

1 **Dangerous Weapons at Institutions of Higher Education**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nate Blouin

House Sponsor:

2 **LONG TITLE**3 **General Description:**

4 This bill addresses dangerous weapons at institutions of higher education.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ authorizes an institution of higher education to make rules and regulations regarding the
8 carrying or possession of firearms at the institution of higher education;9 ▶ expands the offense of carrying a dangerous weapon at an institution of higher education
10 to include carrying, possessing, or storing a dangerous weapon in a dormitory located on
11 higher education grounds; and

12 ▶ makes technical and conforming changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**18 **AMENDS:**19 **53-5a-102.2**, as enacted by Laws of Utah 2025, Chapter 20820 **53-5a-102.3**, as renumbered and amended by Laws of Utah 2025, Chapters 173, 20821 **53H-3-902**, as renumbered and amended by Laws of Utah 2025, First Special Session,
22 Chapter 823 **76-11-205.5**, as enacted by Laws of Utah 2025, Chapter 20824

25 *Be it enacted by the Legislature of the state of Utah:*26 Section 1. Section **53-5a-102.2** is amended to read:27 **53-5a-102.2 . Open and concealed carry of a firearm outside of an individual's**
28 **residence.**

29 (1) To effectuate the Second Amendment to the United States Constitution and Utah

31 Constitution, Article I, Section 6, that prohibit the infringement of the right of the people
32 of Utah to keep and bear arms for security and defense of self, family, others, property,
33 or the state, as well as for other lawful purposes, and consistent with the Legislature's
34 ability to define the lawful use of arms:

35 (a) subject to Subsections (2)(a) and (b), an individual 18 years old or older but younger
36 than 21 years old without a provisional carry permit issued under Section 53-5a-305
37 may only carry in an open manner:

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

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

42 (iii) an unloaded firearm that the individual may otherwise lawfully carry, on a public
43 street;

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

46 (i) an unloaded or loaded firearm:

47 (A) on a public street; or

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

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

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

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

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

59 (ii) on a public street; or

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

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

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

- (ii) on or about the 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) on or about the premises of a daycare as described in Section 76-11-206;
- (v) in an airport secure area as described in Section 76-11-218;
- (vi) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
- (vii) 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) on or about a daycare premises as described in Section 76-11-206;
- (v) in an airport secure area as described in Section 76-11-218;
- (vi) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
- (vii) 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;
- (iv) in a dormitory located on the grounds of an institution of higher education as described in Subsection 76-11-205.5(2)(b); or
- [(iv)] (v) 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 secondary school as described in Section 76-11-205; and
- (ii) an individual concealing a firearm only with a concealed carry permit lawfully issued by or in another state may not carry the firearm in any manner:
 - (A) on or about the premises of a public or private elementary school or secondary school as described in Section 76-11-205;
 - (B) on or about the premises of an institution of higher education as described in Section 76-11-205.5; or
 - (C) on or about the premises of a daycare as described in Section 76-11-206.

(3) This section does not prohibit:

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

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

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

Section 2. Section **53-5a-102.3** is amended to read:

53-5a-102.3 . Possession of a firearm at a residence or on real property.

(1) As used in this section, "institution of higher education" means the same as that term is defined in Section 53H-3-304.

[{1}] (2) Except as provided in Subsection (3)(b) and except for an individual categorized as a restricted person under Section 76-11-302, Section 76-11-303, or 18 U.S.C. Sec. 922(g), or an individual otherwise prohibited by law, an individual 18 years old or older may have, and cannot be restricted from having, a loaded or unloaded firearm:

- (a) at the individual's place of residence; or
- (b) on the individual's real property.

133 [2] (3)(a) An individual's place of residence described in Subsection [(1)(a)] (2)(a)

134 includes:

135 [(a)] (i) a temporary residence or camp; or

136 [(b)] (ii) except as provided in Subsection (3)(b), a residence that the individual has
137 been granted the lawful right of possession to rent or lease.

138 (b) An individual's place of residence described in Subsection (2)(a) does not include a
139 dormitory located on the grounds of an institution of higher education.

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

141 **53H-3-902 . Power of board and institutions to adopt rules and enact regulations.**

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

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

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

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

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

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

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

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

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

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

165 (c)(i) The board or an institution may not require an individual to wear a face
166 covering as a condition of attendance for in-person instruction,

167 institution-sponsored athletics, institution-sponsored extracurricular activities, in
168 dormitories, or in any other place on a campus of an institution within the system
169 of higher education at any time after the end of the spring semester in 2021.

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

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

175 (a) demotion; or
176 (b) termination.

177 [(5) Acknowledging that the Legislature has the authority to regulate, by law, firearms at
178 higher education institutions, the board may:]

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

182 [(b) authorize a higher education institution to make a policy that allows a resident of a
183 dormitory located at the institution to request only roommates who are not licensed to
184 carry a concealed firearm under Section 53-5a-303 or Section 53-5a-305.]

185 (5)(a) Notwithstanding Section 53-5a-102, and subject to Subsection (5)(b) and Sections
186 53-5a-102.3 and 76-11-205.5, the board shall authorize an institution of higher
187 education to make rules and regulations regarding the carrying or possession of a
188 firearm at the institution of higher education, which may include:

189 (i) prohibiting the possession or carrying of a firearm at the institution of higher
190 education by any individual;
191 (ii) establishing a secure area as a hearing room in accordance with Section
192 76-8-311.1; and
193 (iii) any other rule or regulation the institution of higher education determines is
194 beneficial to the institution of higher education.

195 (b) The rules and regulations made under Subsection (5)(a) may not:

196 (i) prohibit an individual described in Section 53-5a-108 from possessing or carrying
197 a firearm at the institution of higher education;
198 (ii) allow an individual without a concealed carry permit as described in Section
199 53-5a-303, a provisional concealed carry permit as described in Section 53-5a-304,
200 or a temporary concealed carry permit issued under Section 53-5a-305, to carry or

201 possess a firearm at the higher education institution in violation of Section
202 76-11-205.5; or

203 (iii) allow an individual to carry, possess, or store a firearm in a dormitory located at
204 the institution of higher education in violation of Section 76-11-205.5.

205 (6) In addition to the requirements and penalty prescribed in Sections 76-8-311.1 and
206 76-8-311.2, the board shall make rules regarding any secure area established under
207 Subsection (5)(a)(ii) to ensure:

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

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

215 [~~(e) that the restriction of firearms, ammunition, or dangerous weapons in the secure~~
216 ~~area hearing room is in effect only during the time the secure area hearing room is in~~
217 ~~use for hearings and for a reasonable time before and after the hearing; and]~~

218 [~~(d)~~] (c) the application of reasonable space limitations to the secure area hearing room as
219 the number of individuals involved in a typical hearing warrants.

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

223 (a) withholding from money owed the violator;

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

225 (c) the revocation of privileges;

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

227 (e) judicial process; or

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

229 Section 4. Section **76-11-205.5** is amended to read:

230 **76-11-205.5 . Carrying a dangerous weapon at an institution of higher education.**

231 (1) As used in this section, "on or about school premises" means:

232 (a) in a public or private institution of higher education; or

233 (b) on the grounds of a public or private institution of higher education.

234 (2) An actor commits carrying a dangerous weapon at an institution of higher education if

235 the actor:

236 (a)(i) is not an individual listed in Subsection (4);

237 [(b)] (ii) carries a dangerous weapon on or about school premises; and

238 [(e)] (iii) knows or reasonably believes that the actor is on or about school premises at
239 the time the actor carries the dangerous weapon[.] ; or

240 (b) carries, possesses, or stores a dangerous weapon in a dormitory located on the
241 grounds of a public or private institution of higher education.

242 (3)(a) A violation of Subsection (2) is a class B misdemeanor if the dangerous weapon [
243 ~~carried by the actor~~] is not a firearm.

244 (b) A violation of Subsection (2) is a class A misdemeanor if the dangerous weapon [
245 ~~carried by the actor~~] is a firearm.

246 (4) [This section] Subsection (2)(a) does not apply if:

247 (a) the actor is an individual exempt from certain weapons laws as described in Section
248 53-5a-108;

249 (b) the actor has a concealed carry permit as described in Section 53-5a-303 and the
250 institution of higher education has not enacted a regulation prohibiting an actor with a
251 concealed carry permit from carrying the dangerous weapon on the grounds of the
252 institution of higher education under Section 53H-3-902;

253 (c) the actor has a provisional concealed carry permit as described in Section 53-5a-304
254 and the institution of higher education has not enacted a regulation prohibiting an
255 actor with a provisional concealed carry permit from carrying the dangerous weapon
256 on the grounds of the institution of higher education under Section 53H-3-902;

257 (d) the actor has a temporary concealed carry permit issued under Section 53-5a-305 and
258 the institution of higher education has not enacted a regulation prohibiting an actor
259 with a temporary concealed carry permit from carrying the dangerous weapon on the
260 grounds of the institution of higher education under Section 53H-3-902;

261 [(e) ~~the actor is carrying the dangerous weapon at the actor's place of residence or on the~~
262 ~~actor's real property;~~]

263 [(f) (e) the possession of the dangerous weapon is approved by the responsible school
264 administrator;

265 [(g) (f) the dangerous weapon is present or to be used in connection with a lawful,
266 approved activity and is in the possession or under the control of the actor
267 responsible for the dangerous weapon's possession or use; or

268 [(h)] (g)(i) the actor is carrying the dangerous weapon in a vehicle lawfully under the

269 actor's control[.] ;

270 (ii) ~~[not including]~~ the actor is not in a vehicle owned by the school or used by the
271 school to transport students[.] ; and

272 (iii) the actor is driving the vehicle through the institution of higher education on
273 roads accessible to the public and does not park in a parking lot or otherwise
274 remain on the grounds of the institution of higher education.

275 (5) This section does not prohibit prosecution of another criminal offense that may occur on
276 or about school premises.

277 **Section 5. Effective Date.**

278 This bill takes effect on May 6, 2026.