1   **DRILL STATUS TRAVEL AMENDMENTS**

2   2015 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Val L. Peterson**

5   Senate Sponsor: Curtis S. Bramble

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7   **LONG TITLE**

8   **General Description:**

9   This bill amends the privilege from arrest or citation exceptions for members of the

10   National Guard.

11   **Highlighted Provisions:**

12   This bill:

13   ‣   limits the privilege from arrest by civil authorities during certain conditions

14   requiring a member of the National Guard's presence;

15   ‣   includes traveling to and from locations related to orders for a prompt response; and

16   ‣   modifies the penalties for which a member of the National Guard can be arrested or

17   cited when responding to orders for a prompt response.

18   **Money Appropriated in this Bill:**

19   None

20   **Other Special Clauses:**

21   None

22   **Utah Code Sections Affected:**

23   AMENDS:

24   39-1-54, as repealed and reenacted by Laws of Utah 1988, Chapter 210

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

27   Section 1. Section **39-1-54** is amended to read:

28   **39-1-54. Privilege from arrest or citation -- Exceptions.**

29   (1) [The members] A member of the National Guard [are] is privileged from arrest or

30   citation by civil authorities [during their attendance at drill parades or encampments, or in

31   going to and returning from any of these activities.]:

32   (a) during military formations, exercises, mobilizations, or other duty when exigent,

33   perilous, emergency, or similar circumstances require the member's presence; and

34   (b) while traveling to and from military duty locations when exigent, perilous,

35   emergency, or similar circumstances require the member's presence.

36   (2) This privilege does not extend to arrest or citation for:

37   (a) treason;

38   (b) any class A misdemeanor or felony;

39   (c) breach of the peace; or

40   (d) operation of a vehicle in a reckless manner or while under the influence of any drug

41   or alcohol[; or].

42   [(e) offenses which under state law are class A misdemeanors or greater.]