

Superseded 5/10/2016

34-45-107 Exemptions -- Limitations on chapter -- School premises -- Government entities -- Religious organizations -- Single family detached residential units.

- (1)
 - (a) School premises, as defined in Subsection 76-3-203.2(1), are exempt from the provisions of this chapter.
 - (b) Possession of a firearm on or about school premises is subject to the provisions of Section 76-10-505.5.
- (2) Government entities, including a local authority or state entity, are subject to the requirements of Title 53, Chapter 5a, Firearm Laws, but are otherwise exempt from the provisions of this chapter.
- (3) Religious organizations, including religious organizations acting as an employer, are exempt from, and are not subject to the provisions of this chapter.
- (4) Owner-occupied single family detached residential units and tenant-occupied single family detached residential units are exempt from the provisions of this chapter.
- (5) A person who is subject to federal law that specifically forbids the presence of a firearm from property designated for motor vehicle parking, or a person who is subject to Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section, is exempt from Section 34-45-103 if:
 - (a) providing alternative parking or a storage location under Subsection 34-45-103(2)(a) would pose an undue burden on the person; and
 - (b) the person files a statement with the attorney general citing the federal law that forbids the presence of a firearm and detailing the reasons why providing alternative parking or a storage location poses an undue burden.
- (6) A person who is subject to Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section is exempt from this chapter if:
 - (a) the person has attempted to provide alternative parking or a storage location in accordance with Subsection 34-45-103(2)(a);
 - (b) the secretary of the federal Department of Homeland Security notifies the person that the provision of alternative parking or a storage location causes the person to be out of compliance with Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section and the person may be subject to punitive measures; and
 - (c) the person files a detailed statement with the attorney general notifying the attorney general of the facts under Subsections (6)(a) and (b).