

TARGET SHOOTING AND WILDFIRE REGULATIONS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill provides the state forester with the authority to restrict target shooting in areas where hazardous conditions exist.

Highlighted Provisions:

This bill:

▶ allows the state forester to restrict or prohibit target shooting in areas where hazardous conditions exist.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

65A-8-212, as renumbered and amended by Laws of Utah 2007, Chapter 136

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

Section 1. Section **65A-8-212** is amended to read:

65A-8-212. Power of state forester to close hazardous areas -- Violations of an order closing an area.

(1) (a) If the state forester finds conditions in a given area in the state to be extremely



28 hazardous, ~~H→~~ **"extremely hazardous" means categorized as "extreme" under a nationally**
 28a **recognized standard for rating fire danger,** ~~←H~~ he shall close those areas to any forms of use by
 28b the public, or to limit that use.

29 (b) ~~S→~~ [The closure shall include the prohibition of open fires for the period of time he
 30 finds necessary.

31 ~~———— (c) The closure may include the restriction or prohibition of the use of firearms in~~
 32 ~~target shooting.]~~ **The closure shall include, for the period of time the state forester considers**
 32a **necessary, the prohibition of open fires, and may include restrictions and prohibitions on:**

32b (i) **smoking,**

32c (ii) **the use of vehicles or equipment;**

32d (iii) **welding, cutting, or grinding of metals;**

32e (iv) **fireworks;**

32f (v) **explosives; or**

32g (vi) **the use of firearms for target shooting.**

32h **(c) Any restriction or closure relating to firearms use:**

32i (i) **shall be done with support of the duly elected county sheriff of the affected county or**
 32j **counties;**

32k (ii) **shall undergo a formal review by the State Forester and County Sheriff every 14**
 32l **days; and**

32m (iii) **may not prohibit a person from legally possessing a firearm or lawfully**
 32n **participating in a hunt.** ~~←S~~

32o ~~H→~~ **(d) The State Forester and County Sheriff shall:**

32p (i) **agree to the terms of any restriction or closure relating to firearms use;**

32q (ii) **reduce the agreement to writing;**

32r (iii) **sign the agreement indicating approval of its terms and duration; and**

32s (iv) **complete steps (d)(i) through (d)(iii) at each 14 day review and at termination of the**
 32t **restriction or closure.** ~~←H~~

33 (2) Nothing in this chapter prohibits any resident within the area from full and free
 34 access to his home or property, or any legitimate use by the owner or lessee of the property.

35 (3) The order or proclamation closing or limiting the use in the area shall set forth:

36 (a) the exact area coming under the order;

37 (b) the date when the order becomes effective; and

38 (c) if advisable, the authority from whom permits for entry into the area may be
 39 obtained.

40 (4) Any entry into or use of any area in violation of this section is a class B
 41 misdemeanor.

Legislative Review Note
 as of 10-11-12 10:24 AM

Office of Legislative Research and General Counsel