

**Representative Melvin R. Brown** proposes the following substitute bill:

**HIGHER EDUCATION - CONCEALED**

**FIREARMS RESTRICTIONS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory S. Bell**

House Sponsor: Melvin R. Brown

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**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

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



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

27 **53B-3-103. Power of board to adopt rules and enact regulations.**

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

30 (2) (a) The board may:

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

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

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

40 (b) In addition to the requirements and penalty prescribed in Subsections  
41 76-8-311.1(3), (4), (5), and (6), the board shall make rules to ensure that:

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

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

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

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

53 (3) The board and institutions may enforce these rules and regulations in any  
54 reasonable manner, including the assessment of fees, fines, and forfeitures, the collection of  
55 which may be by withholding from moneys owed the violator, the imposition of probation,  
56 suspension, or expulsion from the institution, the revocation of privileges, the refusal to issue

57 certificates, degrees, and diplomas, through judicial process or any reasonable combination of  
58 these alternatives.