

EXPANSION OF USES OF PUBLICLY FUNDED SHOOTING RANGES

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Bill Wright

This act modifies provisions relating to State Affairs in General to require § CERTAIN § shooting ranges constructed with public funds to be made available to the public. The act provides for reasonable fees to be charged and for the use of those fees. The act provides for procedures to be established for the use of shooting ranges.

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

ENACTS:

63-11-66, Utah Code Annotated 1953

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

Section 1. Section **63-11-66** is enacted to read:

63-11-66. Access to shooting ranges constructed with public funds -- Reasonable fees -- Procedure for use by the public.

(1) As used in this section:

~~§ [(a) "Military range" means a shooting range located on a state military installation.~~

~~— (b) [(a) § "Nonmilitary range" means a shooting range § , AS DEFINED IN SECTION 47-3-1, § that is not § [a] LOCATED ON A STATE § military § [range] INSTALLATION AND IS NOT WITHIN A SECURE CORRECTIONAL FACILITY AS DEFINED IN SECTION 64-13-1 § .~~

~~§ [(c) (b) § "Political subdivision" has the same meaning as defined in Section 17B-2-101 and includes a school district.~~

~~§ [(d) (c) § "Public funds" means money belonging to the federal government, the state, or a political subdivision.~~

~~§ [(e) "Shooting range" has the same meaning as defined in Section 47-3-1.] §~~

(2) Each § [shooting] NONMILITARY § range, whether indoor or outdoor, constructed with public funds and operated or controlled by the state, an institution of higher education, or a political subdivision, shall be made available as provided in this section for use by any person capable of bearing



28 arms.

29 (3) (a) Reasonable fees for the use of a § [shooting] NONMILITARY § range to cover § [the
 29a incidental material]

30 [and supply] § costs incurred by making the § [shooting] NONMILITARY § range available to the
 30a public may be

31 established by § [:

32 —— (i) for a military range, the State Armory Board established under Title 39, Chapter 2,
 33 State Armory Board; and

34 —— (ii) for a nonmilitary range;] § the state agency, institution of higher education, or political
 35 subdivision that operates or has control of the nonmilitary range.

36 (b) Fees collected under Subsection (3)(a) shall be:

37 (i) for a § [shooting] NONMILITARY § range operated or controlled by the state or an
 37a institution of higher

38 education, deposited in the General Fund as dedicated credits to be used for the operation and
 39 maintenance of the § [shooting] NONMILITARY § range; and

40 (ii) for a § [shooting] NONMILITARY § range operated or controlled by a political
 40a subdivision, used by the

41 political subdivision as its legislative body determines.

42 § [(4) Use of a military range by civilians may not interfere with the use of the military
 43 range by members of the Utah National Guard.

44 —— § [(5)] (4) § A procedure for use of a § [shooting] NONMILITARY § range by the public § [:

45 —— (a) shall be established by the State Armory Board for each military range; and

46 —— (b) § may be established § [for a nonmilitary range] § by the state agency, institution of
 46a higher

47 education, or political subdivision that operates or has control of the nonmilitary range.]

47a (4) EACH STATE AGENCY, INSTITUTION OF HIGHER EDUCATION, AND POLITICAL
 47b SUBDIVISION THAT OPERATES OR CONTROLS A NONMILITARY RANGE SHALL ESTABLISH A
 47c WRITTEN PROCEDURE THAT PROVIDES REASONABLE TERMS AND CONDITIONS DESIGNED TO
 47d FACILITATE USE OF THE NONMILITARY RANGE BY THE PUBLIC. §

Legislative Review Note

as of 2-7-03 6:20 PM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0190

Expansion of Uses of Publicly Funded Shooting Ranges

14-Feb-03

10:14 AM

State Impact

Incidental material and supply costs incurred by the state and its political subdivisions will be covered by fees charged.

Individual and Business Impact

Individuals will have access to publicly-funded shooting ranges if they pay a fee to cover incidental material and supply costs.

Office of the Legislative Fiscal Analyst