

Walt Brooks proposes the following substitute bill:

1 **Higher Education Dangerous Weapon Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Walt Brooks

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses the carrying of dangerous weapons at an institution of higher education.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ repeals Section 76-11-205.5, Carrying a dangerous weapon at an institution of higher
8 education;

9 ▶ clarifies that an individual 18 years old but younger than 21 years old may carry, in an
10 open manner, an unloaded firearm in any public location not prohibited by state statute
11 or federal law;

12 ▶ prohibits individuals 18 to 20 years old who do not have a concealed firearms permit
13 from carrying a loaded firearm on the grounds of a state institution of higher education;
14 and

15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22 **47-3-305**, as last amended by Laws of Utah 2025, Chapters 173, 208

23 **53-5a-102.2**, as enacted by Laws of Utah 2025, Chapter 208

24 **53H-3-902**, as renumbered and amended by Laws of Utah 2025, First Special Session,
25 Chapter 8

26 **76-11-220**, as enacted by Laws of Utah 2025, Chapter 208

27 **REPEALS:**

29 **76-11-205.5**, as enacted by Laws of Utah 2025, Chapter 208

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

31 Section 1. Section **47-3-305** is amended to read:

32 **47-3-305 . Exceptions and prohibitions.**

33 (1) This part does not apply to:

34 (a) shooting ranges that are otherwise open to the public;

35 (b) shooting ranges that are operated as a public shooting range staffed by and operated
36 by Division of Wildlife Resources;

37 (c) the Utah National Guard ranges located at Camp Williams and the Salt Lake
38 International Airport;

39 (d) Department of Corrections ranges; and

40 (e) ranges owned, operated, or currently leased as of March 26, 2013, by a state or local
41 public safety agency.

42 (2) Firearms may not be allowed in a school building, except under the provision of Section
43 76-11-205[or 76-11-205.5], unless there is an outdoor entrance to the shooting range
44 and the most direct access to the range is used. An outdoor entrance to a shooting range
45 may not be blocked by fences, structures, or gates for the purpose of blocking the
46 outdoor entrance.

47 (3) Only air guns may be used in public ranges where the ventilation systems do not meet
48 current [OSHA] Occupational Safety and Health Administration standards as applied to
49 the duration of exposure of the participants. For the purposes of this part, an air gun
50 does not include larger caliber pneumatic weapons, paintball guns, or air shotguns.

51 (4) Group range use is a lawful, approved activity under Subsection 76-11-205(4)(f) or
52 76-11-205.5(4)(g).

53 Section 2. Section **53-5a-102.2** is amended to read:

54 **53-5a-102.2 . Open and concealed carry of a firearm outside of an individual's
55 residence.**

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

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

63 than 21 years old without a provisional carry permit issued under Section 53-5a-305
64 may only carry in an open manner:

65 (i) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the
66 individual is lawfully present;

67 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully
68 present; and

69 (iii) an unloaded firearm that the individual may otherwise lawfully carry[;]:

70 (A) [-]on a public street; or

71 (B) in any other public location not prohibited by, or in accordance with, state
72 statute or federal law;

73 (b) subject to Subsections (2)(a) and (b), an individual 21 years old or older may open or
74 conceal carry, without a conceal carry permit:

75 (i) an unloaded or loaded firearm:

76 (A) on a public street; or

77 (B) in any other place not prohibited by, or pursuant to, state statute or federal law;

78 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully
79 present; and

80 (iii) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the
81 individual is lawfully present; and

82 (c) subject to Subsections (2)(c) and (d), an individual 18 years old or older with a
83 concealed carry permit issued under Section 53-5a-303, a temporary concealed carry
84 permit issued under Section 53-5a-304, a provisional concealed carry permit issued
85 under Section 53-5a-305, or a concealed carry permit lawfully issued by or in another
86 state, may open or conceal carry a loaded or unloaded firearm:

87 (i) in a vehicle in which the individual is lawfully present;

88 (ii) on a public street; or

89 (iii) in any other place not prohibited by, or pursuant to, state statute or federal law.

90 (2)(a) An individual openly carrying a firearm under Subsection (1)(a) or (b) without a
91 concealed carry permit may not carry the firearm:

92 (i) in a secure area established in accordance with Section 76-8-311.1 in which
93 dangerous weapons are prohibited and notice of the prohibition is posted;

94 (ii) on or about the premises of a public or private elementary school or secondary
95 school as described in Section 76-11-205;

96 [(iii) ~~on or about the premises of an institution of higher education as described in~~]

Section 76-11-205.5;]

- [~~(iv)~~] (iii) on or about the premises of a daycare as described in Section 76-11-206;
- [~~(v)~~] (iv) in an airport secure area as described in Section 76-11-218;
- [~~(vi)~~] (v) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
- [~~(vii)~~] (vi) in any other place prohibited by, or pursuant to, another state statute or federal law.

(b) An individual 21 years old or older concealing a firearm without a concealed carry permit under Subsection (1)(b) may not carry the firearm:

- (i) in a secure area established in accordance with Section 76-8-311.1 in which dangerous weapons are prohibited and notice of the prohibition is posted;

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

[(iii) on or about the premises of an institution of higher education as described in Section 76-11-205.5;]

[~~(iv)~~] (iii) on or about a daycare premises as described in Section 76-11-206;

[(v)] (iv) in an airport secure area as described in Section 76-11-218;

[**(vi)**] **(v)** in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or

[**(vii)**] **(vi)** in any other place prohibited by, or pursuant to, another state statute or federal law.

(c) Subject to Subsection (2)(d), an individual with a concealed carry permit under Subsection (1)(c) may not carry the firearm in any manner:

(i) in a secure area established in accordance with Section 76-8-311.1 in which dangerous weapons are prohibited and notice of the prohibition posted;

(ii) in an airport secure area as described in Section 76-11-218;

(iii) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or

(iv) in any other place prohibited by, or pursuant to, another state statute or federal law.

(d) In addition to the locations described in Subsection (2)(c):

(i) an individual 18 years old but younger than 21 years old with a provisional concealed carry permit under Section 53-5a-304 may not carry the firearm in any manner on or about the premises of a public or private elementary school or

131 secondary school as described in Section 76-11-205; and
132 (ii) an individual concealing a firearm only with a concealed carry permit lawfully
133 issued by or in another state may not carry the firearm in any manner:
134 (A) on or about the premises of a public or private elementary school or secondary
135 school as described in Section 76-11-205; or
136 ~~(B) on or about the premises of an institution of higher education as described in~~
137 ~~Section 76-11-205.5; or]~~
138 [(C)] (B) on or about the premises of a daycare as described in Section 76-11-206.

139 (3) This section does not prohibit:

140 (a) the owner or lawful possessor of a vehicle from prohibiting another individual from
141 carrying a firearm in the owner or lawful possessor's vehicle; or
142 (b) except as provided in Section 53-5a-102.3, the owner or lawful lessee of private real
143 property from prohibiting another individual from possessing a firearm on the
144 property.

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

147 (a) the vehicle is in the lawful possession of the individual; or
148 (b) the individual has the consent of the person lawfully in possession of the vehicle to
149 carry the firearm in the vehicle.

150 Section 3. Section **53H-3-902** is amended to read:

151 **53H-3-902 . Power of board and institutions to adopt rules and enact regulations.**

152 (1) As used in this section, "face covering" means the same as that term is defined in
153 Section 53G-9-210.

154 (2)(a) The board may enact regulations governing the conduct of university and college
155 students, faculty, and employees.

156 (b) A president in consultation with the board of trustees, may enact policies governing
157 the conduct of university and college students, faculty, and employees.

158 (3)(a) An institution may enact traffic, parking, and related policies governing all
159 individuals on campus and facilities owned or controlled by the institution.

160 (b)(i) The board and an institution may not require proof of vaccination as a
161 condition for enrollment or attendance within the system of higher education
162 unless the board or an institution allows for the following exemptions:

163 (A) a medical exemption if the student provides to the institution a statement that
164 the claimed exemption is for a medical reason; and

165 (B) a personal exemption if the student provides to the institution a statement that
166 the claimed exemption is for a personal or religious belief.

167 (ii) An institution that offers both remote and in-person learning options may not
168 deny a student who is exempt from a requirement to receive a vaccine under
169 Subsection (3)(b)(i) to participate in an in-person learning option based upon the
170 student's vaccination status.

171 (iii) Subsections (3)(b)(i) and (ii) do not apply to a student studying in a medical
172 setting at an institution of higher education.

173 (iv) Nothing in this section restricts a state or local health department from acting
174 under applicable law to contain the spread of an infectious disease.

175 (c)(i) The board or an institution may not require an individual to wear a face
176 covering as a condition of attendance for in-person instruction,
177 institution-sponsored athletics, institution-sponsored extracurricular activities, in
178 dormitories, or in any other place on a campus of an institution within the system
179 of higher education at any time after the end of the spring semester in 2021.

180 (ii) Subsection (3)(c)(i) does not apply to an individual in a medical setting at an
181 institution of higher education.

182 (4) The board shall enact regulations that require all testimony be given under oath during
183 an employee grievance hearing for a non-faculty employee of an institution of higher
184 education if the grievance hearing relates to the non-faculty employee's:

185 (a) demotion; or
186 (b) termination.

187 (5) Acknowledging that the Legislature has the authority to regulate, by law, firearms at
188 higher education institutions, the board may:

189 (a) authorize higher education institutions to establish no more than one secure area at
190 each institution as a hearing room in accordance with Section 76-8-311.1, but not
191 otherwise restrict the lawful possession or carrying of firearms; and

192 (b) authorize a higher education institution to make a policy that allows a resident of a
193 dormitory located at the institution to request only roommates who [are not licensed
194 to carry a concealed firearm under Section 53-5a-303 or Section 53-5a-305] choose
195 not to lawfully possess firearms in the resident's dormitory as allowed in Section
196 53-5a-102.3.

197 (6) In addition to the requirements and penalty prescribed in Sections 76-8-311.1 and
198 76-8-311.2, the board shall make rules to ensure:

199 (a) the use of reasonable means such as mechanical, electronic, x-ray, or similar devices,
200 to detect firearms, ammunition, or dangerous weapons contained in the personal
201 property of or on the person of any individual attempting to enter a secure area
202 hearing room;

203 (b) that an individual required or requested to attend a hearing in a secure area hearing
204 room is notified in writing of the requirements related to entering a secure area
205 hearing room under this Subsection (6)(b) and Section 76-8-311.1;

206 (c) that the restriction of firearms, ammunition, or dangerous weapons in the secure area
207 hearing room is in effect only during the time the secure area hearing room is in use
208 for hearings and for a reasonable time before and after the hearing; and

209 (d) the application of reasonable space limitations to the secure area hearing room as the
210 number of individuals involved in a typical hearing warrants.

211 (7) The board and institutions may enforce the rules, regulations, and policies described in
212 this section in any reasonable manner, including the assessment of fees, fines, and
213 forfeitures, through:

214 (a) withholding from money owed the violator;

215 (b) the imposition of probation, suspension, or expulsion from the institution;

216 (c) the revocation of privileges;

217 (d) the refusal to issue certificates, degrees, and diplomas;

218 (e) judicial process; or

219 (f) any reasonable combination of the alternatives described in this Subsection (7).

220 Section 4. Section **76-11-220** is amended to read:

221 **76-11-220 . Carrying a loaded firearm on a public street or public campus of
222 higher education by an 18 to 20 year old.**

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

224 (i) "On or about campus premises" means:

225 (A) in a state institution of higher education; or

226 (B) on the grounds of a state institution of higher education.

227 (ii) "State institution of higher education" means an institution listed in Section
228 53B-1-102.

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

231 (2) [An] Under circumstances not amounting to an offense under Section 76-11-202, U
232 nlawful carrying of a concealed firearm by an individual under 21 years old, an actor

233 commits carrying a loaded firearm on a public street or public campus of higher
234 education by an 18 to 20 year old if the actor:
235 (a) is 18 years old or older but younger than 21 years old; and
236 (b)(i) carries a loaded firearm on a public street[.] ; or
237 (ii)(A) carries a loaded firearm on or about campus premises; and
238 (B) knows or reasonably believes that the actor is on or about campus premises at
239 the time the actor carries the loaded firearm.

240 (3) A violation of Subsection (2) is a class B misdemeanor.
241 (4) This section does not apply if the actor has a provisional concealed carry permit issued
242 under Section 53-5a-305.

243 **Section 5. Repealer.**

244 This bill repeals:

245 **Section 76-11-205.5, Carrying a dangerous weapon at an institution of higher education.**

246 **Section 6. Effective Date.**

247 This bill takes effect on May 6, 2026.