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**DOMESTIC VIOLENCE MODIFICATIONS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christine F. Watkins**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to a victim of domestic violence or dating violence who carries a concealed firearm without a permit.

**Highlighted Provisions:**

This bill:

- ▶ provides that certain criminal penalties for carrying a concealed firearm without a permit do not apply to a victim of domestic violence or dating violence, who is not otherwise prohibited from possessing a firearm, for a limited period after the day on which the victim is issued a protective order; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-10-523**, as last amended by Laws of Utah 2014, Chapter 248

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

Section 1. Section **76-10-523** is amended to read:



28 **76-10-523. Persons exempt from weapons laws.**

29 (1) Except for Sections 76-10-506, 76-10-508, and 76-10-508.1, this part and Title 53,  
30 Chapter 5, Part 7, Concealed Firearm Act, do not apply to any of the following:

- 31 (a) a United States marshal;
- 32 (b) a federal official required to carry a firearm;
- 33 (c) a peace officer of this or any other jurisdiction;
- 34 (d) a law enforcement official as defined and qualified under Section 53-5-711;
- 35 (e) a judge as defined and qualified under Section 53-5-711; or
- 36 (f) a common carrier while engaged in the regular and ordinary transport of firearms as  
37 merchandise.

38 (2) The provisions of Subsections 76-10-504(1) and (2), and Section 76-10-505 do not  
39 apply to [any]:

40 (a) a person to whom a permit to carry a concealed firearm has been issued:

41 [~~(a)~~] (i) pursuant to Section 53-5-704; or

42 [~~(b)~~] (ii) by another state or county[-]; or

43 (b) a person who is issued a protective order under Subsection 78B-7-106(1)(b) or  
44 78B-7-404(1)(b), unless the person is a restricted person as described in Subsection  
45 76-10-503(1), for a period of 120 days after the day on which the person is issued the  
46 protective order.

47 (3) Except for Sections 76-10-503, 76-10-506, 76-10-508, and 76-10-508.1, this part  
48 and Title 53, Chapter 5, Part 7, Concealed Firearm Act, do not apply to a nonresident traveling  
49 in or through the state, provided that any firearm is:

50 (a) unloaded; and

51 (b) securely encased as defined in Section 76-10-501.