

## HB0165S01 compared with HB0165

~~text~~ shows text that was in HB0165 but was deleted in HB0165S01.

inserted text shows text that was not in HB0165 but was inserted into HB0165S01.

**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.

Representative Trevor Lee proposes the following substitute bill:

### FIREARM DISCHARGE ON PRIVATE PROPERTY

#### AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Trevor Lee**

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

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#### LONG TITLE

##### General Description:

This bill addresses liability resulting from the discharge of a firearm on private property.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a private property occupant is not liable for the discharge of a firearm on the property by an individual in lawful possession of the firearm under certain circumstances; and
- ▶ makes technical and conforming changes.

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### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**53-5a-103**, as enacted by Laws of Utah 2010, Chapter 339

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

Section 1. Section **53-5a-103** is amended to read:

#### **53-5a-103. Discharge of firearm on private property -- Liability.**

(1) As used in this section:

(a) "Firearm possessor" means an individual who may lawfully possess a firearm.

(b) "Property occupant" means:

(i) a private property owner; or

(ii) a person who has the right to occupy a private property under an agreement.

(2) Except as provided under Subsection ~~[(2)]~~ (3), a [private] property [owner] occupant, who knowingly allows [a person who has a permit to carry a concealed firearm under Section 53-5-704] a firearm possessor to lawfully bring [the] a firearm onto the [owner's ~~( )~~] occupant's ~~( )~~ property, is not civilly or criminally liable for any damage or harm resulting from the discharge of the firearm by the [permit holder] firearm possessor while on the [owner's] occupant's property.

~~[(2)]~~ (3) Subsection ~~[(1)]~~ (2) does not apply if the property [owner] occupant solicits, requests, commands, encourages, or intentionally aids the [concealed firearm permit holder] ~~( )~~ firearm possessor in discharging the firearm while on the [owner's] occupant's property for a purpose other than the lawful defense of an individual on the property.

(4) This section does not alter the responsibilities a tenant owes to a landlord under the terms of the lease agreement entered into between the tenant and landlord.