

30 while under the influence of:

31 (a) alcohol as determined by the ~~[person's]~~ actor's blood or breath alcohol concentration
32 in accordance with Subsections ~~41-6a-502~~(1)(a) through (c); or

33 (b) a controlled substance as defined in Section ~~58-37-2~~.

34 (2) This section does not apply to:

35 (a) ~~[a person]~~ an actor carrying a dangerous weapon that is either securely encased, as
36 defined in this part, or not within such close proximity and in such a manner that it can be
37 retrieved and used as readily as if carried on the person;

38 (b) ~~[any person]~~ an actor who uses or threatens to use force in compliance with Section
39 ~~76-2-402~~;

40 (c) ~~[any person]~~ an actor carrying a dangerous weapon in the ~~[person's]~~ actor's
41 residence or the residence of another with the consent of the individual who is lawfully in
42 possession; ~~[or]~~

43 (d) ~~[a person]~~ an actor under the influence of cannabis or a cannabis product, as those
44 terms are defined in Section ~~26-61a-102~~, if the ~~[person's]~~ actor's use of the cannabis or
45 cannabis product complies with Title 26, Chapter 61a, Utah Medical Cannabis Act~~[-]~~; or

46 (e) an actor who:

47 (i) has a valid prescription for a medication approved by the federal Food and Drug
48 Administration for the treatment of attention deficit disorder or attention deficit hyperactivity
49 disorder; and

50 (ii) takes the medication described in Subsection (2)(e)(i) as prescribed.

51 (3) It is not a defense to prosecution under this section that the ~~[person]~~ actor:

52 (a) is licensed in the pursuit of wildlife of any kind; or

53 (b) has a valid permit to carry a concealed firearm.