

Representative John E. Swallow proposes the following substitute bill:

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

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: John E. Swallow

This act modifies provisions relating to concealed firearms. The act requires that a courthouse or courtroom established as a secure area shall have a firearms storage area for persons with permits to carry concealed firearms. The act provides for an immediate effective date.

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

AMENDS:

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

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

Section 1. Section **78-7-6** is amended to read:

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

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

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

(b) (i) If the council establishes a secure area under Subsection (2)(a), it shall provide a secure firearms storage area on site so that persons with permits to carry concealed firearms may store their concealed firearms prior to entering the secure area.

(ii) The entity operating the facility with the secure area shall be responsible for firearms



26 while they are stored in the storage area referred to in Subsection (2)(b)(i).

27 (iii) The entity may not charge a fee to individuals for storage of their firearms under
28 Subsection (2)(b)(i).

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

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

35 Section 2. **Effective date.**

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