

1                                   **RETIRED PEACE OFFICER WEAPONS**

2   **EXEMPTIONS**

3   1999 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Rebecca D. Lockhart**

6 AN ACT RELATING TO CRIMINAL CODE; PROVIDING THAT A RETIRED PEACE  
7 OFFICER IS EXEMPT FROM CERTAIN WEAPONS LAWS UNDER SPECIFIED  
8 CIRCUMSTANCES.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11                   **76-10-523**, as last amended by Chapters 57 and 144, Laws of Utah 1997

12 *Be it enacted by the Legislature of the state of Utah:*

13                   Section 1. Section **76-10-523** is amended to read:

14                   **76-10-523. Persons exempt from weapons laws.**

15                   (1) This part and Title 53, Chapter 5, Part 7, Concealed Weapon Act, do not apply to any  
16 of the following:

17                   (a) a United States marshal while engaged in the performance of his official duties;

18                   (b) a federal official required to carry a firearm while engaged in the performance of his  
19 official duties;

20                   (c) a peace officer of this or any other jurisdiction while engaged in the performance of his  
21 official duties;

22                   (d) a law enforcement official as defined and qualified under Section 53-5-711;

23                   (e) a judge as defined and qualified in Section 53-5-711;

24                   (f) a common carrier while engaged in the regular and ordinary transport of firearms as  
25 merchandise; [or]

26                   (g) a nonresident traveling in or through the state, provided that any firearm is:

27                   (i) unloaded; and

28 (ii) securely encased as defined in Section 76-10-501[-]; or  
29 (h) a peace officer who has retired in good standing and has a retired peace officer  
30 identification on his person at the time he is carrying the weapon.

31 (2) The provisions of Subsections 76-10-504(1)(a), (1)(b), and Section 76-10-505 do not  
32 apply to any person to whom a permit to carry a concealed firearm has been issued:

33 (a) pursuant to Section 53-5-704; or

34 (b) by another state whose requirements for issuance of a concealed firearm permit have  
35 been determined annually by the Department of Public Safety to meet or exceed the requirements  
36 for issuance of a concealed firearm permit in this state.

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**Legislative Review Note**  
**as of 12-7-98 2:52 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**