

1 **Open Carry of a Firearm Amendments**
 2026 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Verona Mauga
 Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses the open carrying of a firearm.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ creates the offense of prohibited open carry of a firearm at a large public gathering; and
- 10 ▶ makes technical and conforming changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **53-5a-102.2**, as enacted by Laws of Utah 2025, Chapter 208

18 ENACTS:

19 **76-11-221**, Utah Code Annotated 1953

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

22 Section 1. Section **53-5a-102.2** is amended to read:

23 **53-5a-102.2 . Open and concealed carry of a firearm outside of an individual's**
 24 **residence.**

25 (1) To effectuate the Second Amendment to the United States Constitution and Utah
 26 Constitution, Article I, Section 6, that prohibit the infringement of the right of the people
 27 of Utah to keep and bear arms for security and defense of self, family, others, property,
 28 or the state, as well as for other lawful purposes, and consistent with the Legislature's
 29 ability to define the lawful use of arms:

30 (a) subject to Subsections (2)(a) and (b), an individual 18 years old or older but younger

- 31 than 21 years old without a provisional carry permit issued under Section 53-5a-305
32 may only carry in an open manner:
- 33 (i) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the
34 individual is lawfully present;
 - 35 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully
36 present; and
 - 37 (iii) an unloaded firearm that the individual may otherwise lawfully carry, on a public
38 street;
- 39 (b) subject to Subsections (2)(a) and (b), an individual 21 years old or older may open or
40 conceal carry, without a conceal carry permit:
- 41 (i) an unloaded or loaded firearm:
 - 42 (A) on a public street; or
 - 43 (B) in any other place not prohibited by, or pursuant to, state statute or federal law;
 - 44 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully
45 present; and
 - 46 (iii) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the
47 individual is lawfully present; and
- 48 (c) subject to Subsections (2)(c) and (d), an individual 18 years old or older with a
49 concealed carry permit issued under Section 53-5a-303, a temporary concealed carry
50 permit issued under Section 53-5a-304, a provisional concealed carry permit issued
51 under Section 53-5a-305, or a concealed carry permit lawfully issued by or in another
52 state, may open or conceal carry a loaded or unloaded firearm:
- 53 (i) in a vehicle in which the individual is lawfully present;
 - 54 (ii) on a public street; or
 - 55 (iii) in any other place not prohibited by, or pursuant to, state statute or federal law.
- 56 (2)(a) An individual openly carrying a firearm under Subsection (1)(a) or (b) without a
57 concealed carry permit may not carry the firearm:
- 58 (i) in a secure area established in accordance with Section 76-8-311.1 in which
59 dangerous weapons are prohibited and notice of the prohibition is posted;
 - 60 (ii) on or about the premises of a public or private elementary school or secondary
61 school as described in Section 76-11-205;
 - 62 (iii) on or about the premises of an institution of higher education as described in
63 Section 76-11-205.5;
 - 64 (iv) on or about the premises of a daycare as described in Section 76-11-206;

- 65 (v) in an airport secure area as described in Section 76-11-218;
- 66 (vi) in a house of worship or in any private residence where dangerous weapons are
- 67 prohibited as described in Section 76-11-219;
- 68 (vii) within 500 feet of a large public gathering as described in Section 76-11-221; or
- 69 [~~vii~~] (viii) in any other place prohibited by, or pursuant to, another state statute or
- 70 federal law.
- 71 (b) An individual 21 years old or older concealing a firearm without a concealed carry
- 72 permit under Subsection (1)(b) may not carry the firearm:
- 73 (i) in a secure area established in accordance with Section 76-8-311.1 in which
- 74 dangerous weapons are prohibited and notice of the prohibition is posted;
- 75 (ii) on or about the school premises of a public or private elementary school or
- 76 secondary school as described in Section 76-11-205;
- 77 (iii) on or about the premises of an institution of higher education as described in
- 78 Section 76-11-205.5;
- 79 (iv) on or about a daycare premises as described in Section 76-11-206;
- 80 (v) in an airport secure area as described in Section 76-11-218;
- 81 (vi) in a house of worship or in any private residence where dangerous weapons are
- 82 prohibited as described in Section 76-11-219; or
- 83 (vii) in any other place prohibited by, or pursuant to, another state statute or federal
- 84 law.
- 85 (c) Subject to Subsection (2)(d), an individual with a concealed carry permit under
- 86 Subsection (1)(c) may not:
- 87 (i) [-]carry the firearm in any manner:
- 88 [(†)] (A) in a secure area established in accordance with Section 76-8-311.1 in
- 89 which dangerous weapons are prohibited and notice of the prohibition posted;
- 90 [(†)] (B) in an airport secure area as described in Section 76-11-218;
- 91 [(††)] (C) in a house of worship or in any private residence where dangerous
- 92 weapons are prohibited as described in Section 76-11-219; or
- 93 [(†††)] (D) in any other place prohibited by, or pursuant to, another state statute or
- 94 federal law[-] ; or
- 95 (ii) open carry the firearm within 500 feet of a large public gathering as described in
- 96 Section 76-11-221.
- 97 (d) In addition to the locations described in Subsection (2)(c):
- 98 (i) an individual 18 years old but younger than 21 years old with a provisional

99 concealed carry permit under Section 53-5a-304 may not carry the firearm in any
100 manner on or about the premises of a public or private elementary school or
101 secondary school as described in Section 76-11-205; and

102 (ii) an individual concealing a firearm only with a concealed carry permit lawfully
103 issued by or in another state may not carry the firearm in any manner:

104 (A) on or about the premises of a public or private elementary school or secondary
105 school as described in Section 76-11-205;

106 (B) on or about the premises of an institution of higher education as described in
107 Section 76-11-205.5; or

108 (C) on or about the premises of a daycare as described in Section 76-11-206.

109 (3) This section does not prohibit:

110 (a) the owner or lawful possessor of a vehicle from prohibiting another individual from
111 carrying a firearm in the owner or lawful possessor's vehicle; or

112 (b) except as provided in Section 53-5a-102.3, the owner or lawful lessee of private real
113 property from prohibiting another individual from possessing a firearm on the
114 property.

115 (4) An individual is lawfully present in a vehicle while carrying a firearm under this section
116 if:

117 (a) the vehicle is in the lawful possession of the individual; or

118 (b) the individual has the consent of the person lawfully in possession of the vehicle to
119 carry the firearm in the vehicle.

120 Section 2. Section **76-11-221** is enacted to read:

121 **76-11-221 . Prohibited open carry of a firearm at a large public gathering.**

122 (1)(a) As used in this section:

123 (i) "Large public gathering" means a group of 200 or more individuals who are
124 gathered together at a public place for a joint purpose to participate in, or be a
125 spectator at:

126 (A) a demonstration;

127 (B) a rally;

128 (C) a protest;

129 (D) a picket;

130 (E) a march;

131 (F) a parade;

132 (G) a vigil; or

133 (H) another event held to allow individuals to express rights protected under the
134 First Amendment to the United States Constitution and Utah Constitution,
135 Article I, Section 15.

136 (ii) "Public place" means a location owned by the state, or a political subdivision of
137 the state, to which the public or a substantial group of the public has access.

138 (b) Terms defined in Sections 76-1-101.5, 76-11-101, and 76-11-201 apply to this
139 section.

140 (2) An actor commits prohibited open carry of a firearm at a public gathering if the actor:

141 (a) openly carries a loaded or unloaded firearm within 500 feet of a large public
142 gathering;

143 (b) has been verbally notified by a law enforcement officer that a large public gathering
144 is taking place and that open carrying of firearms is prohibited within 500 feet of the
145 large public gathering; and

146 (c) after receiving the verbal notification described in Subsection (2)(b), either:

147 (i) fails to:

148 (A) promptly conceal the firearm if lawful for the actor to do so; or

149 (B) move more than 500 feet away from the large public gathering; or

150 (ii)(A) initially complies with the notification and conceals the firearm if lawful
151 for the actor to do so, or moves more than 500 feet away from the large public
152 gathering; and

153 (B) subsequently again openly carries a loaded or unloaded firearm within 500
154 feet of the large public gathering.

155 (3) A violation of Subsection (2) is a class B misdemeanor.

156 **Section 3. Effective Date.**

157 This bill takes effect on May 6, 2026.