

SB0043S01 compared with SB0043

~~{deleted text}~~ shows text that was in SB0043 but was deleted in SB0043S01.

inserted text shows text that was not in SB0043 but was inserted into SB0043S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Todd Weiler proposes the following substitute bill:

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 certain 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;

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- ▶ ~~{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~~

—▶ ~~sunset the pilot program on July 1, 2019;~~ provides a reporting requirement; and

- ▶ provides a sunset date.

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:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

53A-13-106.5, Utah Code Annotated 1953

REPEALS:

53A-13-106, as last amended by Laws of Utah 2008, Chapter 382

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

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

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

(1) As used in this section:

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

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

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

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(2) There is created a Firearm Safety and Violence Prevention Pilot Program to provide instruction ~~to~~ that a public school ~~students~~ may offer to a student in ~~grade 8~~ any of grades 5 through 12 on:

(a) firearm safety ~~as~~, including:

(i) developing the knowledge, habits, skills, and attitudes necessary for the safe handling of firearms; and

(ii) teaching a student that to avoid injury when the student finds a firearm the student should:

(A) not touch the firearm;

(B) tell an adult about finding the firearm and the location of the firearm; and

(C) share the information described in Subsection ~~53A-13-106(3);~~ (2)(a)(ii)(A) and (B) with any other minors who are with the student when the student finds the firearm; and

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

~~(c) active shooter preparedness.~~

~~(3);~~

(3) The instruction described in Subsection (2):

(a) may be delivered:

(i) in a public school using live instruction or a video or online materials; or

(ii) at home using a video or online materials; and

(b) shall be neutral of political statements on guns.

(4) The Office of the Attorney General, in collaboration with the State Board of Education, shall select one or more providers, through ~~a request for proposals process~~ the standard procurement process or an exception to the standard procurement process as described in Title 63G, Chapter 6a, Utah Procurement Code, to supply materials and curriculum for the pilot program.

~~(4)~~(5) (a) A district school or charter school may participate in the pilot program, subject to approval by the district school's local school board or charter school's charter school governing board.

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

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

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Subsection ~~(3)~~4:

~~(ii) ensure that a volunteer that provides instruction is certified in accordance with Section 53A-13-106 and rules established~~may permit the following to provide instruction on a voluntary basis:

(A) the Division of Wildlife Resources;

(B) a local law enforcement agency;

(C) a peace officer, as defined in Section 53-13-102; or

(D) another certified firearms safety instructor, as defined in rules made by the State

Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

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

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

~~(5)~~6 The Office of the Attorney General, in collaboration with the State Board of Education ~~(4)~~ shall evaluate the pilot program and report to the Law Enforcement and Criminal Justice Interim Committee on or before December 1, 2018.

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

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

The following provisions are repealed on the following dates:

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

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

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

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

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

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

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

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

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

(9) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed

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July 1, 2016.

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

(11) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells, other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

Section 3. **Appropriation.**

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

To Attorney General - Attorney General

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

Schedule of Programs:

Administration \$75,000

The Legislature intends that appropriations provided under this section:

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

(2) under Section 63J-1-603, not lapse at the ~~fend~~close of fiscal year 2017 ~~or fiscal year 2018~~.

Legislative Review Note

Office of Legislative Research and General Counsel;

Section 4. Repealer.

This bill repeals:

Section 53A-13-106, Instruction in firearm safety -- Purpose -- School districts to implement volunteer education classes -- Parental consent exception.