

**76-10-530 Trespass with a firearm in a house of worship or private residence -- Notice -- Penalty.**

- (1) A person, including a person licensed to carry a concealed firearm pursuant to Title 53, Chapter 5, Part 7, Concealed Firearm Act, after notice has been given as provided in Subsection (2) that firearms are prohibited, may not knowingly and intentionally:
  - (a) transport a firearm into:
    - (i) a house of worship; or
    - (ii) a private residence; or
  - (b) while in possession of a firearm, enter or remain in:
    - (i) a house of worship; or
    - (ii) a private residence.
- (2) Notice that firearms are prohibited may be given by:
  - (a) personal communication to the actor by:
    - (i) the church or organization operating the house of worship;
    - (ii) the owner, lessee, or person with lawful right of possession of the private residence; or
    - (iii) a person with authority to act for the person or entity in Subsections (2)(a)(i) and (ii);
  - (b) posting of signs reasonably likely to come to the attention of persons entering the house of worship or private residence;
  - (c) announcement, by a person with authority to act for the church or organization operating the house of worship, in a regular congregational meeting in the house of worship;
  - (d) publication in a bulletin, newsletter, worship program, or similar document generally circulated or available to the members of the congregation regularly meeting in the house of worship; or
  - (e) publication:
    - (i) in a newspaper of general circulation in the county in which the house of worship is located or the church or organization operating the house of worship has its principal office in this state; and
    - (ii) as required in Section 45-1-101.
- (3) A church or organization operating a house of worship and giving notice that firearms are prohibited may:
  - (a) revoke the notice, with or without supersedure, by giving further notice in any manner provided in Subsection (2); and
  - (b) provide or allow exceptions to the prohibition as the church or organization considers advisable.
- (4)
  - (a)
    - (i) Within 30 days of giving or revoking any notice pursuant to Subsection (2)(c), (d), or (e), a church or organization operating a house of worship shall notify the division on a form and in a manner as the division shall prescribe.
    - (ii) The division shall post on its website a list of the churches and organizations operating houses of worship who have given notice under Subsection (4)(a)(i).
  - (b) Any notice given pursuant to Subsection (2)(c), (d), or (e) shall remain in effect until revoked or for a period of one year from the date the notice was originally given, whichever occurs first.
- (5) Nothing in this section permits an owner who has granted the lawful right of possession to a renter or lessee to restrict the renter or lessee from lawfully possessing a firearm in the residence.
- (6) A violation of this section is an infraction.

Amended by Chapter 388, 2009 General Session