

1 **WEAPONS AMENDMENTS**

2 2000 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: David M. Jones**

5 AN ACT RELATING TO WEAPONS AMENDMENTS; ENACTING PROVISIONS FOR  
6 CRIMINAL BACKGROUND CHECKS FOR ALL SALES OR TRANSFERS OF FIREARMS  
7 AT GUN SHOWS OR EVENTS; AND PROVIDING FOR A FEE.

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

9 ENACTS:

10 **76-10-526.5**, Utah Code Annotated 1953

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

12 Section 1. Section **76-10-526.5** is enacted to read:

13 **76-10-526.5. Gun shows or events -- Criminal background check for any sale of a**  
14 **firearm -- Fee.**

15 (1) For purposes of this section:

16 (a) "firearm exhibitor" means an exhibitor who displays one or more firearms, not  
17 including an antique firearm, and offers the firearms for sale or trade at a gun show or event; and

18 (b) "gun show or event" means a temporary location:

19 (i) at which firearms, firearm accessories, and related items may be bought, sold, traded,  
20 and displayed in accordance with federal, state, and local laws;

21 (ii) sponsored for profit or not, by an individual, national, state, or local organization,  
22 association, or other entity to foster the collecting, competitive use, sporting use, or any other legal  
23 use of firearms; and

24 (iii) where the gun show or event has:

25 (A) 20% or more firearm exhibitors out of all exhibitors; or

26 (B) ten or more firearms exhibitors.

27 (2) Any person selling or transferring a firearm at a gun show or event shall make such sale

28 or transfer through:

29 (a) a licensed firearm dealer; or

30 (b) the division, if the division has set up a location at the gun show or event for criminal  
31 background checks.

32 (3) A licensed firearm dealer shall conduct a criminal background check on a prospective  
33 buyer at a gun show or event in accordance with Sections 76-10-526 and 76-10-527.

34 (4) Records of receipt and disposition of firearms transactions conducted at a gun show  
35 or event shall:

36 (a) include the location of the sale or other disposition;

37 (b) be entered in the permanent records of the licensed firearm dealer; and

38 (c) be retained at the location premises specified on the license of the licensed firearm  
39 dealer.

40 (5) In addition to the fee established under Section 76-10-526, a licensed firearm dealer  
41 may charge a handling fee to the seller or the prospective buyer to perform a criminal background  
42 check on behalf of an unlicensed firearm dealer at a gun show or event.

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**Legislative Review Note**

**as of 1-24-00 5:30 PM**

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

**Office of Legislative Research and General Counsel**