

Restricted Person Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Verona Mauga

Senate Sponsor:

LONG TITLE**General Description:**

This bill amends provisions relating to those who are restricted persons regarding dangerous weapons.

Highlighted Provisions:

This bill:

- ▶ makes a person a restricted person if the person has been found not guilty by reason of insanity for any criminal offense, not just a felony level offense; and
- ▶ makes a person a restricted person if the person has been found mentally incompetent to stand trial for any criminal offense, not just a felony level offense.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-11-303, as enacted by Laws of Utah 2025, Chapter 208

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

Section 1. Section **76-11-303** is amended to read:

76-11-303 . Category II restricted person established.

Except as provided in Section 76-11-304, Exceptions, limitations, and exclusions to restricted person categories, an individual is categorized as a category II restricted person and subject to the restrictions and penalties described in Section 76-11-306:

(1) if the individual has been convicted of:

- (a) a domestic violence offense that is a felony; or
- (b) multiple felonies that are not part of a single criminal episode;

(2) if the individual has:

- 31 (a) been convicted of:
- 32 (i) a felony that is not a domestic violence offense or a violent felony; or
- 33 (ii) multiple felonies that are part of a single criminal episode and are not domestic
- 34 violence offenses or violent felonies; and
- 35 (b) within seven years after completing the sentence for the conviction described in
- 36 Subsection (2)(a), been convicted of, or charged with, another felony or class A
- 37 misdemeanor;
- 38 (3) for seven years after the day on which the individual completes a sentence for:
- 39 (a) a conviction for a felony that is not a domestic violence offense or a violent felony; or
- 40 (b) convictions for multiple felonies that are part of a single criminal episode and are not
- 41 domestic violence offenses or violent felonies;
- 42 (4) for seven years after the day on which the individual was an adjudicated delinquent for
- 43 an offense which if committed by an adult would have been a felony;
- 44 (5) if the individual is an unlawful user of a controlled substance;
- 45 (6) if the individual is in possession of a dangerous weapon while knowingly and
- 46 intentionally being in unlawful possession of a schedule I controlled substance or a
- 47 schedule II controlled substance;
- 48 (7) if the individual has been found not guilty by reason of insanity for a [~~felony~~] criminal
- 49 offense;
- 50 (8) if the individual has been found mentally incompetent to stand trial for a [~~felony~~]
- 51 criminal offense;
- 52 (9) if the individual has been adjudicated as mentally defective as provided in the Brady
- 53 Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993), or
- 54 having been committed to a mental institution;
- 55 (10) if the individual has been dishonorably discharged from the armed forces;
- 56 (11) if the individual has renounced the individual's citizenship after having been a citizen
- 57 of the United States;
- 58 (12) if the individual is a respondent or defendant subject to a protective order or child
- 59 protective order that:
- 60 (a) is issued after a hearing for which the individual received actual notice and at which
- 61 the individual had an opportunity to participate;
- 62 (b) restrains the individual from harassing, stalking, threatening, or engaging in other
- 63 conduct that would place an intimate partner, or a child of the intimate partner, in
- 64 reasonable fear of bodily injury to the intimate partner or child of the intimate

- 65 partner; and
- 66 (c)(i) includes a finding that the individual represents a credible threat to the physical
67 safety of an intimate partner or the child of the intimate partner; or
- 68 (ii) explicitly prohibits the use, attempted use, or threatened use of physical force that
69 would reasonably be expected to cause bodily harm against an intimate partner or
70 the child of an intimate partner; or
- 71 (13) except as provided in Subsection 76-11-304(2), if the individual has been convicted of
72 the commission or attempted commission of misdemeanor assault under Section
73 76-5-102, or aggravated assault under Section 76-5-103, against a victim:
- 74 (a) who is a current or former spouse, parent, or guardian of the individual;
- 75 (b) with whom the individual shares a child in common;
- 76 (c) who is cohabitating or has cohabitated with the individual as a spouse, parent, or
77 guardian;
- 78 (d) involved in a dating relationship with the individual within the last five years; or
- 79 (e) similarly situated to a spouse, parent, or guardian of the individual.

80 **Section 2. Effective Date.**

81 This bill takes effect on May 6, 2026.