

**HIGHER EDUCATION - CONCEALED
FIREARMS RESTRICTIONS**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory S. Bell

House Sponsor: Melvin R. Brown

LONG TITLE

General Description:

This bill modifies provisions related to the possession and carrying of concealed firearms at institutions of higher education.

Highlighted Provisions:

This bill:

- ▶ authorizes a higher education institution to make a rule that allows a dormitory resident to request only roommates who are not licensed to carry a concealed firearm under Section 53-5-704 or 53-5-705.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-3-103, as last amended by Chapter 323, Laws of Utah 2002

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

Section 1. Section **53B-3-103** is amended to read:

53B-3-103. Power of board to adopt rules and enact regulations.

(1) The board may enact regulations governing the conduct of university and college students, faculty, and employees.

(2) (a) The board may:

(i) enact and authorize higher education institutions to enact traffic, parking, and related regulations governing all individuals on campuses and other facilities owned or controlled by the institutions or the board; and

(ii) acknowledging that the Legislature has the authority to regulate, by law, firearms at higher education institutions:

[(ii)] (A) authorize higher education institutions to establish no more than one secure area at each institution as a hearing room as prescribed in Section 76-8-311.1, but not otherwise restrict the lawful possession or carrying of firearms[-]; and

(B) authorize a higher education institution to make a rule that allows a resident of a dormitory located at the institution to request only roommates who are not licensed to carry a concealed firearm under Section 53-5-704 or 53-5-705.

(b) In addition to the requirements and penalty prescribed in Subsections 76-8-311.1(3), (4), (5), and (6), the board shall make rules to ensure that:

(i) reasonable means such as mechanical, electronic, x-ray, or similar devices are used to detect firearms, ammunition, or dangerous weapons contained in the personal property of or on the person of any individual attempting to enter a secure area hearing room;

(ii) an individual required or requested to attend a hearing in a secure area hearing room is notified in writing of the requirements related to entering a secured area hearing room under this Subsection (2)(b) and Section 76-8-311.1;

(iii) the restriction of firearms, ammunition, or dangerous weapons in the secure area hearing room is in effect only during the time the secure area hearing room is in use for hearings and for a reasonable time before and after its use; and

(iv) reasonable space limitations are applied to the secure area hearing room as warranted by the number of individuals involved in a typical hearing.

(3) The board and institutions may enforce these rules and regulations in any reasonable manner, including the assessment of fees, fines, and forfeitures, the collection of which may be by withholding from moneys owed the violator, the imposition of probation,

58 suspension, or expulsion from the institution, the revocation of privileges, the refusal to issue
59 certificates, degrees, and diplomas, through judicial process or any reasonable combination of
60 these alternatives.