

**DRILL STATUS TRAVEL AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill amends the privilege from arrest or citation exceptions for members of the National Guard.

**Highlighted Provisions:**

This bill:

- ▶ limits the privilege from arrest by civil authorities during certain conditions requiring a member of the National Guard's presence;
- ▶ includes traveling to and from locations related to orders for a prompt response; and
- ▶ modifies the penalties for which a member of the National Guard can be arrested or cited when responding to orders for a prompt response.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**39-1-54**, as repealed and reenacted by Laws of Utah 1988, Chapter 210

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

Section 1. Section **39-1-54** is amended to read:



28           **39-1-54. Privilege from arrest or citation -- Exceptions.**

29           (1) ~~[The members]~~ A member of the National Guard ~~[are]~~ is privileged from arrest or  
30 citation by civil authorities ~~[during their attendance at drill parades or encampments, or in~~  
31 ~~going to and returning from any of these activities.];~~

32           (a) during military formations, exercises, mobilizations, or other duty when exigent,  
33 perilous, emergency, or similar circumstances require the members presence; and

34           (b) while traveling to and from military duty locations when exigent, perilous,  
35 emergency, or similar circumstances require the members presence.

36           (2) This privilege does not extend to arrest or citation for:

37           (a) treason;

38           (b) any felony;

39           (c) breach of the peace; or

40           (d) operation of a vehicle in a reckless manner or while under the influence of any drug  
41 or alcohol~~;~~or].

42           ~~[(e) offenses which under state law are class A misdemeanors or greater.]~~

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**Legislative Review Note**  
as of 1-16-15 9:57 AM

**Office of Legislative Research and General Counsel**