

FIREARM DATA AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Todd D. Weiler

LONG TITLE

General Description:

This bill concerns law enforcement data collection and reporting concerning firearms.

Highlighted Provisions:

This bill:

- ▶ establishes law enforcement agency reporting requirements concerning:
 - lost or stolen firearms that are used in a crime; and
 - the disposition of firearms in the custody of a law enforcement agency;
- ▶ requires the State Commission on Criminal and Juvenile Justice (commission) to receive, compile, and publish law enforcement agency data concerning firearms;
- ▶ provides that a law enforcement agency not in compliance with firearm data reporting requirements may not receive grants from the commission; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-16-1002, as last amended by Laws of Utah 2023, Chapters 158, 161, 382, and 448

63M-7-218, as last amended by Laws of Utah 2023, Chapters 158, 161 and 382



28 ENACTS:

29 [53-25-102](#), Utah Code Annotated 1953



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

32 Section 1. Section **53-25-102** is enacted to read:

33 **53-25-102. Law enforcement agency reporting requirements for certain firearm**
34 **data.**

35 (1) As used in this section, "commission" means the State Commission on Criminal
36 and Juvenile Justice.

37 (2) (a) Beginning on January 1, 2026, a law enforcement agency shall annually, on or
38 before April 30, submit a report to the commission for the previous calendar year containing:

39 (i) the number of crimes reported to or investigated by the law enforcement agency in
40 which the law enforcement agency determined that a lost or stolen firearm was used in the
41 commission of the crime, separated by the type of crime; and

42 (ii) the number of firearms, separated by category, in the custody of the law
43 enforcement agency that were:

44 (A) returned to the property owner;

45 (B) destroyed;

46 (C) retained in evidence or other storage;

47 (D) transferred to another governmental entity; or

48 (E) submitted to a non-governmental entity for sale or disposal under Section

49 [77-11a-403](#).

50 (b) A law enforcement agency shall compile the report described in Subsection (2)(a)
51 for each calendar year in the standardized format developed by the commission under

52 Subsection (3).

53 (3) The commission shall:

54 (a) develop a standardized format for reporting the data described in Subsection (2);

55 (b) compile the data submitted under Subsection (2); and

56 (c) annually on or before August 1, publish a report of the data described in Subsection
57 (2) on the commission's website.

58 (4) The provisions of this section do not apply to a law enforcement agency created

59 under Section 41-3-104.

60 Section 2. Section **63A-16-1002** is amended to read:

61 **63A-16-1002. Criminal and juvenile justice database.**

62 (1) The commission shall oversee the creation and management of a criminal and
63 juvenile justice database for information and data required to be reported to the commission,
64 organized by county, and accessible to all criminal justice agencies in the state.

65 (2) The division shall assist with the development and management of the database.

66 (3) The division, in collaboration with the commission, shall create:

67 (a) master standards and formats for information submitted to the database;

68 (b) a portal, bridge, website, or other method for reporting entities to provide the
69 information;

70 (c) a master data management index or system to assist in the retrieval of information
71 in the database;

72 (d) a protocol for accessing information in the database that complies with state
73 privacy regulations; and

74 (e) a protocol for real-time audit capability of all data accessed through the portal by
75 participating data source, data use entities, and regulators.

76 (4) Each criminal justice agency charged with reporting information to the commission
77 shall provide the data or information to the database in a form prescribed by the commission.

78 (5) The database shall be the repository for the statutorily required data described in:

79 (a) Section 13-53-111, recidivism reporting requirements;

80 (b) Section 17-22-32, county jail reporting requirements;

81 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;

82 (d) Section 41-6a-511, courts to collect and maintain data;

83 (e) Section 53-23-101, reporting requirements for reverse-location warrants;

84 (f) Section 53-24-102, sexual assault offense reporting requirements for law
85 enforcement agencies;

86 (g) Section 53-25-102, law enforcement agency reporting requirements for certain
87 firearm data;

88 [~~g~~] (h) Section 63M-7-214, law enforcement agency grant reporting;

89 [~~h~~] (i) Section 63M-7-216, prosecutorial data collection;

90 ~~[(i)]~~ (j) Section [64-13-21](#), supervision of sentenced offenders placed in community;

91 ~~[(j)]~~ (k) Section [64-13-25](#), standards for programs;

92 ~~[(k)]~~ (l) Section [64-13-45](#), department reporting requirements;

93 ~~[(l)]~~ (m) Section [64-13e-104](#), housing of state probationary inmates or state parole

94 inmates;

95 ~~[(m)]~~ (n) Section [77-7-8.5](#), use of tactical groups;

96 ~~[(n)]~~ (o) Section [77-11b-404](#), forfeiture reporting requirements;

97 ~~[(o)]~~ (p) Section [77-20-103](#), release data requirements;

98 ~~[(p)]~~ (q) Section [77-22-2.5](#), court orders for criminal investigations;

99 ~~[(q)]~~ (r) Section [78A-2-109.5](#), court demographics reporting;

100 ~~[(r)]~~ (s) Section [80-6-104](#), data collection on offenses committed by minors; and

101 ~~[(s)]~~ (t) any other statutes ~~[which]~~ that require the collection of specific data and the

102 reporting of that data to the commission.

103 (6) The commission shall report:

104 (a) progress on the database, including creation, configuration, and data entered, to the
105 Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and

106 (b) all data collected as of December 31, 2022, to the Law Enforcement and Criminal
107 Justice Interim Committee, the House Law Enforcement and Criminal Justice Standing
108 Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing
109 Committee not later than January 16, 2023.

110 Section 3. Section **63M-7-218** is amended to read:

111 **63M-7-218. State grant requirements.**

112 Beginning July 1, 2023, the commission may not award any grant of state funds to any
113 entity subject to, and not in compliance with, the reporting requirements in Subsections

114 [63A-16-1002\(5\)\(a\)](#) through ~~[(r)]~~ (s).

115 Section 4. **Effective date.**

116 This bill takes effect on May 1, 2024.