

**Representative Andrew Stoddard** proposes the following substitute bill:

**DOMESTIC VIOLENCE MODIFICATIONS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christine F. Watkins**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to domestic violence and issuance of a temporary concealed firearm permit.

**Highlighted Provisions:**

This bill:

- ▶ requires the Bureau of Criminal Identification to issue an expedited temporary concealed firearm permit to an individual issued a protective order under certain circumstances; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-5-705**, as last amended by Laws of Utah 2010, Chapter 62

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



26 Section 1. Section 53-5-705 is amended to read:

27 **53-5-705. Temporary permit to carry concealed firearm -- Denial, suspension, or**  
28 **revocation -- Appeal.**

29 (1) The bureau or ~~[its]~~ the bureau's designated agent:

30 (a) may issue a temporary permit to carry a concealed firearm to ~~[a person]~~ an  
31 individual who:

32 ~~[(a)]~~ (i) has applied for a permit under Section 53-5-704;

33 ~~[(b)]~~ (ii) has applied for a temporary permit under this section; and

34 ~~[(c)]~~ (iii) meets the ~~[criteria required in]~~ requirements of Subsections (2) and (3)~~[-]; and~~

35 (b) shall issue a temporary permit to carry a concealed firearm permit on an expedited

36 basis to an individual who:

37 (i) meets the requirements of Subsection (1)(a); and

38 (ii) is issued a protective order under Subsection 78B-7-106(1) or 78B-7-404(1).

39 (2) To receive a temporary permit under this section, the applicant shall:

40 (a) demonstrate in writing to the satisfaction of the bureau extenuating circumstances  
41 that would justify issuing a temporary permit[-]; or

42 (b) provide a copy of a protective order issued under Subsection 78B-7-106(1) or  
43 78B-7-404(1) that identifies the applicant as the protected individual.

44 (3) A temporary permit may not be issued under this section until preliminary record  
45 checks regarding the applicant have been made with the National Crime Information Center  
46 and the bureau to determine any criminal history.

47 (4) (a) A temporary permit is valid only for a maximum of 90 days or any lesser period  
48 specified by the bureau, or until a permit under Section 53-5-704 is issued to the holder of the  
49 temporary permit, whichever period is shorter.

50 (b) The provisions of Subsections 76-10-504(1) and (2) and Section 76-10-505 do not  
51 apply to ~~[a person]~~ an individual issued a temporary permit under this section during the time  
52 period for which the temporary permit is valid.

53 (5) The bureau may deny, suspend, or revoke a temporary permit prior to expiration if  
54 the commissioner determines:

55 (a) the circumstances justifying the temporary permit no longer exist; or

56 (b) the holder of the temporary permit does not meet the requirements for a permit

57 under Section [53-5-704](#).

58 (6) (a) The denial, suspension, or revocation of a temporary permit shall be in writing  
59 and shall include the reasons for the action.

60 (b) The bureau's decision to deny, suspend, or revoke a temporary permit may not be  
61 appealed to the board.

62 (c) Denial, suspension, or revocation under this subsection is final action for purposes  
63 of judicial review under Section [63G-4-402](#).