

**SHB 3095 - H AMD 1256**

By Representative Rodne

1           Strike everything after the enacting clause and insert the  
2 following:

3           "**Sec. 1.** RCW 9.41.040 and 2005 c 453 s 1 are each amended to  
4 read as follows:

5           (1)(a) A person, whether an adult or juvenile, is guilty of the  
6 crime of unlawful possession of a firearm in the first degree, if  
7 the person owns, has in his or her possession, or has in his or her  
8 control any firearm after having previously been convicted or found  
9 not guilty by reason of insanity in this state or elsewhere of any  
10 serious offense as defined in this chapter.

11           (b) Unlawful possession of a firearm in the first degree is a  
12 class B felony punishable according to chapter 9A.20 RCW.

13           (2)(a) A person, whether an adult or juvenile, is guilty of the  
14 crime of unlawful possession of a firearm in the second degree, if  
15 the person does not qualify under subsection (1) of this section  
16 for the crime of unlawful possession of a firearm in the first  
17 degree and the person owns, has in his or her possession, or has in  
18 his or her control any firearm:

19           (i) After having previously been convicted or found not guilty  
20 by reason of insanity in this state or elsewhere of any felony not  
21 specifically listed as prohibiting firearm possession under  
22 subsection (1) of this section, or any of the following crimes when  
23 committed by one family or household member against another,  
24 committed on or after July 1, 1993: Assault in the fourth degree,  
25 coercion, stalking, reckless endangerment, criminal trespass in the  
26 first degree, or violation of the provisions of a protection order  
27 or no-contact order restraining the person or excluding the person  
28 from a residence (RCW 26.50.060, 26.50.070, 26.50.130, or  
29 10.99.040);

1 (ii) After having previously been involuntarily committed for  
2 mental health treatment under RCW 71.05.240, 71.05.320,  
3 (~~71.34.090~~) 71.34.740, 71.34.750, chapter 10.77 RCW, or  
4 equivalent statutes of another jurisdiction, unless his or her  
5 right to possess a firearm has been restored as provided in RCW  
6 9.41.047;

7 (iii) If the person is under eighteen years of age, except as  
8 provided in RCW 9.41.042; and/or

9 (iv) If the person is free on bond or personal recognizance  
10 pending trial, appeal, or sentencing for a serious offense as  
11 defined in RCW 9.41.010.

12 (b) Unlawful possession of a firearm in the second degree is a  
13 class C felony punishable according to chapter 9A.20 RCW.

14 (3) Notwithstanding RCW 9.41.047 or any other provisions of  
15 law, as used in this chapter, a person has been "convicted",  
16 whether in an adult court or adjudicated in a juvenile court, at  
17 such time as a plea of guilty has been accepted, or a verdict of  
18 guilty has been filed, notwithstanding the pendency of any future  
19 proceedings including but not limited to sentencing or disposition,  
20 post-trial or post- factfinding motions, and appeals. Conviction  
21 includes a dismissal entered after a period of probation,  
22 suspension or deferral of sentence, and also includes equivalent  
23 dispositions by courts in jurisdictions other than Washington  
24 state. A person shall not be precluded from possession of a  
25 firearm if the conviction has been the subject of a pardon,  
26 annulment, certificate of rehabilitation, or other equivalent  
27 procedure based on a finding of the rehabilitation of the person  
28 convicted or the conviction or disposition has been the subject of  
29 a pardon, annulment, or other equivalent procedure based on a  
30 finding of innocence. Where no record of the court's disposition  
31 of the charges can be found, there shall be a rebuttable  
32 presumption that the person was not convicted of the charge.

33 (4) Notwithstanding subsection (1) or (2) of this section, a  
34 person convicted or found not guilty by reason of insanity of an  
35 offense prohibiting the possession of a firearm under this section  
36 other than murder, manslaughter, robbery, rape, indecent liberties,  
37 arson, assault, kidnapping, extortion, burglary, or violations with  
38 respect to controlled substances under RCW 69.50.401 and 69.50.410,  
39 who received a probationary sentence under RCW 9.95.200, and who

1 received a dismissal of the charge under RCW 9.95.240, shall not be  
2 precluded from possession of a firearm as a result of the  
3 conviction or finding of not guilty by reason of insanity.  
4 Notwithstanding any other provisions of this section, if a person  
5 is prohibited from possession of a firearm under subsection (1) or  
6 (2) of this section and has not previously been convicted or found  
7 not guilty by reason of insanity of a sex offense prohibiting  
8 firearm ownership under subsection (1) or (2) of this section  
9 and/or any felony defined under any law as a class A felony or with  
10 a maximum sentence of at least twenty years, or both, the  
11 individual may petition a court of record to have his or her right  
12 to possess a firearm restored:

13 (a) Under RCW 9.41.047; and/or

14 (b)(i) If the conviction or finding of not guilty by reason of  
15 insanity was for a felony offense, after five or more consecutive  
16 years in the community without being convicted or found not guilty  
17 by reason of insanity or currently charged with any felony, gross  
18 misdemeanor, or misdemeanor crimes, if the individual has no prior  
19 felony convictions that prohibit the possession of a firearm  
20 counted as part of the offender score under RCW 9.94A.525; or

21 (ii) If the conviction or finding of not guilty by reason of  
22 insanity was for a nonfelony offense, after three or more  
23 consecutive years in the community without being convicted or found  
24 not guilty by reason of insanity or currently charged with any  
25 felony, gross misdemeanor, or misdemeanor crimes, if the individual  
26 has no prior felony convictions that prohibit the possession of a  
27 firearm counted as part of the offender score under RCW 9.94A.525  
28 and the individual has completed all conditions of the sentence.

29 (5) In addition to any other penalty provided for by law, if a  
30 person under the age of eighteen years is found by a court to have  
31 possessed a firearm in a vehicle in violation of subsection (1) or  
32 (2) of this section or to have committed an offense while armed  
33 with a firearm during which offense a motor vehicle served an  
34 integral function, the court shall notify the department of  
35 licensing within twenty-four hours and the person's privilege to  
36 drive shall be revoked under RCW 46.20.265.

37 (6) Nothing in chapter 129, Laws of 1995 shall ever be  
38 construed or interpreted as preventing an offender from being  
39 charged and subsequently convicted for the separate felony crimes

1 of theft of a firearm or possession of a stolen firearm, or both,  
2 in addition to being charged and subsequently convicted under this  
3 section for unlawful possession of a firearm in the first or second  
4 degree. Notwithstanding any other law, if the offender is convicted  
5 under this section for unlawful possession of a firearm in the  
6 first or second degree and for the felony crimes of theft of a  
7 firearm or possession of a stolen firearm, or both, then the  
8 offender shall serve consecutive sentences for each of the felony  
9 crimes of conviction listed in this subsection.

10 (7) Each firearm unlawfully possessed under this section shall  
11 be a separate offense.

12 **Sec. 2.** RCW 9.41.047 and 2005 c 453 s 2 are each amended to  
13 read as follows:

14 (1) At the time a person is convicted or found not guilty by  
15 reason of insanity of an offense making the person ineligible to  
16 possess a firearm, or at the time a person is committed by court  
17 order under RCW 71.05.240, 71.05.320, (~~(71.34.090)~~) 71.34.740,  
18 71.34.750, or chapter 10.77 RCW for mental health treatment, the  
19 convicting or committing court shall notify the person, orally and  
20 in writing, that the person must immediately surrender any  
21 concealed pistol license and that the person may not possess a  
22 firearm unless his or her right to do so is restored by a court of  
23 record. For purposes of this section a convicting court includes  
24 a court in which a person has been found not guilty by reason of  
25 insanity.

26 The convicting or committing court (~~(also)~~) shall forward  
27 within three judicial days after conviction or entry of the  
28 commitment order a copy of the person's driver's license or  
29 identicard, or comparable information, (~~(to the department of~~  
30 ~~licensing,)~~) along with the date of conviction or commitment, to  
31 the department of licensing. When a person is committed by court  
32 order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or  
33 chapter 10.77 RCW, for mental health treatment, the committing  
34 court also shall forward, within three judicial days after entry of  
35 the commitment order, a copy of the person's driver's license, or  
36 comparable information, along with the date of commitment, to the  
37 national instant criminal background check system index, denied

1 persons file, created by the federal Brady handgun violence  
2 prevention act (P.L. 103-159).

3 (2) Upon receipt of the information provided for by subsection  
4 (1) of this section, the department of licensing shall determine if  
5 the convicted or committed person has a concealed pistol license.  
6 If the person does have a concealed pistol license, the department  
7 of licensing shall immediately notify the license-issuing authority  
8 which, upon receipt of such notification, shall immediately revoke  
9 the license.

10 (3)(a) A person who is prohibited from possessing a firearm, by  
11 reason of having been involuntarily committed for mental health  
12 treatment under RCW 71.05.240, 71.05.320, (~~(71.34.090)~~) 71.34.740,  
13 71.34.750, chapter 10.77 RCW, or equivalent statutes of another  
14 jurisdiction may, upon discharge, petition (~~(a)~~) the superior court  
15 (~~(of record)~~) to have his or her right to possess a firearm  
16 restored. (~~(At the time of commitment, the court shall specifically~~  
17 ~~state to the person that he or she is barred from possession of~~  
18 ~~firearms.)~~)

19 (b) The (~~secretary of social and health services shall develop~~  
20 ~~appropriate rules to create an approval process under this~~  
21 ~~subsection. The rules must provide for the restoration of the~~)  
22 petition may be brought in the superior court that ordered the  
23 involuntary commitment or the superior court of the county in which  
24 the petitioner resides.

25 (c) Except as provided in (d) of this subsection, the court  
26 shall restore the petitioner's right to possess a firearm (~~(upon a~~  
27 ~~showing in a court of competent jurisdiction that the person)~~) if  
28 the petitioner proves by a preponderance of the evidence that:

29 (i) The petitioner is no longer required to participate in  
30 (~~(an)~~) court-ordered inpatient or outpatient treatment (~~(program,~~  
31 ~~is no longer required to take medication to treat any))~~);

32 (ii) The petitioner has successfully managed the condition  
33 related to the commitment(~~(, and does not)~~);

34 (iii) The petitioner no longer presents a substantial danger to  
35 himself or herself, (~~(others,)~~) or the public(~~(. Unlawful~~  
36 ~~possession of a firearm under this subsection shall be punished as~~  
37 ~~a class C felony under chapter 9A.20 RCW.~~

1 ~~(c) A person petitioning the court under this subsection (3)~~  
2 ~~shall bear the burden of proving by a preponderance of the evidence~~  
3 ~~that the circumstances resulting in)); and~~

4 (iv) The symptoms related to the commitment ((no longer exist  
5 and)) are not reasonably likely to recur.

6 (d) If a preponderance of the evidence in the record supports  
7 a finding that the person petitioning the court has engaged in  
8 violence and that it is more likely than not that the person will  
9 engage in violence after his or her right to possess a firearm is  
10 restored, the person shall bear the burden of proving by clear,  
11 cogent, and convincing evidence that he or she does not present a  
12 substantial danger to the safety of others.

13 (e) When a person's right to possess a firearm has been  
14 restored under this subsection, the court shall forward, within  
15 three judicial days after entry of the restoration order,  
16 notification that the person's right to possess a firearm has been  
17 restored to the department of licensing, the department of social  
18 and health services, and the national instant criminal background  
19 check system index, denied persons file.

20 (4) No person who has been found not guilty by reason of  
21 insanity may petition a court for restoration of the right to  
22 possess a firearm unless the person meets the requirements for the  
23 restoration of the right to possess a firearm under RCW  
24 9.41.040(4).

25 **Sec. 3.** RCW 71.05.230 and 2006 c 333 s 302 are each amended to  
26 read as follows:

27 A person detained for seventy-two hour evaluation and treatment  
28 may be detained for not more than fourteen additional days of  
29 involuntary intensive treatment or ninety additional days of a less  
30 restrictive alternative to involuntary intensive treatment. There  
31 shall be no fee for filing petitions for fourteen days of  
32 involuntary intensive treatment. A petition may only be filed if  
33 the following conditions are met:

34 (1) The professional staff of the agency or facility providing  
35 evaluation services has analyzed the person's condition and finds  
36 that the condition is caused by mental disorder and either results  
37 in a likelihood of serious harm, or results in the detained person

1 being gravely disabled and are prepared to testify those conditions  
2 are met; and

3 (2) The person has been advised of the need for voluntary  
4 treatment and the professional staff of the facility has evidence  
5 that he or she has not in good faith volunteered; and

6 (3) The facility providing intensive treatment is certified to  
7 provide such treatment by the department; and

8 (4) The professional staff of the agency or facility or the  
9 designated mental health professional has filed a petition for  
10 fourteen day involuntary detention or a ninety day less restrictive  
11 alternative with the court. The petition must be signed either by  
12 two physicians or by one physician and a mental health professional  
13 who have examined the person. If involuntary detention is sought  
14 the petition shall state facts that support the finding that such  
15 person, as a result of mental disorder, presents a likelihood of  
16 serious harm, or is gravely disabled and that there are no less  
17 restrictive alternatives to detention in the best interest of such  
18 person or others. The petition shall state specifically that less  
19 restrictive alternative treatment was considered and specify why  
20 treatment less restrictive than detention is not appropriate. If  
21 an involuntary less restrictive alternative is sought, the petition  
22 shall state facts that support the finding that such person, as a  
23 result of mental disorder, presents a likelihood of serious harm,  
24 or is gravely disabled and shall set forth the less restrictive  
25 alternative proposed by the facility; and

26 (5) A copy of the petition has been served on the detained  
27 person, his or her attorney and his or her guardian or conservator,  
28 if any, prior to the probable cause hearing; and

29 (6) The court at the time the petition was filed and before the  
30 probable cause hearing has appointed counsel to represent such  
31 person if no other counsel has appeared; and

32 (7) The petition reflects that the person was informed of the  
33 loss of firearm rights if involuntarily committed; and

34 (8) The court has ordered a fourteen day involuntary intensive  
35 treatment or a ninety day less restrictive alternative treatment  
36 after a probable cause hearing has been held pursuant to RCW  
37 71.05.240; and

38 ((+8+)) (9) At the conclusion of the initial commitment period,  
39 the professional staff of the agency or facility or the designated

1 mental health professional may petition for an additional period of  
2 either ninety days of less restrictive alternative treatment or  
3 ninety days of involuntary intensive treatment as provided in RCW  
4 71.05.290; and

5 ~~((9))~~ (10) If the hospital or facility designated to provide  
6 outpatient treatment is other than the facility providing  
7 involuntary treatment, the outpatient facility so designated has  
8 agreed to assume such responsibility.

9 **Sec. 4.** RCW 71.05.240 and 1997 c 112 s 19 are each amended to  
10 read as follows:

11 If a petition is filed for fourteen day involuntary treatment  
12 or ninety days of less restrictive alternative treatment, the court  
13 shall hold a ~~((probable cause))~~ hearing within seventy-two hours of  
14 the initial detention of such person as determined in RCW  
15 71.05.180. If requested by the detained person or his or her  
16 attorney, the hearing may be postponed for a period not to exceed  
17 forty-eight hours. The hearing may also be continued subject to  
18 the conditions set forth in RCW 71.05.210 or subject to the  
19 petitioner's showing of good cause for a period not to exceed  
20 twenty-four hours.

21 If the person named in the petition requests a jury trial, the  
22 trial shall commence within ten judicial days. The burden of proof  
23 shall be by clear, cogent, and convincing evidence and shall be  
24 upon the petitioner. The person named in the petition is entitled  
25 to be present at such proceeding. During the proceeding, the  
26 person named in the petition shall continue to be observed, as  
27 initiated in RCW 71.05.180, until released by order of the superior  
28 court.

29 The court at the time of the hearing and before an order of  
30 commitment is entered shall inform the person named in the petition  
31 both orally and in writing that the failure to make a good faith  
32 effort to seek voluntary treatment as provided in RCW 71.05.230  
33 will result in the loss of his or her firearm rights if the person  
34 is subsequently detained for involuntary treatment under this  
35 section.

36 At the conclusion of the ~~((probable cause))~~ hearing or trial,  
37 if the court or jury finds by ~~((a preponderance of the))~~ clear,  
38 cogent, and convincing evidence that such person, as the result of



1 mental disorder, presents a likelihood of serious harm, or is  
2 gravely disabled, and, after considering less restrictive  
3 alternatives to involuntary detention and treatment, finds that no  
4 such alternatives are in the best interests of such person or  
5 others, the court shall order that such person be detained for  
6 involuntary treatment not to exceed fourteen days in a facility  
7 certified to provide treatment by the department. If the court or  
8 jury finds that such person, as the result of a mental disorder,  
9 presents a likelihood of serious harm, or is gravely disabled, but  
10 that treatment in a less restrictive setting than detention is in  
11 the best interest of such person or others, the court shall order  
12 an appropriate less restrictive course of treatment for not to  
13 exceed ninety days.

14 The court shall specifically state to such person and give such  
15 person notice in writing that if involuntary treatment beyond the  
16 fourteen day period or beyond the ninety days of less restrictive  
17 treatment is to be sought, such person will have the right to a  
18 full hearing or jury trial as required by RCW 71.05.310. The court  
19 shall also state to the person and provide written notice that the  
20 person is barred from the possession of firearms and that the  
21 prohibition remains in effect until a court restores his or her  
22 right to possess a firearm under RCW 9.41.047.

23 **Sec. 5.** RCW 71.05.300 and 2006 c 333 s 303 are each amended to  
24 read as follows:

25 (1) The petition for ninety day treatment shall be filed with  
26 the clerk of the superior court at least three days before  
27 expiration of the fourteen-day period of intensive treatment. At  
28 the time of filing such petition, the clerk shall set a time for  
29 the person to come before the court on the next judicial day after  
30 the day of filing unless such appearance is waived by the person's  
31 attorney, and the clerk shall notify the designated mental health  
32 professional. The designated mental health professional shall  
33 immediately notify the person detained, his or her attorney, if  
34 any, and his or her guardian or conservator, if any, the  
35 prosecuting attorney, and the regional support network  
36 administrator, and provide a copy of the petition to such persons  
37 as soon as possible. The regional support network administrator or

1 designee may review the petition and may appear and testify at the  
2 full hearing on the petition.

3 (2) At the time set for appearance the detained person shall be  
4 brought before the court, unless such appearance has been waived  
5 and the court shall advise him or her of his or her right to be  
6 represented by an attorney (~~(and of)~~), his or her right to a jury  
7 trial, and his or her loss of firearm rights if involuntarily  
8 committed. If the detained person is not represented by an  
9 attorney, or is indigent or is unwilling to retain an attorney, the  
10 court shall immediately appoint an attorney to represent him or  
11 her. The court shall, if requested, appoint a reasonably available  
12 licensed physician, psychologist, or psychiatrist, designated by  
13 the detained person to examine and testify on behalf of the  
14 detained person.

15 (3) The court may, if requested, also appoint a professional  
16 person as defined in RCW 71.05.020 to seek less restrictive  
17 alternative courses of treatment and to testify on behalf of the  
18 detained person. In the case of a (~~(developmentally disabled)~~)  
19 person with a developmental disability who has been determined to  
20 be incompetent pursuant to RCW (~~(10.77.090(4))~~) 10.77.086, then the  
21 appointed professional person under this section shall be a  
22 developmental disabilities professional.

23 (4) The court shall also set a date for a full hearing on the  
24 petition as provided in RCW 71.05.310.

25 **Sec. 6.** RCW 71.34.730 and 1995 c 312 s 54 are each amended to  
26 read as follows:

27 (1) The professional person in charge of an evaluation and  
28 treatment facility where a minor has been admitted involuntarily  
29 for the initial seventy-two hour treatment period under this  
30 chapter may petition to have a minor committed to an evaluation and  
31 treatment facility for fourteen-day diagnosis, evaluation, and  
32 treatment.

33 If the professional person in charge of the treatment and  
34 evaluation facility does not petition to have the minor committed,  
35 the parent who has custody of the minor may seek review of that  
36 decision in court. The parent shall file notice with the court and  
37 provide a copy of the treatment and evaluation facility's report.

1 (2) A petition for commitment of a minor under this section  
2 shall be filed with the superior court in the county where the  
3 minor is residing or being detained.

4 (a) A petition for a fourteen-day commitment shall be signed  
5 either by two physicians or by one physician and a mental health  
6 professional who have examined the minor and shall contain the  
7 following:

8 (i) The name and address of the petitioner;

9 (ii) The name of the minor alleged to meet the criteria for  
10 fourteen-day commitment;

11 (iii) The name, telephone number, and address if known of every  
12 person believed by the petitioner to be legally responsible for the  
13 minor;

14 (iv) A statement that the petitioner has examined the minor and  
15 finds that the minor's condition meets required criteria for  
16 fourteen- day commitment and the supporting facts therefor;

17 (v) A statement that the minor has been advised of the need for  
18 voluntary treatment but has been unwilling or unable to consent to  
19 necessary treatment;

20 (vi) A statement that the minor has been advised of the loss of  
21 firearm rights if involuntarily committed;

22 (vii) A statement recommending the appropriate facility or  
23 facilities to provide the necessary treatment; and

24 (~~(vii)~~) (viii) A statement concerning whether a less  
25 restrictive alternative to inpatient treatment is in the best  
26 interests of the minor.

27 (b) A copy of the petition shall be personally delivered to the  
28 minor by the petitioner or petitioner's designee. A copy of the  
29 petition shall be sent to the minor's attorney and the minor's  
30 parent.

31 **Sec. 7.** RCW 71.34.740 and 1985 c 354 s 8 are each amended to  
32 read as follows:

33 (1) A commitment hearing shall be held within seventy-two hours  
34 of the minor's admission, excluding Saturday, Sunday, and holidays,  
35 unless a continuance is requested by the minor or the minor's  
36 attorney.

1 (2) The commitment hearing shall be conducted at the superior  
2 court or an appropriate place at the facility in which the minor is  
3 being detained.

4 (3) At the commitment hearing, the evidence in support of the  
5 petition shall be presented by the county prosecutor.

6 (4) The minor shall be present at the commitment hearing unless  
7 the minor, with the assistance of the minor's attorney, waives the  
8 right to be present at the hearing.

9 (5) If the parents are opposed to the petition, they may be  
10 represented at the hearing and shall be entitled to court-appointed  
11 counsel if they are indigent.

12 (6) At the commitment hearing, the minor shall have the  
13 following rights:

14 (a) To be represented by an attorney;

15 (b) To present evidence on his or her own behalf;

16 (c) To question persons testifying in support of the petition.

17 (7) The court at the time of the commitment hearing and before  
18 an order of commitment is entered shall inform the minor both  
19 orally and in writing that the failure to make a good faith effort  
20 to seek voluntary treatment as provided in RCW 71.34.730 will  
21 result in the loss of his or her firearm rights if the minor is  
22 subsequently detained for involuntary treatment under this section.

23 (8) If the minor has received medication within twenty-four  
24 hours of the hearing, the court shall be informed of that fact and  
25 of the probable effects of the medication.

26 ~~((8))~~ (9) Rules of evidence shall not apply in fourteen-day  
27 commitment hearings.

28 ~~((9))~~ (10) For a fourteen-day commitment, the court must find  
29 by a preponderance of the evidence that:

30 (a) The minor has a mental disorder and presents a "likelihood  
31 of serious harm" or is "gravely disabled";

32 (b) The minor is in need of evaluation and treatment of the  
33 type provided by the inpatient evaluation and treatment facility to  
34 which continued inpatient care is sought or is in need of less  
35 restrictive alternative treatment found to be in the best interests  
36 of the minor; and

37 (c) The minor is unwilling or unable in good faith to consent  
38 to voluntary treatment.

1           (~~(+10+)~~) (11) If the court finds that the minor meets the  
2 criteria for a fourteen-day commitment, the court shall either  
3 authorize commitment of the minor for inpatient treatment or for  
4 less restrictive alternative treatment upon such conditions as are  
5 necessary. If the court determines that the minor does not meet  
6 the criteria for a fourteen-day commitment, the minor shall be  
7 released.

8           (~~(+11+)~~) (12) Nothing in this section prohibits the  
9 professional person in charge of the evaluation and treatment  
10 facility from releasing the minor at any time, when, in the opinion  
11 of the professional person in charge of the facility, further  
12 inpatient treatment is no longer necessary. The release may be  
13 subject to reasonable conditions if appropriate.

14           Whenever a minor is released under this section, the  
15 professional person in charge shall within three days, notify the  
16 court in writing of the release.

17           (~~(+12+)~~) (13) A minor who has been committed for fourteen days  
18 shall be released at the end of that period unless a petition for  
19 one hundred eighty-day commitment is pending before the court."

**EFFECT:** Requires the court, in both adult and minor 14-day  
commitment proceedings, to inform the person both orally and in  
writing that failure to make a good faith effort to seek  
voluntary treatment will result in the loss of his or her  
firearm rights if the person is subsequently involuntarily  
committed.

Amends the process and standards that apply to 14-day  
commitment proceedings for adults to provide that: (1) the  
person named in the petition may request a jury trial, which  
must be held within ten days; (2) the burden of proof is clear,  
cogent, and convincing evidence and the burden of proof rests  
with the petitioner; and (3) the person named in the petition  
has the right to be present at the hearing and must continue to  
be observed during the proceeding until released by order of  
the court.