

Effective 7/1/2023

Renumbered 5/7/2025

76-10-504 Carrying concealed firearm -- Penalties.

- (1) Except as provided in Sections 76-10-503 and 76-10-523 and in Subsections (2), (3), and (4), a person who carries a concealed firearm, as defined in Section 76-10-501, including an unloaded firearm on his or her person or one that is readily accessible for immediate use which is not securely encased, as defined in this part, in or on a place other than the person's residence, property, a vehicle in the person's lawful possession, or a vehicle, with the consent of the individual who is lawfully in possession of the vehicle, or business under the person's control is guilty of a class B misdemeanor.
- (2) A person who carries a concealed firearm that is a loaded firearm in violation of Subsection (1) is guilty of a class A misdemeanor.
- (3) A person who carries concealed an unlawfully possessed short barreled shotgun or a short barreled rifle is guilty of a second degree felony.
- (4) If the concealed firearm is used in the commission of a violent felony as defined in Section 76-3-203.5, and the person is a party to the offense, the person is guilty of a second degree felony.
- (5) Nothing in Subsection (1) or (2) prohibits a person engaged in the lawful taking of protected or unprotected wildlife as defined in Title 23A, Wildlife Resources Act, from carrying a concealed firearm as long as the taking of wildlife does not occur:
 - (a) within the limits of a municipality in violation of that municipality's ordinances; or
 - (b) upon the highways of the state as defined in Section 41-6a-102.