

1 **STORAGE OF CONCEALED FIREARMS ON**
2 **FACILITIES WITH SECURE AREAS**

3 2002 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: John E. Swallow**

6 **This act modifies provisions relating to concealed firearms. The act requires an entity**
7 **operating a facility with a secure area to provide a firearms storage area for persons with**
8 **permits to carry concealed firearms. The act provides for an immediate effective date.**

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **53-5-710**, as last amended by Chapter 366, Laws of Utah 1999

12 **78-7-6**, as last amended by Chapter 97, Laws of Utah 1999

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

14 Section 1. Section **53-5-710** is amended to read:

15 **53-5-710. Cross-references to concealed firearm permit restrictions -- Storage of**
16 **concealed firearms.**

17 (1) A person with a permit to carry a concealed firearm may not carry a concealed firearm
18 in the following locations:

19 ~~(1)~~ (a) any secure area prescribed in Section 76-10-523.5 in which firearms are
20 prohibited and notice of the prohibition posted;

21 ~~(2)~~ (b) in any airport secure area as provided in Section 76-10-529;

22 ~~(3)~~ (c) in any house of worship or in any private residence where dangerous weapons are
23 prohibited as provided in Section 76-10-530; or

24 ~~(4)~~ (d) at an Olympic venue secure area in violation of Section 76-10-531.

25 (2) (a) An entity operating a facility with a secure area referred to in this section, Section
26 76-8-311.1, or Section 78-7-6 shall provide a secure firearms storage area so that persons entering
27 the secure area may store their concealed firearms prior to entering the secure area.



28 (b) The entity operating the facility with the secure area shall be responsible for firearms
29 while they are stored in the storage area referred to in Subsection (2)(a).

30 Section 2. Section **78-7-6** is amended to read:

31 **78-7-6. Rules -- Right to make -- Limitation -- Security.**

32 (1) Every court of record may make rules, not inconsistent with law, for its own
33 government and the government of its officers; but such rules must neither impose any tax or
34 charge upon any legal proceeding nor give any allowance to any officer for service.

35 (2) (a) The judicial council may provide, through the rules of judicial administration, for
36 security in or about a courthouse or courtroom, or establish a secure area as prescribed in Section
37 76-8-311.1.

38 (b) If the council establishes a secure area under Subsection (2)(a), it shall provide a secure
39 firearms storage area as required under Subsection 53-5-710(2).

40 (3) (a) Unless authorized by the rules of judicial administration, any person who
41 knowingly or intentionally possesses a firearm, ammunition, or dangerous weapon within a secure
42 area established by the judicial council under this section is guilty of a third degree felony.

43 (b) Any person is guilty of violating Section 76-10-306 who transports, possesses,
44 distributes, or sells an explosive, chemical, or incendiary device, as defined by Section 76-10-306,
45 within a secure area, established by the Judicial Council under this section.

46 Section 3. **Effective date.**

47 If approved by two-thirds of all the members elected to each house, this act takes effect
48 upon approval by the governor, or the day following the constitutional time limit of Utah
49 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
50 date of veto override.

Legislative Review Note
as of 11-16-01 11:05 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel