

**EXPAND WEAPONS EXEMPTIONS**

**Senate Bill 809 with House committee  
amendment  
Addendum to SFA Analysis (6-18-02)**

**Sponsor: Sen. Valde Garcia  
Senate Committee: Judiciary  
House Committee: Criminal Justice**

**ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 809 DATED 2-25-02:**

The Senate Fiscal Agency analysis reflects the bill as it was originally introduced.

***SENATE FLOOR ACTION:***

The Senate adopted an amendment to specify that the exemption granted under the bill to a peace officer, person regularly employed by the Department of Corrections, and an employee of a private vendor operating a youth correctional facility pertaining to a prohibition on selling, offering for sale, or possessing a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed and that is designed to incapacitate temporarily, injure, or kill (e.g., a stun gun) would not apply to a person unless he or she had been trained in the use, effects, and risks of using a portable device or weapon described above. (The provision referred to above currently allows delivery to or possession by the Department of State Police or any agency or laboratory with prior written approval of, and on conditions established by, the director of the DSP for the purpose of testing such a device or weapon. The provision also makes a violation a felony offense.)

***HOUSE COMMITTEE ACTION:***

The House Criminal Justice Committee adopted a technical amendment to clarify that the amendment adopted on the Senate floor and described above would pertain only to the subdivision that prohibited the sale or possession of one of those weapons or devices and not to the subdivision that allowed the DSP or a laboratory to test such a device or weapon or to the subdivision stating that a violation is a felony offense.

***POSITIONS:***

The Department of State Police supports the bill. (6-18-02)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.