

Representative J. Morgan Philpot proposes the following substitute bill:

FIREARM FEE AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: J. Morgan Philpot

This act modifies provisions related to Firearm Fees. The act provides that the Law Enforcement and Technical Services Division or its designated agent may not charge a fee for issuing a concealed weapons permit. The act provides an effective date.

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

AMENDS:

53-5-706, as last amended by Chapter 12, Laws of Utah 1994

53-5-707, as last amended by Chapters 120 and 227, Laws of Utah 1999

53-10-202.5, as enacted by Chapter 227, Laws of Utah 1999

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

Section 1. Section **53-5-706** is amended to read:

53-5-706. Permit -- Fingerprints transmitted to division -- Report from division.

(1) (a) Except as provided in Subsection (2), the fingerprints of each applicant shall be taken on two copies of forms prescribed by the division and shall be forwarded to the division.

(b) Upon receipt of the fingerprints [~~and the fee prescribed in Section 53-5-707~~], the division shall conduct a search of its files for criminal history information pertaining to the applicant, and shall request the Federal Bureau of Investigation to conduct a similar search through its files.

(c) The division shall promptly furnish the forwarding licensing authority a report of all data and information pertaining to any applicant of which there is a record in its office, or of which a record is found in the files of the Federal Bureau of Investigation.

(d) A permit may not be issued by any licensing authority until receipt of the report from



26 the division.

27 (2) If the permit applicant has previously applied to the same licensing authority for a
28 permit to carry concealed firearms and the applicant's fingerprints [~~and fee~~] have been previously
29 forwarded within one year to the division, the licensing authority shall note the previous
30 identification numbers and other data which would provide positive identification in the files of
31 the division on the copy of any subsequent permit submitted to the division in accordance with this
32 section, and no additional application form[;] or fingerprints[; ~~or fee~~] are required.

33 Section 2. Section **53-5-707** is amended to read:

34 **53-5-707. Permit -- Fees.**

35 [~~(1) Each applicant~~] The division or its designated agent may not charge a fee for a permit
36 [~~shall pay a fee of \$35 at the time of filing an application. The initial fee shall be waived for an~~
37 ~~applicant who is a law enforcement officer under Section 53-13-103] required under this part to
38 carry a concealed firearm.~~

39 [~~(2) The renewal fee for the permit is \$10.~~]

40 [~~(3) The replacement fee for the permit is \$10.~~]

41 [~~(4) The late fee for the renewal permit is \$7.50.~~]

42 [~~(5) All fees shall promptly be deposited in the state treasury and credited to the General~~
43 ~~Fund.~~]

44 [~~(6) The division may collect any fees charged by an outside agency for additional services~~
45 ~~required by statute as a prerequisite for issuance of a permit. The division shall promptly forward~~
46 ~~any fees collected to the appropriate agency.~~]

47 Section 3. Section **53-10-202.5** is amended to read:

48 **53-10-202.5. Bureau services -- Fees.**

49 The bureau shall collect fees for the following services:

50 (1) applicant fingerprint card as determined by Section 53-10-108;

51 (2) bail enforcement licensing as determined by Section 53-11-115;

52 [~~(3) concealed firearm permit as determined by Section 53-5-707;~~]

53 [~~(4)~~] (3) expungement certificate of eligibility as determined by Section 77-18-11;

54 [~~(5)~~] (4) firearm purchase background check as determined by Section 76-10-526;

55 [~~(6)~~] (5) name check as determined by Section 53-10-108;

56 [~~(7)~~] (6) private investigator licensing as determined by Section 53-9-111; and

57 [~~(8)~~] (7) right of access as determined by Section 53-10-108.

58 Section 4. **Effective date.**

59 This act takes effect on July 1, 2002.