

Testimony Against HB0083

Honorable Delegates

Please enter an unfavorable report on HB0083

I oppose

- Altering and establishing provisions relating to the surrender of firearms by a respondent under the domestic violence statutes; and
- requiring a local law enforcement authority to take certain actions within 3 business days after service of an order against a respondent who is not in compliance with an order to surrender certain firearms.

This bill appears to be a violation of the second amendment. Under current law, if a judge finds that there are reasonable grounds to believe that a person eligible for relief has been abused, the judge may grant a temporary protective order. Among other relief, a temporary protective order **may order** the respondent to surrender to law enforcement authorities any firearm in the respondent's possession and to refrain from possession of any firearm for the duration of the temporary protective order **if** the abuse consisted of the use of (or threat to use) a firearm by the respondent against a person eligible for relief or serious bodily harm to a person eligible for relief (or a threat by the respondent to cause serious bodily harm).

The bill repeals the limitations above and instead **requires** a temporary protective order (regardless of the nature of the abuse that resulted in the order being issued) to order the respondent to surrender any firearm and any handgun qualification license (or permit to wear, carry, or transport a handgun) issued to the respondent to law enforcement authorities and refrain from purchasing or possessing a firearm for the duration of the temporary protective order.

One should not lose one's constitutional right to possess a gun without a hearing. Please enter an unfavorable report on HB0083.

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