivision (3) of subsection 3 of this section;

4 (c) If the court finds by clear and convincing evidence that the requirements for issuance of
5 a risk protection order as provided in subsection 3 of this section continue to be met, the court shall
6 extend the order. However, if, after notice, the motion for extension is uncontested and no
7 modification of the order is sought, the order may be extended on the basis of a motion or affidavit
8 stating that there has been no material change in relevant circumstances since entry of the order and
9 stating the reason for the requested extension; and

10 (d) The court may extend a risk protection order for a period that it deems appropriate, up to
11 but not exceeding twelve months, subject to an order to vacate as provided in subdivision (1) of this
12 subsection or to another extension order by the court.

13 7. (1) Upon issuance of a risk protection order under this section, including a temporary ex
14 parte risk protection order, the court shall order the respondent to surrender to the local law
15 enforcement agency all firearms and ammunition owned by the respondent in the respondent's
16 custody, control, or possession except as provided in subsection 9 of this section, and any license to
17 carry a concealed weapon or firearm issued under sections 571.101 to 571.126 or sections 571.205
18 to 571.230, held by the respondent.

19 (2) The law enforcement officer serving a risk protection order under this section, including
20 a temporary ex parte risk protection order, shall request that the respondent immediately surrender
21 all firearms and ammunition owned by the respondent in his or her custody, control, or possession
22 and any license to carry a concealed weapon or firearm issued under sections 571.101 to 571.126 or
23 sections 571.205 to 571.230 held by the respondent. The law enforcement officer shall take
24 possession of all firearms and ammunition and any license to carry a concealed weapon or firearm
25 that the respondent surrenders. Alternatively, if personal service by a law enforcement officer is not
26 possible or is not required because the respondent was present at the risk protection order hearing,
27 the respondent shall surrender any firearms and ammunition owned by the respondent, and any
28 license to carry a concealed weapon or firearm issued under sections 571.101 to 571.126 or sections
29 571.205 to 571.230 held by the respondent, in a safe manner to the control of the local law
30 enforcement agency immediately after being served with the order by service or immediately after
31 the hearing at which the respondent was present. Notwithstanding sections 542.271, a law
32 enforcement officer may seek a search warrant from a court of competent jurisdiction to conduct a
33 search for firearms or ammunition owned by the respondent if the officer has probable cause to
34 believe that there are firearms or ammunition owned by the respondent in the respondent's custody,
35 control, or possession which have not been surrendered.

36 (3) At the time of surrender, a law enforcement officer taking possession of any firearm or
37 ammunition owned by the respondent, or a license to carry a concealed weapon or firearm issued
38 under sections 571.101 to 571.126 or sections 571.205 to 571.230 held by the respondent, shall issue
39 a receipt identifying all firearms and the quantity and type of ammunition that have been

1 surrendered and any license surrendered and shall provide a copy of the receipt to the respondent.
2 Within seventy-two hours after service of the order, the law enforcement officer serving the order
3 shall file the original receipt with the court and shall ensure that his or her law enforcement agency
4 retains a copy of the receipt.

5 (4) Notwithstanding section 542.271, upon the sworn statement or testimony of any person
6 alleging that the respondent has failed to comply with the surrender of firearms or ammunition
7 owned by the respondent, as required by an order issued under this section, the court shall determine
8 whether probable cause exists to believe that the respondent has failed to surrender all firearms or
9 ammunition owned by the respondent in the respondent's custody, control, or possession. If the
10 court finds that probable cause exists, the court shall issue a warrant describing the firearms or
11 ammunition owned by the respondent and authorizing a search of the locations where the firearms
12 or ammunition owned by the respondent are reasonably believed to be found and the seizure of any
13 firearms or ammunition owned by the respondent discovered pursuant to such search.

14 (5) If a person other than the respondent claims title to any firearms or ammunition
15 surrendered pursuant to this section and he or she is determined by the law enforcement agency to
16 be the lawful owner of the firearm or ammunition, the firearm or ammunition shall be returned to
17 him or her, if:

18 (a) The lawful owner agrees to store the firearm or ammunition in a manner such that the
19 respondent does not have access to or control of the firearm or ammunition; and

20 (b) The firearm or ammunition is not otherwise unlawfully possessed by the owner.

21 (6) Upon the issuance of a risk protection order, the court shall order a new hearing date and
22 require the respondent to appear no later than three business days after the issuance of the order.
23 The court shall require proof that the respondent has surrendered any firearms or ammunition owned
24 by the respondent in the respondent's custody, control, or possession. The court may cancel the
25 hearing upon a satisfactory showing that the respondent is in compliance with the order.

26 (7) All law enforcement agencies shall develop policies and procedures regarding the
27 acceptance, storage, and return of firearms, ammunition, or licenses required to be surrendered
28 under this section.

29 8. (1) If a risk protection order is vacated or ends without extension, a law enforcement
30 agency holding a firearm or any ammunition owned by the respondent or a license to carry a
31 concealed weapon or firearm issued under sections 571.101 to 571.126 or sections 571.205 to
32 571.230, held by the respondent, that has been surrendered or seized pursuant to this section shall
33 return such surrendered firearm, ammunition, or license to carry a concealed weapon or firearm
34 issued under sections 571.101 to 571.126 or sections 571.205 to 571.230, as requested by a
35 respondent only after confirming through a background check that the respondent is currently
36 eligible to own or possess firearms and ammunition under federal and state law and after confirming
37 with the court that the risk protection order has been vacated or has ended without extension.

38 (2) If a risk protection order is vacated or ends without extension and the sheriff that issued
39 the concealed carry permit has suspended a license to carry a concealed weapon or firearm pursuant

1 to this section, the sheriff shall reinstate such license only after confirming that the respondent is
2 currently eligible to have a license to carry a concealed weapon or firearm pursuant sections
3 571.101 to 571.126 or sections 571.205 to 571.230.

4 (3) A law enforcement agency shall provide notice to any family or household members of
5 the respondent before the return of any surrendered firearm and ammunition owned by the
6 respondent.

7 (4) Any firearm and ammunition surrendered by a respondent pursuant to subsection 7 of
8 this section that remains unclaimed for one year by the lawful owner after an order to vacate the risk
9 protection order shall be disposed of in accordance with the law enforcement agency's policies and
10 procedures for the disposal of firearms in police custody.

11 9. A respondent may elect to transfer all firearms and ammunition owned by the respondent
12 that have been surrendered to or seized by a local law enforcement agency pursuant to subsection 7
13 of this section to another person who is willing to receive the respondent's firearms and ammunition.
14 The law enforcement agency shall allow such a transfer only if it is determined that the chosen
15 recipient:

16 (1) Currently is eligible to own or possess a firearm and ammunition under federal and state
17 law after confirmation through a background check;

18 (2) Attests to storing the firearms and ammunition in a manner such that the respondent does
19 not have access to or control of the firearms and ammunition until the risk protection order against
20 the respondent is vacated or ends without extension; and

21 (3) Attests not to transfer the firearms or ammunition back to the respondent until the risk
22 protection order against the respondent is vacated or ends without extension.

23 10. (1) Within twenty-four hours after issuance, the clerk of the court shall enter any risk
24 protection order or temporary ex parte risk protection order issued under this section into the
25 uniform case reporting system.

26 (2) Within twenty-four hours after issuance, the clerk of the court shall forward a copy of an
27 order issued under this section to the appropriate law enforcement agency specified in the order.
28 Upon receipt of the copy of the order, the law enforcement agency shall enter the order into the
29 Missouri Uniform Law Enforcement System (MULES) and the National Crime Information Center
30 (NCIC). The order shall remain in each system for the period stated in the order, and the law
31 enforcement agency may only remove an order from the systems that has ended or been vacated.
32 Entry of the order into the MULES and NCIC constitutes notice to all law enforcement agencies of
33 the existence of the order. The order is fully enforceable in any county in this state.

34 (3) The issuing court shall, within three business days after issuance of a risk protection
35 order or temporary ex parte risk protection order, forward all available identifying information
36 concerning the respondent, along with the date of order issuance, to the sheriff of the county in
37 which the respondent resides. Upon receipt of the information, the sheriff shall determine if the
38 respondent has a license to carry a concealed weapon or firearm. If the respondent does have a
39 license to carry a concealed weapon or firearm, the sheriff shall immediately suspend the license.

1 (4) If a risk protection order is vacated before its end date, the clerk of the court shall, on the
2 day of the order to vacate, forward a copy of the order to the sheriff of the county in which the
3 respondent resides and any other law enforcement agency specified in the order to vacate. Upon
4 receipt of the order, the law enforcement agency shall promptly remove the order from any
5 computer-based system in which it was entered pursuant to subdivision (2) of this subsection.

6 11. (1) A person who makes a false statement, which he or she does not believe to be true,
7 under oath in a hearing under this section in regard to any material matter is guilty of a class E
8 felony.

9 (2) A person who has in his or her custody or control a firearm or any ammunition or who
10 purchases, possesses, or receives a firearm or any ammunition with knowledge that he or she is
11 prohibited from doing so by an order issued under this section is guilty of a class E felony.

12 12. This section does not affect the ability of a law enforcement officer to remove a firearm
13 or ammunition or license to carry a concealed weapon or concealed firearm from any person or to
14 conduct any search and seizure for firearms or ammunition pursuant to other lawful authority.

15 13. Except as provided in subsection 8 or 11 of this section, this section does not impose
16 criminal or civil liability on any person or entity for acts or omissions related to obtaining a risk
17 protection order or temporary ex parte risk protection order including, but not limited to, providing
18 notice to the petitioner, a family or household member of the respondent, and any known third party
19 who may be at risk of violence or failure to provide such notice, or reporting, declining to report,
20 investigating, declining to investigate, filing, or declining to file, a petition under this section.

21 14. (1) The office of the state courts administrator shall develop and prepare instructions
22 and informational brochures, standard petitions and risk protection order forms, and a court staff
23 handbook on the risk protection order process. The standard petition and order forms shall be used
24 after January 1, 2024, for all petitions filed and orders issued pursuant to this section. The office
25 shall determine the significant non-English-speaking or limited English-speaking populations in the
26 state and prepare the instructions and informational brochures and standard petitions and risk
27 protection order forms in such languages. The instructions, brochures, forms, and handbook shall be
28 prepared in consultation with interested persons, including representatives of gun violence
29 prevention groups, judges, and law enforcement personnel. Materials shall be based on best
30 practices and shall be available online to the public, and:

31 (a) The instructions shall be designed to assist petitioners in completing the petition and
32 shall include a sample of a standard petition and order for protection forms;

33 (b) The instructions and standard petition shall include a means for the petitioner to identify,
34 with only layman's knowledge, the firearms or ammunition the respondent may own, possess,
35 receive, or have in his or her custody or control. The instructions shall provide pictures of types of
36 firearms and ammunition that the petitioner may choose from to identify the relevant firearms or
37 ammunition, or shall provide an equivalent means to allow petitioners to identify firearms or
38 ammunition without requiring specific or technical knowledge regarding the firearms or
39 ammunition;

1 (c) The informational brochure shall describe the use of and the process for obtaining,
2 extending, and vacating a risk protection order under this section and shall provide relevant forms;

3 (d) The risk protection order form shall include, in a conspicuous location, notice of
4 criminal penalties resulting from violation of the order and the following statement: "You have the
5 sole responsibility to avoid or refrain from violating this order's provisions. Only the court can
6 change the order and only upon written request."; and

7 (e) The court staff handbook shall allow for the addition of a community resource list by the
8 clerk of the court.

9 (2) Any clerk of a court may create a community resource list of crisis intervention, mental
10 health, substance abuse, interpreter, counseling, and other relevant resources serving the county in
11 which the court is located. The court may make the community resource list available as part of or
12 in addition to the informational brochures described in subdivision (1) of this subsection.

13 (3) The office of the state courts administrator shall distribute a master copy of the petition
14 and order forms, instructions, and informational brochures to the clerks of court. Distribution of all
15 documents shall, at a minimum, be in an electronic format or formats accessible to all courts and
16 clerks of court in the state.

17 (4) Within ninety days after receipt of the master copy from the office of the state courts
18 administrator, the clerk of the court shall make available the standardized forms, instructions, and
19 informational brochures required by this subsection.

20 (5) The office of the state courts administrator shall update the instructions, brochures, standard
21 petition and risk protection order forms, and court staff handbook as necessary, including when
22 changes in the law make an update necessary."; and"; and

23
24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.

26
27 THIS AMENDMENT AMENDS 0695H02.33H.