

H.B. 295
WEAPONS LAW EXEMPTIONS

Representative **Richard A. Greenwood** proposes the following amendments:

1. *Page 2, Lines 31 through 41*
House Committee Amendments
2-7-2014:

- 31 (1) As used in this section ~~{-}~~ § :
- (a) "Dangerous weapon" means an item that in the manner of its use or intended use is capable of causing death or serious bodily injury. The following factors shall be used in determining whether an item, object, or thing is a dangerous weapon:
- (i) the character of the instrument, object, or thing;
- (ii) the character of the wound produced, if any; and
- (iii) the manner in which the instrument, object, or thing was exhibited or used.
- (b) "Threatening manner" ~~{-}~~ {"threatening manner"} does not include:
- 32 ~~{(a)}~~ (i) the possession of a dangerous weapon, whether visible or concealed, without
- 33 additional behavior which is threatening; or
- 34 ~~{(b)}~~ (ii) informing another of the actor's possession of a deadly weapon in order to prevent
- 35 what the actor reasonably perceives as a possible use of unlawful force by the other and the
- 36 actor is not engaged in any activity described in Subsection 76-2-402(2)(a).
- 37 (2) Except as otherwise provided in Section 76-2-402 and for those persons
- 38 described in Section 76-10-503, a person who ~~H→~~ [F] , in the presence of two or more
- 38a persons, [F] and not amounting to a violation of Section 76-5-103, ←H
- 39 draws or exhibits a dangerous weapon ~~{-as defined in Section 76-1-601}~~ in an angry and
- 40 threatening manner or unlawfully uses a dangerous weapon in a fight or quarrel is guilty of a
- 41 class A misdemeanor.