

FIREARM ACCESS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires that a firearm is secured and provides penalties.

Highlighted Provisions:

This bill:

- ▶ defines terms;
 - ▶ requires that a firearm is securely stored or rendered inoperable by a locking device;
- and
- ▶ sets civil penalties for violations.

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:

76-10-502.5. Secure storage of firearms.

(1) As used in this section:



28 (a) "At-risk individual" means an individual who makes statements or exhibits
29 behavior that indicates to a reasonable person there is a likelihood that the individual is at risk
30 of attempting suicide or causing physical harm to the individual or other individuals.

31 (b) "Authorized user" means an individual who is 18 years old or older and who has
32 been given express permission to possess a firearm by the owner of the firearm.

33 (c) (i) "Locked container" means a box, case, chest, locker, safe, or other similar
34 receptacle.

35 (ii) "Locked container" includes a glove compartment in a vehicle, enclosed trunk of a
36 vehicle, or center console in a vehicle equipped with a tamper-resistant lock.

37 (d) "Minor" means an individual who is under 18 years old.

38 (e) "Owner" means an individual who is 18 years old or older and owns a firearm.

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

41 (2) When an owner or authorized user is not lawfully possessing or using a firearm, the
42 owner or authorized user shall:

43 (a) store the firearm in a locked container; or

44 (b) secure the firearm by a locking device that renders the firearm inoperable by an
45 individual other than the owner or authorized user.

46 (3) If an owner or authorized user fails to comply with the requirements of Subsection
47 (2) and a restricted person, minor, or at-risk individual accesses the firearm, the owner or
48 authorized user:

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

50 (b) is subject to a civil fine of \$5,000 if the restricted person, minor, or at-risk
51 individual uses the firearm in the commission of a crime or causes an injury to an individual
52 with the firearm.

53 (4) Subsection (3) does not apply if:

54 (a) the firearm is accessed and used in a lawful act of self-defense; or

55 (b) the owner or authorized user of the firearm reported the firearm as stolen to a law
56 enforcement agency.

57 (5) Subsection (3)(a) does not apply if the firearm is accessed by:

58 (a) an at-risk individual and the at-risk individual is under the direct supervision of the

59 owner or authorized user; or

60 (b) a minor who is a child of the owner or authorized user in accordance with Section

61 [76-10-509](#).

62 Section 2. **Effective date.**

63 This bill takes effect on May 1, 2024.