

VOLUNTARY LETHAL MEANS RESTRICTIONS

AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill creates a voluntary process for an individual to restrict the individual's ability to purchase a firearm.

Highlighted Provisions:

This bill:

- ▶ requires the Bureau of Criminal Identification to create a process and forms to allow a non-restricted individual to voluntarily become a restricted individual for a limited period of time;
- ▶ requires the individual to acknowledge the consequences of the restrictions;
- ▶ allows the individual to request removal after 30 days;
- ▶ requires the law enforcement agency and bureau to destroy all records after an individual is removed from the voluntary restricted list; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-5-704, as last amended by Laws of Utah 2013, Chapter 280

53-5c-102, as enacted by Laws of Utah 2013, Chapter 188

30 76-10-526, as last amended by Laws of Utah 2019, Chapters 386 and 440

31 ENACTS:

32 53-5c-301, Utah Code Annotated 1953

33

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

35 Section 1. Section 53-5-704 is amended to read:

36 **53-5-704. Bureau duties -- Permit to carry concealed firearm -- Certification for**
37 **concealed firearms instructor -- Requirements for issuance -- Violation -- Denial,**
38 **suspension, or revocation -- Appeal procedure.**

39 (1) (a) The bureau shall issue a permit to carry a concealed firearm for lawful self
40 defense to an applicant who is 21 years of age or older within 60 days after receiving an
41 application, unless the bureau finds proof that the applicant does not meet the qualifications set
42 forth in Subsection (2).

43 (b) The permit is valid throughout the state for five years, without restriction, except as
44 otherwise provided by Section 53-5-710.

45 (c) The provisions of Subsections 76-10-504(1) and (2), and Section 76-10-505 do not
46 apply to a person issued a permit under Subsection (1)(a).

47 (d) Subsection (4)(a) does not apply to a nonresident:

48 (i) active duty service member, who ~~present~~ presents to the bureau orders requiring
49 the active duty service member to report for duty in this state; or

50 (ii) ~~an~~ active duty service member's spouse, stationed with the active duty service
51 member, who presents to the bureau the active duty service member's orders requiring the
52 service member to report for duty in this state.

53 (2) (a) The bureau may deny, suspend, or revoke a concealed firearm permit if the
54 applicant or permit holder:

55 (i) has been or is convicted of a felony;

56 (ii) has been or is convicted of a crime of violence;

57 (iii) has been or is convicted of an offense involving the use of alcohol;

58 (iv) has been or is convicted of an offense involving the unlawful use of narcotics or
59 other controlled substances;

60 (v) has been or is convicted of an offense involving moral turpitude;

61 (vi) has been or is convicted of an offense involving domestic violence;

62 (vii) has been or is adjudicated by a state or federal court as mentally incompetent,
63 unless the adjudication has been withdrawn or reversed; and

64 (viii) is not qualified to purchase and possess a firearm pursuant to Section 76-10-503
65 and federal law.

66 (b) In determining whether an applicant or permit holder meets the qualifications set
67 forth in Subsection (2)(a), the bureau shall consider mitigating circumstances.

68 (3) (a) The bureau may deny, suspend, or revoke a concealed firearm permit if it has
69 reasonable cause to believe that the applicant or permit holder has been or is a danger to self or
70 others as demonstrated by evidence, including:

71 (i) past pattern of behavior involving unlawful violence or threats of unlawful violence;

72 (ii) past participation in incidents involving unlawful violence or threats of unlawful
73 violence; or

74 (iii) conviction of an offense in violation of Title 76, Chapter 10, Part 5, Weapons.

75 (b) The bureau may not deny, suspend, or revoke a concealed firearm permit solely for
76 a single conviction of an infraction violation of Title 76, Chapter 10, Part 5, Weapons.

77 (c) In determining whether the applicant or permit holder has been or is a danger to self
78 or others, the bureau may inspect:

79 (i) expunged records of arrests and convictions of adults as provided in Section
80 77-40-109; and

81 (ii) juvenile court records as provided in Section 78A-6-209.

82 (d) (i) The bureau shall suspend a concealed firearm permit if a permit holder becomes
83 a temporarily restricted person in accordance with Section 53-5c-301.

84 (ii) Upon removal from the temporary restricted list, the permit holder's permit shall be
85 reinstated unless:

86 (A) the permit has been revoked, been suspended for a reason other than the restriction
87 described in Subsection (3)(d)(i), or expired; or

88 (B) the permit holder has become a restricted person under Section [76-10-503](#).

89 (4) (a) In addition to meeting the other qualifications for the issuance of a concealed
90 firearm permit under this section, a nonresident applicant who resides in a state that recognizes
91 the validity of the Utah permit or has reciprocity with Utah's concealed firearm permit law
92 shall:

93 (i) hold a current concealed firearm or concealed weapon permit issued by the
94 appropriate permitting authority of the nonresident applicant's state of residency; and

95 (ii) submit a photocopy or electronic copy of the nonresident applicant's current
96 concealed firearm or concealed weapon permit referred to in Subsection (4)(a)(i).

97 (b) A nonresident applicant who knowingly and willfully provides false information to
98 the bureau under Subsection (4)(a) is prohibited from holding a Utah concealed firearm permit
99 for a period of 10 years.

100 (c) Subsection (4)(a) applies to all applications for the issuance of a concealed firearm
101 permit that are received by the bureau after May 10, 2011.

102 (d) Beginning January 1, 2012, Subsection (4)(a) also applies to an application for
103 renewal of a concealed firearm permit by a nonresident.

104 (5) The bureau shall issue a concealed firearm permit to a former peace officer who
105 departs full-time employment as a peace officer, in an honorable manner, within five years of
106 that departure if the officer meets the requirements of this section.

107 (6) Except as provided in Subsection (7), the bureau shall also require the applicant to
108 provide:

109 (a) the address of the applicant's permanent residence;

110 (b) one recent dated photograph;

111 (c) one set of fingerprints; and

112 (d) evidence of general familiarity with the types of firearms to be concealed as defined
113 in Subsection (8).

114 (7) An applicant who is a law enforcement officer under Section 53-13-103 may
115 provide a letter of good standing from the officer's commanding officer in place of the evidence
116 required by Subsection (6)(d).

117 (8) (a) General familiarity with the types of firearms to be concealed includes training
118 in:

119 (i) the safe loading, unloading, storage, and carrying of the types of firearms to be
120 concealed; and

121 (ii) current laws defining lawful use of a firearm by a private citizen, including lawful
122 self-defense, use of force by a private citizen, including use of deadly force, transportation, and
123 concealment.

124 (b) An applicant may satisfy the general familiarity requirement of Subsection (8)(a) by
125 one of the following:

126 (i) completion of a course of instruction conducted by a national, state, or local
127 firearms training organization approved by the bureau;

128 (ii) certification of general familiarity by a person who has been certified by the bureau,
129 which may include a law enforcement officer, military or civilian firearms instructor, or hunter
130 safety instructor; or

131 (iii) equivalent experience with a firearm through participation in an organized
132 shooting competition, law enforcement, or military service.

133 (c) Instruction taken by a student under this Subsection (8) shall be in person and not
134 through electronic means.

135 (9) (a) An applicant for certification as a Utah concealed firearms instructor shall:

136 (i) be at least 21 years [~~of age~~] old;

137 (ii) be currently eligible to possess a firearm under Section 76-10-503;

138 (iii) have:

139 (A) completed a firearm instruction training course from the National Rifle Association
140 or the Department of Public Safety, Division of Peace Officer Safety Standards and Training;

141 or

142 (B) received training equivalent to one of the courses referred to in Subsection
143 (9)(a)(iii)(A) as determined by the bureau;

144 (iv) have taken a course of instruction and passed a certification test as described in
145 Subsection (9)(c); and

146 (v) possess a Utah concealed firearm permit.

147 (b) An instructor's certification is valid for three years from the date of issuance, unless
148 revoked by the bureau.

149 (c) (i) In order to obtain initial certification or renew a certification, an instructor shall
150 attend an instructional course and pass a test under the direction of the bureau.

151 (ii) (A) The bureau shall provide or contract to provide the course referred to in
152 Subsection (9)(c)(i) twice every year.

153 (B) The course shall include instruction on current Utah law related to firearms,
154 including concealed carry statutes and rules, and the use of deadly force by private citizens.

155 (d) (i) Each applicant for certification under this Subsection (9) shall pay a fee of
156 \$50.00 at the time of application for initial certification.

157 (ii) The renewal fee for the certificate is \$25.

158 (iii) The bureau may use a fee paid under Subsections (9)(d)(i) and (ii) as a dedicated
159 credit to cover the cost incurred in maintaining and improving the instruction program required
160 for concealed firearm instructors under this Subsection (9).

161 (10) A certified concealed firearms instructor shall provide each of the instructor's
162 students with the required course of instruction outline approved by the bureau.

163 (11) (a) (i) A concealed firearms instructor shall provide a signed certificate to a person
164 successfully completing the offered course of instruction.

165 (ii) The instructor shall sign the certificate with the exact name indicated on the
166 instructor's certification issued by the bureau under Subsection (9).

167 (iii) (A) The certificate shall also have affixed to it the instructor's official seal, which
168 is the exclusive property of the instructor and may not be used by any other person.

169 (B) The instructor shall destroy the seal upon revocation or expiration of the

170 instructor's certification under Subsection (9).

171 (C) The bureau shall determine the design and content of the seal to include at least the
172 following:

173 (I) the instructor's name as it appears on the instructor's certification;

174 (II) the words "Utah Certified Concealed Firearms Instructor," "state of Utah," and "my
175 certification expires on (the instructor's certification expiration date)"; and

176 (III) the instructor's business or residence address.

177 (D) The seal shall be affixed to each student certificate issued by the instructor in a
178 manner that does not obscure or render illegible any information or signatures contained in the
179 document.

180 (b) The applicant shall provide the certificate to the bureau in compliance with
181 Subsection (6)(d).

182 (12) The bureau may deny, suspend, or revoke the certification of an applicant or a
183 concealed firearms instructor if it has reason to believe the applicant or the instructor has:

184 (a) become ineligible to possess a firearm under Section 76-10-503 or federal law; or

185 (b) knowingly and willfully provided false information to the bureau.

186 (13) An applicant for certification or a concealed firearms instructor has the same
187 appeal rights as set forth in Subsection (16).

188 (14) In providing instruction and issuing a permit under this part, the concealed
189 firearms instructor and the bureau are not vicariously liable for damages caused by the permit
190 holder.

191 (15) An individual who knowingly and willfully provides false information on an
192 application filed under this part is guilty of a class B misdemeanor, and the application may be
193 denied, or the permit may be suspended or revoked.

194 (16) (a) In the event of a denial, suspension, or revocation of a permit, the applicant or
195 permit holder may file a petition for review with the board within 60 days from the date the
196 denial, suspension, or revocation is received by the applicant or permit holder by certified mail,
197 return receipt requested.

198 (b) The bureau's denial of a permit shall be in writing and shall include the general
199 reasons for the action.

200 (c) If an applicant or permit holder appeals the denial to the review board, the applicant
201 or permit holder may have access to the evidence upon which the denial is based in accordance
202 with Title 63G, Chapter 2, Government Records Access and Management Act.

203 (d) On appeal to the board, the bureau has the burden of proof by a preponderance of
204 the evidence.

205 (e) (i) Upon a ruling by the board on the appeal of a denial, the board shall issue a final
206 order within 30 days stating the board's decision.

207 (ii) The final order shall be in the form prescribed by Subsection 63G-4-203(1)(i).

208 (iii) The final order is final bureau action for purposes of judicial review under Section
209 63G-4-402.

210 (17) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah
211 Administrative Rulemaking Act, necessary to administer this chapter.

212 Section 2. Section 53-5c-102 is amended to read:

213 **53-5c-102. Definitions.**

214 As used in this part:

215 (1) "Bureau" means the Bureau of Criminal Identification created in Section
216 53-10-201.

217 [~~(1)~~] (2) "Cohabitant" means a person who is 21 years of age or older who resides in
218 the same residence as the other party.

219 [~~(2)~~] (3) "Firearm" means a pistol, revolver, shotgun, short barrel shotgun, rifle or short
220 barrel rifle, or a device that could be used as a dangerous weapon from which is expelled a
221 projectile by action of an explosive.

222 [~~(3)~~] (4) "Illegal firearm" means a firearm the ownership or possession of which is
223 prohibited under state or federal law.

224 [~~(4)~~] (5) "Law enforcement agency" means a municipal or county police agency or an
225 officer of that agency.

226 ~~[(5)]~~ (6) "Owner cohabitant" means a cohabitant who owns, in whole or in part, a
227 firearm.

228 ~~[(6)]~~ (7) "Public interest use" means:

229 (a) use by a government agency as determined by the legislative body of the agency's
230 jurisdiction; or

231 (b) donation to a bona fide charity.

232 Section 3. Section 53-5c-301 is enacted to read:

233 **Part 3. Voluntary Firearm Restrictions**

234 **53-5c-301. Voluntary restrictions on firearm purchase and possession.**

235 (1) An individual who is not a restricted person under Section 76-10-503 may be
236 restricted from the purchase and possession of firearms through a voluntary process.

237 (2) (a) The bureau shall develop a process and forms for inclusion on, and removal
238 from, a temporary restricted list to be maintained by the bureau.

239 (b) The bureau shall make the forms for inclusion and removal available by download
240 through the bureau's website and require, at a minimum, the following information for the
241 individual described in Subsection (1):

242 (i) name;

243 (ii) address;

244 (iii) date of birth;

245 (iv) contact information;

246 (v) the signature of the individual; and

247 (vi) an acknowledgment of the statement in Subsection (8).

248 (3) (a) An individual requesting inclusion on the temporary restricted list shall deliver
249 the completed form in person to a law enforcement agency.

250 (b) The law enforcement agency described in Subsection (3)(a):

251 (i) shall verify the individual's identity before accepting the form;

252 (ii) may not accept a form from someone other than the individual named on the form;

253 and

254 (iii) shall transmit the form electronically to the bureau through the Utah Criminal
255 Justice Information System.

256 (4) Upon receipt of a verified form requesting inclusion on the temporary restricted list,
257 the bureau shall, within 24 hours:

258 (a) add the individual's name to the list; and

259 (b) enter the information in the National Instant Criminal Background Check System
260 Indices, including:

261 (i) the date of the entry; and

262 (ii) that the restriction ends 180 days after the date of the entry.

263 (5) If the bureau does not receive a request for extension before the removal date, the
264 bureau shall remove the individual from the temporary restricted list.

265 (6) (a) An individual who is added to the temporary restricted list may not request
266 removal from the list unless the individual has been on the list for at least 30 days.

267 (b) The bureau shall remove an individual from the list 180 days after the individual
268 was added to the list, unless the individual requests to remain on the list.

269 (c) Requests for extensions shall be made in the same manner as the original request.

270 (d) An individual may continue to request extensions every 180 days.

271 (7) If an individual restricted under this section is a concealed firearm permit holder,
272 the individual's permit shall be:

273 (a) suspended upon entry on the temporary list; and

274 (b) reinstated upon removal from the list, unless:

275 (i) the permit has been revoked, been suspended for a reason other than under this
276 section, or has expired; or

277 (ii) the individual has become a restricted person under Section [76-10-503](#).

278 (8) The form shall have the following language prominently displayed before the
279 signature:

280 ACKNOWLEDGMENT

281 "By presenting this completed form to a law enforcement agency, I understand that I am

282 requesting that my name be placed on a list that restricts my ability to purchase or possess
283 firearms for a minimum of 30 days, and up to 6 months. I understand that by voluntarily
284 making myself a temporarily restricted person, I may not have a firearm in my possession and
285 any attempt to purchase a firearm while I am on the list will be declined. I also understand that
286 any time after 30 days, I may request removal from the temporary restricted list and all
287 previous rights will be restored. In addition, if I am in possession of a valid concealed firearm
288 permit, my permit will be suspended during the time I am on the list, but will be reinstated
289 upon my removal, unless the permit has expired, been revoked, been suspended for another
290 reason, or I become ineligible to possess a firearm. Additionally, I acknowledge that if I
291 possess a firearm or attempt to purchase a firearm while outside Utah, I will be subject to the
292 law of that location regarding restricted persons."

293 (9) (a) An individual requesting removal from the temporary restricted list shall deliver
294 a completed removal form in person to the law enforcement agency that processed the
295 inclusion form under Subsection (3).

296 (b) The law enforcement agency described in Subsection (9)(a):

297 (i) shall verify the individual's identity before accepting the form;

298 (ii) may not accept a form from someone other than the individual named on the form;

299 and

300 (iii) shall transmit the form electronically to the bureau through the Utah Criminal
301 Justice Information System.

302 (10) Upon receipt of a verified removal form, the bureau shall, within 24 hours,
303 remove the individual from the temporary restricted list and remove the information from the
304 National Instant Criminal Background Check System.

305 (11) Within 30 days before the 180-day removal deadline, the bureau shall notify the
306 individual at the address listed on the form and the law enforcement agency that processed the
307 inclusion form that the individual is due to be removed from the temporary list, and the date on
308 which the removal will occur, unless the individual requests an extension of up to 180 days.

309 (12) (a) A law enforcement agency that receives a request for inclusion shall maintain

310 the form and all subsequent forms in a separate file.

311 (b) If the individual requests removal before the end of the 180 days, the law
312 enforcement agency shall destroy the entire file within five days after transmission of the
313 information to the bureau.

314 (c) If the individual does not request an extension after notification in accordance with
315 Subsection (11), the law enforcement agency shall destroy the entire file within five days after
316 the date indicated in the notification.

317 (d) Upon removal of an individual from the voluntary restricted list, the bureau shall
318 destroy all records related to the inclusion and removal of the individual.

319 (e) All forms and records created in accordance with this section are classified as
320 private records in accordance with Title 63G, Chapter 2, Government Records Access and
321 Management Act.

322 (13) The bureau may make rules in accordance with Title 63G, Chapter 3, Utah
323 Administrative Rulemaking Act, to develop the process and forms to implement this section.

324 Section 4. Section **76-10-526** is amended to read:

325 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**
326 **Exemption for concealed firearm permit holders and law enforcement officers.**

327 (1) For purposes of this section, "valid permit to carry a concealed firearm" does not
328 include a temporary permit issued under Section [53-5-705](#).

329 (2) (a) To establish personal identification and residence in this state for purposes of
330 this part, a dealer shall require an individual receiving a firearm to present one photo
331 identification on a form issued by a governmental agency of the state.

332 (b) A dealer may not accept a driving privilege card issued under Section [53-3-207](#) as
333 proof of identification for the purpose of establishing personal identification and residence in
334 this state as required under this Subsection (2).

335 (3) (a) A criminal history background check is required for the sale of a firearm by a
336 licensed firearm dealer in the state.

337 (b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms

338 Licensee.

339 (4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a
340 criminal background check, on a form provided by the bureau.

341 (b) The form shall contain the following information:

342 (i) the dealer identification number;

343 (ii) the name and address of the individual receiving the firearm;

344 (iii) the date of birth, height, weight, eye color, and hair color of the individual
345 receiving the firearm; and

346 (iv) the social security number or any other identification number of the individual
347 receiving the firearm.

348 (5) (a) The dealer shall send the information required by Subsection (4) to the bureau
349 immediately upon its receipt by the dealer.

350 (b) A dealer may not sell or transfer a firearm to an individual until the dealer has
351 provided the bureau with the information in Subsection (4) and has received approval from the
352 bureau under Subsection (7).

353 (6) The dealer shall make a request for criminal history background information by
354 telephone or other electronic means to the bureau and shall receive approval or denial of the
355 inquiry by telephone or other electronic means.

356 (7) When the dealer calls for or requests a criminal history background check, the
357 bureau shall:

358 (a) review the criminal history files, including juvenile court records, and the
359 temporary restricted file created under Section 53-5c-301, to determine if the individual is
360 prohibited from purchasing, possessing, or transferring a firearm by state or federal law;

361 (b) inform the dealer that:

362 (i) the records indicate the individual is prohibited; or

363 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

364 (c) provide the dealer with a unique transaction number for that inquiry; and

365 (d) provide a response to the requesting dealer during the call for a criminal

366 background check, or by return call, or other electronic means, without delay, except in case of
367 electronic failure or other circumstances beyond the control of the bureau, the bureau shall
368 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the
369 delay.

370 (8) (a) The bureau may not maintain any records of the criminal history background
371 check longer than 20 days from the date of the dealer's request, if the bureau determines that
372 the individual receiving the firearm is not prohibited from purchasing, possessing, or
373 transferring the firearm under state or federal law.

374 (b) However, the bureau shall maintain a log of requests containing the dealer's federal
375 firearms number, the transaction number, and the transaction date for a period of 12 months.

376 (9) (a) If the criminal history background check discloses information indicating that
377 the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or
378 transferring a firearm, the bureau shall inform the law enforcement agency in the jurisdiction
379 where the individual resides.

380 (b) Subsection (9)(a) does not apply to an individual prohibited from purchasing a
381 firearm solely due to placement on the temporary restricted list under Section [53-5c-301](#).

382 ~~(b)~~ (c) A law enforcement agency that receives information from the bureau under
383 Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that
384 includes:

385 (i) based on the information the bureau provides to the law enforcement agency under
386 Subsection (9)(a), the number of cases that involve an individual who is prohibited from
387 purchasing, possessing, or transferring a firearm as a result of a conviction for an offense
388 involving domestic violence; and

389 (ii) of the cases described in Subsection (9)~~(b)~~(c)(i):

390 (A) the number of cases the law enforcement agency investigates; and

391 (B) the number of cases the law enforcement agency investigates that result in a
392 criminal charge.

393 ~~(c)~~ (d) The bureau shall:

394 (i) compile the information from the reports described in Subsection (9)(b)(c);
395 (ii) omit or redact any identifying information in the compilation; and
396 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim
397 Committee before November 1 of each year.

398 (10) If an individual is denied the right to purchase a firearm under this section, the
399 individual may review the individual's criminal history information and may challenge or
400 amend the information as provided in Section 53-10-108.

401 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah
402 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all
403 records provided by the bureau under this part are in conformance with the requirements of the
404 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

405 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a
406 firearm under this section.

407 (b) The fee described under Subsection (12)(a) remains in effect until changed by the
408 bureau through the process described in Section 63J-1-504.

409 (c) (i) The dealer shall forward at one time all fees collected for criminal history
410 background checks performed during the month to the bureau by the last day of the month
411 following the sale of a firearm.

412 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover
413 the cost of administering and conducting the criminal history background check program.

414 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,
415 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee
416 required in this section for the purchase of a firearm if:

417 (a) the individual presents the individual's concealed firearm permit to the dealer prior
418 to purchase of the firearm; and

419 (b) the dealer verifies with the bureau that the individual's concealed firearm permit is
420 valid.

421 (14) (a) A law enforcement officer, as defined in Section 53-13-103, is exempt from

422 the background check fee required in this section for the purchase of a personal firearm to be
423 carried while off-duty if the law enforcement officer verifies current employment by providing
424 a letter of good standing from the officer's commanding officer and current law enforcement
425 photo identification.

426 (b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a
427 personal firearm once in a 24-month period.

428 (15) (a) A dealer or a person engaged in the business of selling firearm safes in Utah
429 may participate in the redeemable coupon program described in this Subsection (15) and
430 Subsection [62A-15-103\(3\)](#).

431 (b) A participating dealer or person shall:

432 (i) apply the coupon only toward the purchase of a gun safe;

433 (ii) collect the receipts from the purchase of a firearm safe using the redeemable
434 coupons and send the receipts to the Division of Substance Abuse and Mental Health for
435 redemption; and

436 (iii) make the firearm safety brochure described in Subsection [62A-15-103\(3\)](#) available
437 to a customer free of charge.

438 (16) A dealer engaged in the business of selling, leasing, or otherwise transferring any
439 firearm shall:

440 (a) make the firearm safety brochure described in Subsection [62A-15-103\(3\)](#) available
441 to a customer free of charge; and

442 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer
443 under Subsection [62A-15-103\(3\)](#) to a customer purchasing a shotgun, short barreled shotgun,
444 short barreled rifle, rifle, or another firearm that federal law does not require be accompanied
445 by a gun lock at the time of purchase.