



UTAH STATE SENATE

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February 7, 2003

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 108**, DANGEROUS WEAPONS AMENDMENTS, by Senator M. Waddoups, with the following amendments:

1. Page 1, Line 7: After "**weapon.**" insert "**The act modifies notice requirements related to prohibiting firearms in a house of worship or private residence.**"
2. Page 1, Line 12: After line 12 insert:
"**76-10-530**, as enacted by Chapter 366, Laws of Utah 1999"
3. Page 5, Line 125: After "or" delete "Subsection"
4. Page 5, Line 126: Delete "75-10-500(1), or "
5. Page 5, Line 127: After "Administrator:" delete "or"
6. Page 5, Line 129: After "use" delete "." and insert "; or
(d) the possession is:
(i) at the person's place of residence or on the person's property;
(ii) in any vehicle lawfully under the person's control, other than a vehicle owned by the school or used by the school to transport students; or
(iii) at the person's place of business which is not located in the areas described in Subsections 76-3-203.2(1)(a)(i), (ii), or (iv)."

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7. Page 5, Line 131:

After line 131 insert:

"Section 4. Section **76-10-530** is amended to read:

76-10-530. Trespass with a firearm in a house of worship or private residence -- Notice -- Penalty.

(1) A person, including a person licensed to carry a concealed firearm pursuant to Title 53, Chapter 5, Part 7, Concealed Weapon Act, after ~~having received~~ notice has been given as provided in Subsection (2) that firearms are prohibited, may not knowingly and intentionally:

(a) transport a firearm into:

(i) a house of worship; or

(ii) a private residence; or

(b) while in possession of a firearm, enter or remain in:

(i) a house of worship; or

(ii) a private residence.

(2) Notice that firearms are prohibited may be ~~made~~ given by:

(a) personal communication to the actor by:

(i) the church or organization operating the house of worship;

(ii) the owner, lessee, or person with lawful right of possession of the private residence; or

(iii) a person with authority to act for the person or entity in Subsections (2)(a)(i) and (ii); ~~or~~

(b) posting of signs reasonably likely to come to the attention of persons entering the house of worship or private residence[-];

(c) announcement, by a person with authority to act for the church or organization operating the house of worship, in a regular congregational meeting in the house of worship;

(d) publication in a bulletin, newsletter, worship program or similar document generally circulated or available to the members of the congregation regularly meeting in the house of worship; or

(e) publication in a newspaper of general circulation in the county in which the house of worship is located or the church or organization operating the house of worship has its principal office in this state.

(3) A church or organization operating a house of worship

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and giving notice that firearms are prohibited may:
(a) revoke the notice, with or without supersedure, by giving further notice in any manner provided in Subsection (2); and
(b) provide or allow exceptions to the prohibition as the church or organization considers advisable.
(4) (a) Within 30 days of giving or revoking any notice pursuant to Subsection (2)(c), (2)(d), or (2)(e), a church or organization operating a house of worship shall notify the division on a form and in a manner as the division shall prescribe.
(b) Any notice given pursuant to Subsection (2)(c), (2)(d), or (2)(e) shall remain in effect until revoked or for a period of five years from the date the notice was originally given, whichever occurs first.
~~[(3)]~~ (5) Nothing in this section permits an owner who has granted the lawful right of possession to a renter or lessee to restrict the renter or lessee from lawfully possessing a firearm in the residence.
~~[(4)]~~ (6) A violation of this section is an infraction."

Renumber remaining sections accordingly.

Respectfully,

Gregory S. Bell
Committee Chair

Voting: 4-2-2

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