

26 arrested and deliver them to the sheriff of the county, or the
27 chief of police of the municipality wherein the arrest is made,
28 ~~who shall retain the same until after the trial of the person~~
29 ~~arrested.~~

30 (b) Any weapons, electric weapons or devices, or arms that
31 are taken from a person under paragraph (a) that are not seized
32 as evidence must be returned upon request to the person from
33 whom the weapons, electric weapons or devices, or arms were
34 taken if the person meets all of the following criteria:

35 1. The person has been released from detention.

36 2. The person provides a form of government-issued
37 photographic identification.

38 3. If requesting the return of a firearm, a completed
39 criminal history background check confirms the person is not
40 prohibited from possessing a firearm under state or federal law,
41 including not having any prohibition arising from an injunction,
42 a risk protection order, or any other court order prohibiting
43 the person from possessing a firearm.

44 (c) The sheriff or chief of police may develop reasonable
45 procedures to ensure the timely return of weapons, electric
46 weapons or devices, or arms which are not inconsistent with this
47 subsection.

48 (d) The sheriff or chief of police may not require a court
49 order to release weapons, electric weapons or devices, or arms
50 that are not seized as evidence in a criminal proceeding unless

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51 | there are competing claims of ownership of such weapons,
52 | electric weapons or devices, or arms.

53 | Section 2. This act shall take effect July 1, 2024.