

**FIREARM SAFETY AND VIOLENCE PREVENTION IN
PUBLIC SCHOOLS**

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill provides for firearm safety and violence prevention instruction in public schools.

Highlighted Provisions:

This bill:

- ▶ creates a pilot program to provide instruction to public school students in grade 8 on firearm safety and violence prevention;
- ▶ directs the Office of the Attorney General, in collaboration with the State Board of Education, to select a provider ~~§→ [through a request for proposals process,] ←§~~ to supply materials and curriculum for the instruction to be provided under the pilot program;
- ▶ requires the Office of the Attorney General, in collaboration with the State Board of Education, to report on the pilot program to the Law Enforcement and Criminal Justice Interim Committee; and
- ▶ sunsets the pilot program on July 1, 2019.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2017:

- ▶ to the Attorney General - Attorney General, as a one-time appropriation:
 - from the General Fund, One-time, \$75,000.

Other Special Clauses:

S.B. 43



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63I-1-253**, as last amended by Laws of Utah 2015, Chapters 62, 431, and 442

32 ENACTS:

33 **53A-13-106.5**, Utah Code Annotated 1953



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

36 Section 1. Section **53A-13-106.5** is enacted to read:

37 **53A-13-106.5. Firearm Safety and Violence Prevention Pilot Program.**

38 (1) As used in this section:

39 (a) "District school" means a public school under the control of a local school board
40 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School
41 Boards.

42 (b) "Firearm" means a pistol, revolver, shotgun, short barreled shotgun, rifle, or short
43 barreled rifle, or a device that could be used as a dangerous weapon from which is expelled a
44 projectile by action of an explosive.

45 (c) "Pilot program" means the Firearm Safety and Violence Prevention Pilot Program
46 created under Subsection (2).

47 (2) There is created a Firearm Safety and Violence Prevention Pilot Program to provide
48 instruction to public school students in grade 8 on:

49 (a) firearm safety as described in Subsection **53A-13-106(3)**;

50 (b) what to do if the student becomes aware of a threat against the school; and

51 (c) active shooter preparedness.

52 (3) The Office of the Attorney General, in collaboration with the State Board of
53 Education, shall select one or more providers, through ~~§~~ **[a request for proposals process.]**

53a **standard procurement process or an exception to standard procurement process as described**

53b **in Title 63G, Chapter 6a, Utah Procurement Code, ~~§~~ to**

54 supply materials and curriculum for the pilot program.

55 (4) (a) A district school or charter school may participate in the pilot program, subject
56 to approval by the district school's local school board or charter school's charter school
57 governing board.

58 (b) A district school or charter school that chooses to participate in the pilot program

59 shall:

60 (i) use the materials and curriculum supplied by the provider selected under Subsection

61 (3);

62 (ii) ensure that a volunteer that provides instruction is certified in accordance with
63 Section 53A-13-106 and rules established by the State Board of Education in accordance with
64 Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

65 (iii) ensure that a firearm is not used in providing the instruction.

66 (c) A student may not be given the instruction described in Subsection (2) unless the
67 student's parent or legal guardian has given prior written consent.

68 (5) The Office of the Attorney General, in collaboration with the State Board of
69 Education, shall evaluate the pilot program and report to the Law Enforcement and Criminal
70 Justice Interim Committee on or before December 1, 2018.

71 Section 2. Section **63I-1-253** is amended to read:

72 **63I-1-253. Repeal dates, Titles 53, 53A, and 53B.**

73 The following provisions are repealed on the following dates:

74 [~~1~~] ~~Section 53-3-232, Conditional license, is repealed July 1, 2015.]~~

75 [~~2~~] (1) Subsection 53-10-202(18) is repealed July 1, 2018.

76 [~~3~~] (2) Section 53-10-202.1 is repealed July 1, 2018.

77 [~~4~~] (3) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is
78 repealed July 1, 2020.

79 (4) Section 53A-13-106.5 is repealed July 1, 2019.

80 (5) The State Instructional Materials Commission, created in Section 53A-14-101, is
81 repealed July 1, 2016.

82 (6) Section 53A-15-106 is repealed July 1, 2019.

83 (7) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.

84 (8) Section 53A-16-114 is repealed December 31, 2016.

85 (9) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed
86 July 1, 2016.

87 (10) Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.

88 (11) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
89 from the Land Exchange Distribution Account to the Geological Survey for test wells, other

90 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

91 Section 3. **Appropriation.**

92 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
93 the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money
94 are appropriated from resources not otherwise appropriated, or reduced from amounts
95 previously appropriated, out of the funds or accounts indicated. These sums of money are in
96 addition to any amounts previously appropriated for fiscal year 2017.

97 To Attorney General - Attorney General

98 From General Fund, One-time \$75,000

99 Schedule of Programs:

100 Administration \$75,000

101 The Legislature intends that appropriations provided under this section:

102 (1) be used for the Firearm Safety and Violence Prevention Pilot Program described in
103 Section [53A-13-106.5](#); and

104 (2) not lapse at the end of fiscal year 2017 or fiscal year 2018.

Legislative Review Note
Office of Legislative Research and General Counsel