

1 **DOMESTIC VIOLENCE MODIFICATIONS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Christine F. Watkins**

5 Senate Sponsor: David P. Hinkins

6	Cosponsors:	Merrill F. Nelson	Steve Waldrip
7	Carl R. Albrecht	Lee B. Perry	Raymond P. Ward
8	Kay J. Christofferson	Marc K. Roberts	Logan Wilde
9	Kim F. Coleman	Robert M. Spendlove	Mike Winder
10	Ken Ivory	Keven J. Stratton	
	Karianne Lisonbee		

11

12 **LONG TITLE**

13 **General Description:**

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

16 **Highlighted Provisions:**

17 This bill:

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

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **76-10-523**, as last amended by Laws of Utah 2014, Chapter 248

30

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

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

33 **76-10-523. Persons exempt from weapons laws.**

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

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

43 (2) The provisions of Subsections **76-10-504(1)** and (2), and Section **76-10-505** do not
44 apply to ~~any~~:

- 45 (a) a person to whom a permit to carry a concealed firearm has been issued:
- 46 ~~(a)~~ (i) pursuant to Section **53-5-704**; or
- 47 ~~(b)~~ (ii) by another state or county~~[-];~~ or
- 48 (b) a person who is issued a protective order under Subsection **78B-7-106(1)(b)** or
- 49 **78B-7-404(1)(b)**, unless the person is a restricted person as described in Subsection
- 50 **76-10-503(1)**, for a period of 120 days after the day on which the person is issued the
- 51 protective order.

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

- 55 (a) unloaded; and

56 (b) securely encased as defined in Section [76-10-501](#).