

Effective 5/10/2016

53A-13-106.5 Firearm Safety and Violence Prevention Pilot Program.

- (1) As used in this section:
 - (a) "District school" means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
 - (b) "Firearm" means a pistol, revolver, shotgun, short barreled shotgun, rifle, or short barreled rifle, or a device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.
 - (c) "Pilot program" means the Firearm Safety and Violence Prevention Pilot Program created under Subsection (2).
- (2) There is created a Firearm Safety and Violence Prevention Pilot Program to provide instruction that a public school may offer to a student in any of grades 5 through 12 on:
 - (a) firearm safety, including:
 - (i) developing the knowledge, habits, skills, and attitudes necessary for the safe handling of firearms; and
 - (ii) teaching a student that to avoid injury when the student finds a firearm the student should:
 - (A) not touch the firearm;
 - (B) tell an adult about finding the firearm and the location of the firearm; and
 - (C) share the information described in Subsection (2)(a)(ii)(A) and (B) with any other minors who are with the student when the student finds the firearm; and
 - (b) what to do if the student becomes aware of a threat against the school.
- (3) The instruction described in Subsection (2):
 - (a) may be delivered:
 - (i) in a public school using live instruction or a video or online materials; or
 - (ii) at home using a video or online materials; and
 - (b) shall be neutral of political statements on guns.
- (4) The Office of the Attorney General, in collaboration with the State Board of Education, shall select one or more providers, through the standard procurement process or an exception to the standard procurement process as described in Title 63G, Chapter 6a, Utah Procurement Code, to supply materials and curriculum for the pilot program.
- (5)
 - (a) A district school or charter school may participate in the pilot program, subject to approval by the district school's local school board or charter school's charter school governing board.
 - (b) A district school or charter school that chooses to participate in the pilot program:
 - (i) shall use the materials and curriculum supplied by the provider selected under Subsection (4);
 - (ii) may permit the following to provide instruction on a voluntary basis:
 - (A) the Division of Wildlife Resources;
 - (B) a local law enforcement agency;
 - (C) a peace officer, as defined in Section 53-13-102; or
 - (D) another certified firearms safety instructor, as defined in rules made by the State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (iii) shall ensure that a firearm is not used in providing the instruction.
 - (c) A student may not be given the instruction described in Subsection (2) unless the student's parent or legal guardian has given prior written consent.

(6) The Office of the Attorney General, in collaboration with the State Board of Education, shall evaluate the pilot program and report to the Law Enforcement and Criminal Justice Interim Committee on or before December 1, 2018.

Enacted by Chapter 169, 2016 General Session