

CONCEALED WEAPONS PERMIT FEE AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: John D. Johnson

LONG TITLE

General Description:

This bill amends who is eligible for a waiver to a concealed weapons permit fee.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ waives the fee for a school employee to obtain a concealed weapons permit in certain circumstances.

Money Appropriated in this Bill:

This bill appropriates for fiscal year 2024:

- ▶ To the Department of Public Safety - Bureau of Criminal Identification, as an ongoing appropriation:
 - from the ~~Ĥ~~→ ~~Education~~ Income Tax ←Ĥ Fund, \$23,700.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-5-702, as last amended by Laws of Utah 2013, Chapter 280

53-5-707, as last amended by Laws of Utah 2021, Chapters 12, 277

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



28 Section 1. Section 53-5-702 is amended to read:

29 **53-5-702. Definitions.**

30 In addition to the definitions in Section 76-10-501, as used in this part:

31 (1) "Active duty service member" means a person on active military duty with the
32 United States military and includes full time military active duty, military reserve active duty,
33 and national guard military active duty service members stationed in Utah.

34 (2) "Active duty service member spouse" means a person recognized by the military as
35 the spouse of an active duty service member and who resides with the active duty service
36 member in Utah.

37 (3) "Board" means the Concealed Firearm Review Board created in Section 53-5-703.

38 (4) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201
39 within the Department of Public Safety.

40 (5) "Commissioner" means the commissioner of the Department of Public Safety.

41 (6) "Conviction" means criminal conduct where the filing of a criminal charge has
42 resulted in:

43 (a) a finding of guilt based on evidence presented to a judge or jury;

44 (b) a guilty plea;

45 (c) a plea of nolo contendere;

46 (d) a plea of guilty or nolo contendere which is held in abeyance pending the successful
47 completion of probation;

48 (e) a pending diversion agreement; or

49 (f) a conviction which has been reduced pursuant to Section 76-3-402.

50 (7) "School employee" means an employee of a public school district, charter school,
51 or private school whose duties, responsibilities, or assignments require the employee to be
52 physically present on a school's campus at least half of the days on which school is held during
53 a school year.

54 (8) "School year" means the period of time designated by a local school board, charter
55 school governing board, or private school as the school year for high school, middle school, or
56 elementary school students.

57 Section 2. Section 53-5-707 is amended to read:

58 **53-5-707. Concealed firearm permit -- Fees -- Concealed Weapons Account.**

59 (1) (a) An applicant for a concealed firearm permit shall pay a fee of \$25 at the time of
60 filing an application.

61 (b) A nonresident applicant shall pay an additional \$10 for the additional cost of
62 processing a nonresident application.

63 (c) The bureau shall waive the initial fee for an applicant who is:

64 (i) [is] a law enforcement officer under Section 53-13-103[-];

65 ~~[(d)]~~ (ii) [Concealed firearm permit renewal fees for] an active duty service [members
66 and] member;

67 (iii) the spouse of an active duty service member [shall be waived]; or

68 (iv) a school employee.

69 (2) The renewal fee for the permit is \$20. A nonresident shall pay an additional \$5 for
70 the additional cost of processing a nonresidential renewal.

71 (3) The replacement fee for the permit is \$10.

72 (4) (a) The late fee for the renewal permit is \$7.50.

73 (b) As used in this section, "late fee" means the fee charged by the bureau for a renewal
74 submitted on a permit that has been expired for more than 30 days but less than one year.

75 (5) (a) There is created a restricted account within the General Fund known as the
76 "Concealed Weapons Account."

77 (b) The account shall be funded from fees collected under this section and Section
78 [53-5-707.5](#).

79 (c) Funds in the account may only be used to cover costs relating to:

80 (i) the issuance of concealed firearm permits under this part; or

81 (ii) the programs described in Subsection [62A-15-103\(3\)](#) and Section [62A-15-1101](#).

82 (d) No later than 90 days after the end of the fiscal year 50% of the fund balance shall
83 be transferred to the Suicide Prevention and Education Fund, created in Section [62A-15-1104](#).

84 (6) (a) The bureau may collect any fees charged by an outside agency for additional
85 services required by statute as a prerequisite for issuance of a permit.

86 (b) The bureau shall promptly forward any fees collected under Subsection (6)(a) to the
87 appropriate agency.

88 (7) The bureau shall make an annual report in writing to the Legislature's Law
89 Enforcement and Criminal Justice Interim Committee on the amount and use of the fees

90 collected under this section and Section [53-5-707.5](#).

91 Section 3. **Appropriation.**

92 The following sums of money are appropriated for the fiscal year beginning July 1,
93 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
94 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
95 Act, the Legislature appropriates the following sums of money from the funds or accounts
96 indicated for the use and support of the government of the state of Utah.

97 ITEM 1

98 To Department of Public Safety - Bureau of Criminal Identification

99 From H→ [Education] Income Tax ←H Fund \$23,700

100 Schedule of Programs:

101 Non-Government/Other Services \$23,700