

Senator Allen M. Christensen proposes the following substitute bill:

PUBLIC SHOOTING RANGES

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill ensures public access to public shooting ranges under certain conditions.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ grants the public access to use certain public shooting ranges;
- ▶ permits a fee to be charged for the public to use a public shooting range;
- ▶ describes when a public shooting range can be restricted from public use; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

~~H→~~ **None** **This bill provides an immediate effective date.**

This bill provides revisor instructions. ←~~H~~

Utah Code Sections Affected:

ENACTS:

47-3-101, Utah Code Annotated 1953

47-3-301, Utah Code Annotated 1953

47-3-302, Utah Code Annotated 1953



26 47-3-303, Utah Code Annotated 1953

27 47-3-304, Utah Code Annotated 1953

28 47-3-305, Utah Code Annotated 1953

29 RENUMBERS AND AMENDS:

30 47-3-102, (Renumbered from 47-3-1, as enacted by Laws of Utah 1998, Chapter 286)

31 47-3-201, (Renumbered from 47-3-2, as enacted by Laws of Utah 1998, Chapter 286)

32 47-3-202, (Renumbered from 47-3-3, as enacted by Laws of Utah 1998, Chapter 286)



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

35 Section 1. Section 47-3-101 is enacted to read:

36 **CHAPTER 3. SHOOTING RANGES**

37 **Part 1. General Provisions**

38 **47-3-101. Title.**

39 This chapter is known as "Shooting Ranges."

40 Section 2. Section 47-3-102, which is renumbered from Section 47-3-1 is renumbered
41 and amended to read:

42 ~~[47-3-1].~~ **47-3-102. Definitions.**

43 As used in this chapter[;]:

44 (1) "Air gun" means a .177 or .20 caliber, or equivalent 4.5mm or 5.0mm, ~~§~~→ pellet ←~~§~~
44a rifle or ~~§~~→ pellet ←~~§~~ pistol
45 whose projectile is pneumatically propelled by compressed air or compressed gas such as
46 carbon dioxide.

47 (2) "Certified official" means a Range Safety Officer, Firearms Instructor, or Shooting
48 Coach certified by the National Rifle Association or equivalent national shooting organization.

49 (3) "Group" means any organized club, organization, corporation or association which
50 at the time of use of the shooting range has a certified official in charge while shooting is
51 taking place and while the range is open.

52 (4) "Military range" means a shooting range located on a state military installation.

53 (5) "Nonmilitary range" means a shooting range that is not a military range.

54 (6) "Political subdivision" has the same meaning as defined in section 17B-2-101 and
55 includes a school district.

56 (7) "Public funds" means funds provided by the federal government, the state, or a

150 supply costs incurred by making the range available to a group, may be established by:

151 (a) the State Armory Board established under Title 39, Chapter 2, State Armory Board,
152 for a military range; and

153 (b) for a nonmilitary range, the state agency, institution of higher education, or political
154 subdivision that operates or has control of the range.

155 (2) Fees for nonmilitary shooting range use may not exceed fees charged by the
156 Department of Natural Resources for the same or similar activity.

157 (3) Fees collected under Subsection (1) shall be:

158 (a) for a shooting range operated or controlled by a state agency or an institution of
159 higher education, deposited in the General Fund as dedicated credits to be used for the
160 operation and maintenance of the range; and

161 (b) for a shooting range operated or controlled by a political subdivision, deposited in
162 the political subdivision's general fund.

163 Section 9. Section **47-3-305** is enacted to read:

164 **47-3-305. Exceptions and prohibitions.**

165 (1) This part does not apply to:

166 (a) shooting ranges that are otherwise open to the public;

167 (b) shooting ranges that are operated as a public shooting range staffed by and operated
168 by Division of Wildlife Resources;

169 (c) the Utah National Guard ranges located at Camp Williams and the Salt Lake

170 International Airport; ~~H~~→ and

171 ~~[(d) the Department of Corrections Fred M. House range;~~

172 ~~— (e) the ~~S~~→ Department of Public Safety ~~←S~~ Peace Officer Standards and Training indoor~~
172a ~~tactical firing range on the Salt~~

173 ~~Lake Community College Miller Campus; and~~

174 ~~— (f) ranges owned and operated by municipal public safety agencies ~~S~~→ [if they are available~~
175 ~~for use by the agencies on a continuous 24 hour basis] ~~←S~~ .]~~

175a (d) ranges owned, operated, or currently leased as of the effective date of this
175b amendment by a state or local public safety agency. ~~←H~~

176 (2) Firearms may not be allowed in a school building, except under the provision of
177 Section 76-10-505.5, unless there is an outdoor entrance to the shooting range and the most
178 direct access to the range is used. An outdoor entrance to a shooting range may not be blocked
179 by fences, structures or gates for the purpose of blocking the outdoor entrance.

180 (3) Only air guns may be used in public ranges where the ventilation systems do not

181 meet current OSHA standards as applied to the duration of exposure of the participants. For
182 the purposes of this part, an air gun does not include larger caliber pneumatic weapons,
183 paintball guns, or air shotguns.

184 (4) Group range use is a lawful, approved activity under Subsection 76-10-505.5(4)(a).

184a **Ĥ→ Section 10. Effective Date.**

184b **If approved by two-thirds of all the members elected to each house, this bill takes effect**
184c **upon approval by the governor, or the day following the constitutional time limit of Utah**
184d **Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,**
184e **the date of veto override.**

184f **Section 11. Revisor Instructions.**

184g **It is the intent of the Legislature that, in preparing the Utah Code database for**
184h **publication, the Office of Legislative Research and General Counsel shall replace the language**
184i **in Section 47-3-305(1)(d) with the actual effective date of this bill. ←Ĥ**