

FIREARM ACCESS AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides that a firearm shall be stored securely and provides penalties.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a firearm shall be securely stored or rendered inoperable by a locking device;
- ▶ sets penalties for violations; and
- ▶ provides that if a person accesses an unlocked firearm and commits a crime, the owner may be criminally liable.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-10-502.5, Utah Code Annotated 1953

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

Section 1. Section **76-10-502.5** is enacted to read:



28 76-10-502.5. Secure storage of firearms.

29 (1) As used in this section:

30 (a) "At-risk person" means an individual who has made statements or exhibited
31 behavior that indicates to a reasonable person there is a likelihood that the individual is at risk
32 of attempting suicide or causing physical harm to the individual or others.

33 (b) "Authorized user" means any person who is 18 years old or older and who has been
34 given express permission to possess a firearm by the owner of the firearm.

35 (c) "Locked container" means any box, case, chest, locker, safe, or other similar
36 receptacle, including, within a vehicle, a glove compartment, enclosed trunk, or center console
37 equipped with a tamper-resistant lock.

38 (d) "Minor" means an individual under 18 years old.

39 (e) "Restricted person" means any individual who is prohibited by 18 U.S.C. 922(g) or
40 by Section 76-10-503 from possessing a firearm.

41 (2) An owner or authorized user of a firearm shall store or keep the firearm in a
42 secured and locked container or secure the firearm by a locking device that renders the firearm
43 inoperable by any person other than the owner or authorized user.

44 (3) An owner or authorized user of a firearm may not leave a firearm in an unattended
45 or unlocked vehicle unless the firearm is locked in the trunk, a locked safe, a locked glove
46 compartment, or inaccessible to anyone other than the owner or authorized user.

47 (4) If a restricted person, a minor, or an at-risk person gains access to a firearm
48 belonging to or under the control of an owner or authorized user, and the owner or authorized
49 user failed to secure the firearm in a locked container or by a locking device, the owner or
50 authorized user in control of the firearm:

51 (a) is subject to a civil fine of \$1,000; or

52 (b) if the restricted person, minor, or at-risk person commits a crime or injures another
53 person, is subject to a civil fine of \$5,000 in addition to being guilty of an offense one level
54 below the offense charged against the restricted person, minor, or at-risk person.

55 (5) Subsection (4) does not apply if the firearm is accessed by a person and used in a
56 lawful act of self-defense.

57 (6) Subsection (4)(a) does not apply if the firearm is accessed under the direct control
58 of the owner or other authorized user.