

CONCEAL CARRY FIREARMS AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Walt Brooks

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to concealed carrying a firearm.

Highlighted Provisions:

This bill:

► provides that an individual who is 21 years or older, and may lawfully possess a firearm, may carry a concealed firearm in a public area without a permit.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-10-505, as last amended by Laws of Utah 2009, Chapter 362

76-10-523, as last amended by Laws of Utah 2019, Chapters 39, 375, and 458

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

Section 1. Section **76-10-505** is amended to read:

76-10-505. Carrying loaded firearm in vehicle or on street.

(1) Unless otherwise authorized by law, a person may not carry a loaded firearm:

(a) in or on a vehicle, unless:



28 (i) the vehicle is in the person's lawful possession; or
29 (ii) the person is carrying the loaded firearm in a vehicle with the consent of the person
30 lawfully in possession of the vehicle;

31 (b) on a public street; or
32 (c) in a posted prohibited area.

33 (2) Subsection (1)(a) does not apply to a minor under 18 years of age, since a minor
34 under 18 years of age may not carry a loaded firearm in or on a vehicle.

35 (3) Notwithstanding [~~Subsection~~] Subsections (1)(a)(i) and (ii), and Subsection
36 76-10-523(5), a person may not possess a loaded rifle, shotgun, or muzzle-loading rifle in a
37 vehicle.

38 (4) A violation of this section is a class B misdemeanor.

39 Section 2. Section **76-10-523** is amended to read:

40 **76-10-523. Persons exempt from weapons laws.**

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

- 43 (a) a United States marshal;
- 44 (b) a federal official required to carry a firearm;
- 45 (c) a peace officer of this or any other jurisdiction;
- 46 (d) a law enforcement official as defined and qualified under Section 53-5-711;
- 47 (e) a judge as defined and qualified under Section 53-5-711;
- 48 (f) a court commissioner as defined and qualified under Section 53-5-711; or
- 49 (g) a common carrier while engaged in the regular and ordinary transport of firearms as
50 merchandise.

51 (2) Notwithstanding Subsection (1), the provisions of Section 76-10-528 apply to any
52 individual listed in Subsection (1) who is not employed by a state or federal agency or political
53 subdivision that has adopted a policy or rule regarding the use of dangerous weapons.

54 (3) Subsections 76-10-504(1) and (2), and Section 76-10-505 do not apply to:

- 55 (a) an individual to whom a permit to carry a concealed firearm has been issued:
 - 56 (i) pursuant to Section 53-5-704; or
 - 57 (ii) by another state or county; or
 - 58 (b) a person who is issued a protective order under Subsection 78B-7-106(1)(b) or

59 78B-7-404(1)(b), unless the person is a restricted person as described in Subsection
60 76-10-503(1), for a period of 120 days after the day on which the person is issued the
61 protective order.

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

65 (a) unloaded; and

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

67 (5) Subsection 76-10-504(1) does not apply to a person 21 years old or older who may
68 otherwise lawfully possess a firearm.