

FIREARM DISCHARGE ON PRIVATE PROPERTY

AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Trevor Lee

Senate Sponsor: _____

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.

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

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



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

29 **53-5a-103. Discharge of firearm on private property -- Liability.**

30 (1) As used in this section:

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

32 (b) "Property occupant" means:

33 (i) a private property owner; or

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

35 (2) Except as provided under Subsection (2), a [~~private~~] property [~~owner~~] occupant,
36 who knowingly allows [~~a person who has a permit to carry a concealed firearm under Section~~
37 ~~53-5-704~~] a firearm possessor to lawfully bring [~~the~~] a firearm onto the [~~owner's~~] occupant's
38 property, is not civilly or criminally liable for any damage or harm resulting from the discharge
39 of the firearm by the [~~permit holder~~] firearm possessor while on the [~~owner's~~] occupant's
40 property.

41 [~~(2)~~] (3) Subsection (1) does not apply if the property [~~owner~~] occupant solicits,
42 requests, commands, encourages, or intentionally aids the [~~concealed firearm permit holder~~]
43 firearm possessor in discharging the firearm while on the [~~owner's~~] occupant's property.