

CONCEALED WEAPON PERMIT EXEMPTIONS AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill changes the annual requalification and revocation requirements for a law enforcement official or judge to retain a concealed weapon permit.

Highlighted Provisions:

This bill:

- provides for the commissioner of public safety to establish annual requalification requirements; and

- amends the requirements to revoke a law enforcement official's or judge's certificate of qualification to possess a concealed weapon permit.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-5-711, as last amended by Laws of Utah 2010, Chapter 62

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

Section 1. Section **53-5-711** is amended to read:

53-5-711. Law enforcement officials and judges -- Training requirements --



28 **Qualification -- Revocation.**

29 (1) For purposes of this section and Section 76-10-523:

30 (a) "Judge" means a judge or justice of a court of record or court not of record, but does
31 not include a judge pro tem or senior judge.

32 (b) "Law enforcement official of this state" means:

33 (i) a member of the Board of Pardons and Parole;

34 (ii) a district attorney, deputy district attorney, county attorney or deputy county
35 attorney of a county not in a prosecution district;

36 (iii) the attorney general;

37 (iv) an assistant attorney general designated as a criminal prosecutor; or

38 (v) a city attorney or a deputy city attorney designated as a criminal prosecutor.

39 (2) To qualify for an exemption in Section 76-10-523, a law enforcement official or
40 judge shall complete the following training requirements:

41 (a) meet the requirements of Sections 53-5-704, 53-5-706, and 53-5-707; and

42 (b) successfully complete an additional course of training as established by the
43 commissioner of public safety designed to assist them while carrying out their official law
44 enforcement and judicial duties as agents for the state or its political subdivisions.

45 (3) Annual requalification requirements for law enforcement officials and judges shall
46 be established by the commissioner of public safety. Additional requalification requirements
47 may be established by the:

48 (a) Board of Pardons and Parole by rule for its members;

49 (b) Judicial Council by rule for judges; and

50 (c) the district attorney, county attorney in a county not in a prosecution district, the
51 attorney general, or city attorney by policy for prosecutors under their jurisdiction.

52 (4) The bureau may:

53 (a) issue a certificate of qualification to a judge or law enforcement official who has
54 completed the requirements of Subsection (1), which certificate of qualification is valid until
55 revoked;

56 (b) revoke the certificate of qualification of a judge or law enforcement official who:

57 (i) fails to meet the annual requalification criteria established pursuant to Subsection

58 (3); [~~and~~]

- 59 (ii) would be subject to revocation of a concealed firearm permit under Subsection
60 [53-5-704\(2\)\(a\)](#); or
61 (iii) is no longer employed as a judge or law enforcement official as defined in
62 Subsection (1); and
63 (c) certify instructors for the training requirements of this section.
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Legislative Review Note
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Office of Legislative Research and General Counsel