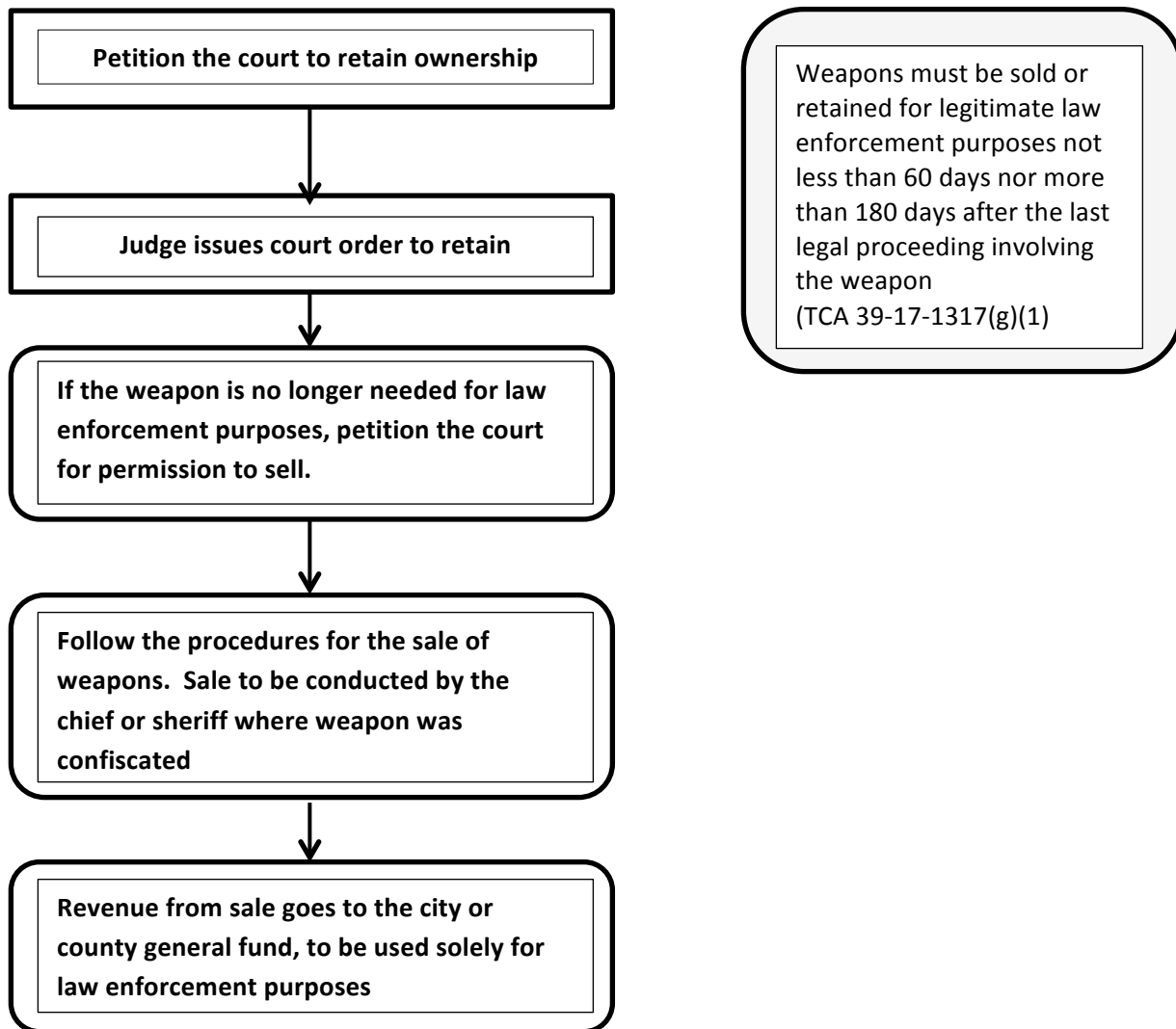


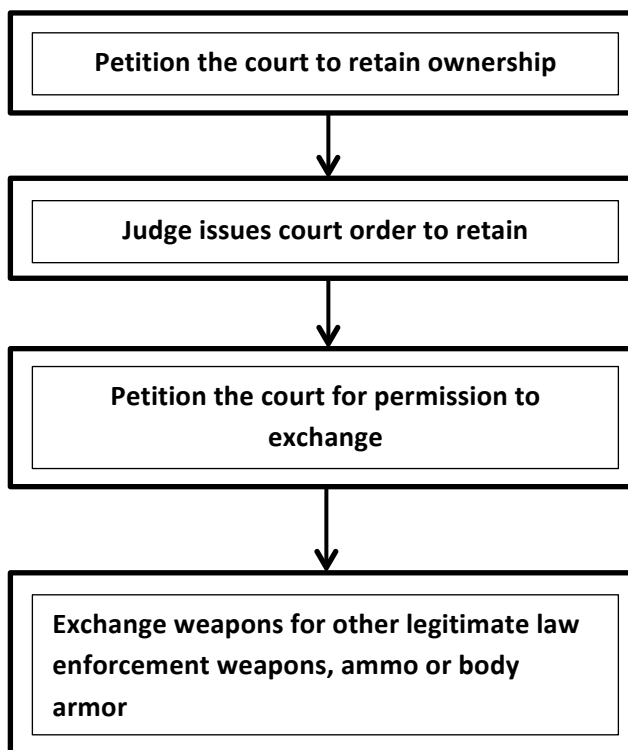
TO RETAIN OWNERSHIP OF WEAPONS

- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. The police chief or sheriff may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- The sheriff or police chief may petition the court to retain ownership of weapons for legitimate law enforcement purposes (39-17-1317(b) and 39-17-1317(e)(1)).
- If the weapons are later sold, the police department or sheriff's department must petition the court for the authorization to sell and follow the procedures for selling the weapons as listed under the "To Sell Weapons" page in this document (39-17-1317(e)(2))



TO EXCHANGE FIREARMS

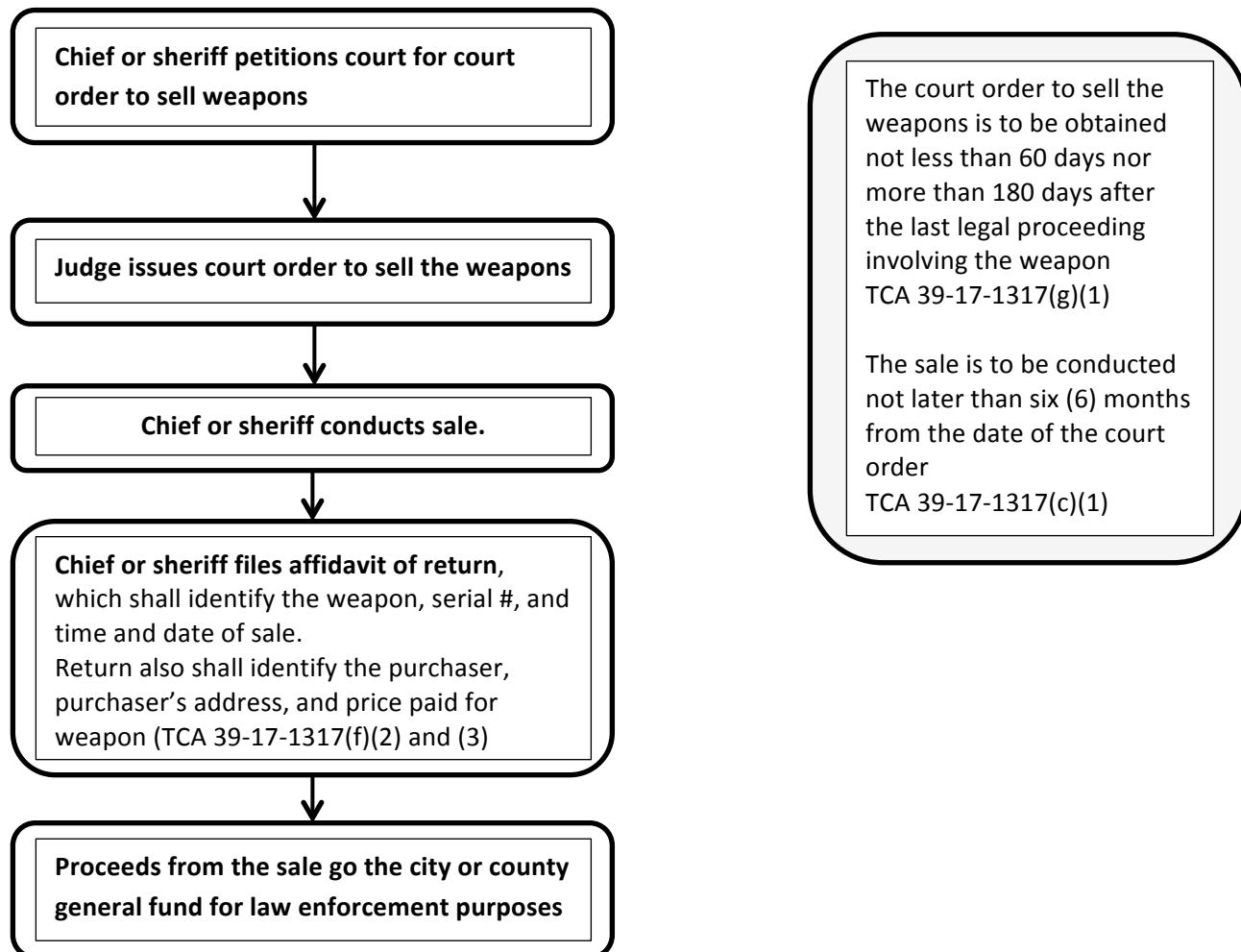
- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. The police chief or sheriff may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- The police chief or sheriff may petition the court for permission to exchange firearms that have previously been titled to the department for other firearms, ammunition or body armor. The exchange must take place between the department and a licensed and qualified law enforcement firearms dealer.
- There is nothing to prevent a sheriff or police chief from petitioning the court for a court order giving title of weapons to the department, and *further* authorizing the department to exchange the weapons, all in a single petition for a court order.



The court order to retain must be obtained not less than 60 days nor more than 180 days after the last legal proceeding involving the weapon
(TCA 39-17-1317(g)(1))

TO SELL WEAPONS

- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. The police chief or sheriff may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- The police chief or sheriff is to petition the court for permission to sell the weapons.
- The weapons are to be sold at public auction not later than six months from the date of the court order, and the sale is to be conducted by the sheriff of the county or the chief of police of the municipality in which the weapon was seized (TCA 39-17-1317(c)(1)).
- The proceeds from the sale go into the county or municipal general fund and shall be allocated solely for law enforcement purposes (TCA 39-17-1317(c)(2)).
- The sale can be conducted under contract with a licensed firearm dealer, whose commission shall not exceed 20% of the gross sales price (TCA 39-17-1317(c)(4)).



UNSAFE WEAPON

Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. If the weapon was confiscated by a judicial district drug task force, the director of the task force may petition the court for disposal of the weapon (TCA 39-17-1317(a)).

If a police chief or sheriff certifies to the court (petitions the court) that a weapon is unsafe or inoperable, the court shall order the weapon destroyed or recycled (TCA 39-17-1317(i)).

