



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 21, 2014

Madam Speaker:

The Judiciary Committee reports a favorable recommendation on **1st Sub. H.B. 268**, DANGEROUS WEAPONS AMENDMENTS, by Representative B. Greene, with the following amendments:

1. *Page 1, Lines 9 through 16:*

9 This bill redefines dangerous weapon ~~{and exempts}~~ , clarifies restrictions  
relating to dangerous weapons, and establishes exemptions for the use of  
archery equipment ~~{from the~~  
10 definition} for hunting and target shooting .

11 Highlighted Provisions:

12 This bill:

13 ▶ defines dangerous weapon as a firearm or an object which is used unlawfully to  
14 inflict serious bodily injury;

15 ▶ ~~{exempts archery equipment, including crossbows, from the definition of~~  
dangerous

16 weapon} clarifies the criminal culpability of transferring a dangerous weapon to  
a restricted person ;

▶ provides that a restricted person may own, possess, or have under the  
person's custody or control, archery equipment, including crossbows, for the purpose  
of lawful hunting and target shooting; and

2. *Page 4, Lines 88 through 101:*

88 (6) (a) "Dangerous weapon" means;

89 (i) a firearm; or

90 (ii) an ~~{item}~~ object that in the manner of its ~~{unlawful}~~ use or  
intended ~~{unlawful}~~ use is capable

91 of causing death or serious bodily injury.

Bill Number



HB0268S01

Action Class



H

Action Code



HCRAMD

92 (b) The following factors [~~shall be~~] are used in determining whether [~~a knife, or~~  
93 ~~another item~~] any {~~instrument,~~} object {~~, or thing~~} [~~not commonly known as a~~  
~~dangerous weapon~~]  
94 other than a firearm is a dangerous weapon:  
95 (i) the {~~character of the instrument,~~} location and circumstances in which  
the object {~~, or thing~~} was used or possessed;  
(ii) the primary purpose for which the object was made ;  
96 {~~(ii)~~} (iii) the character of the wound, if any, produced[~~, if any~~] by  
{~~its~~} the object's unlawful use;  
97 {~~(iii)~~} (iv) the manner in which the {~~instrument,~~} object {~~, or~~  
~~thing~~} was unlawfully used; and  
98 {~~(iv)~~} (v) the [~~other~~] lawful purposes for which the {~~instrument,~~}  
object {~~, or thing~~} may be used.  
99 {~~(c) Unless specifically identified elsewhere in this code, nothing other than a~~  
~~firearm is~~  
100 considered a de facto dangerous weapon, and a determination made pursuant to  
Subsection  
101 (6)(b) may be made only after an instrument, object or thing is used in an unlawful  
manner.}

3. Page 6, Line 179 through Page 7, Line 187:

179 (b) physically possesses, uses, or has under the person's immediate custody or control  
180 any dangerous weapon other than a firearm {~~while committing any felony or other~~  
~~violent~~  
181 ~~criminal offense~~} in a manner that constitutes a potential imminent threat to  
public safety is guilty of a third degree felony.  
182 (3) A Category II restricted person who intentionally or knowingly:  
183 (a) purchases, transfers, possesses, uses, or has under the person's custody or  
control[:  
184 (a) any firearm is guilty of a third degree felony; or  
185 (b) physically possesses, uses, or has under the person's immediate custody or control  
186 any dangerous weapon other than a firearm {~~while committing any felony or other~~  
~~violent~~



187 ~~criminal offense~~} in a manner that constitutes a potential imminent threat to  
public safety is guilty of a class A misdemeanor.

4. Page 9, Lines 266 through 268:

266 (2) It is not a violation of ~~this chapter~~ Subsection 76-10-503(2) or (3)  
for a person defined in Section 76-10-503(1) to own, possess, or have under the  
267 person's custody or control, archery equipment, including crossbows, for the purpose of  
lawful  
268 hunting ~~or~~ and lawful target shooting.

Respectfully,

Kay L. McIff  
Committee Chair

Voting: 6-2-1

3 HB0268.HC1.WPD 2/21/14 5:36 pm chelsealloyd/CBL ECM/CBL

Bill Number



HB0268S01

Action Class



H

Action Code



HCRAMD