

Representative A. Cory Maloy proposes the following substitute bill:

SALE OF A FIREARM AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill addresses sale of a firearm.

Highlighted Provisions:

This bill:

► directs the Bureau of Criminal Identification to create an online process that allows an individual involved in the sale of a firearm to determine if the other party to the sale has a valid concealed carry permit or the firearm has been reported as stolen.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

76-10-526.1, Utah Code Annotated 1953

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

Section 1. Section **76-10-526.1** is enacted to read:

76-10-526.1. Information check before private sale of firearm.



26 (1) As used in this section:

27 (a) "Governmental entity" means the state and the state's political subdivisions.

28 (b) "Law enforcement agency" means the same as that term is defined in Section
29 53-1-102.

30 (2) Subject to Subsections (3) and (4), the bureau shall create an online process that
31 allows an individual who is selling or purchasing a firearm to voluntarily determine:

32 (a) if the other individual involved in the sale of the firearm has a valid concealed carry
33 permit; or

34 (b) based on the serial number of the firearm, if the firearm is reported as stolen.

35 (3) Subsection (2) does not apply to a federal firearms licensee or dealer.

36 (4) The bureau may not provide information related to a request under Subsection (2)
37 to a law enforcement agency.

38 (5) A governmental entity may not require an individual who is selling or purchasing a
39 firearm to use the process under Subsection (2).

40 (6) If an individual uses the process under Subsection (2), the individual is not
41 required, based on the information the individual receives from the bureau, to make a report to
42 a law enforcement agency.

43 (7) After responding to a request under Subsection (2), the bureau shall immediately
44 dispose of all information related to the request.

45 (8) This section does not create a civil cause of action arising from the sale or purchase
46 of a firearm.

47 **Section 2. Effective date.**

48 This bill takes effect on July 1, 2023.