

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:

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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 ▶ amends the offense of carrying a dangerous weapon at an institution of higher education  
8 by excluding from the offense individuals 21 years or older who may lawfully conceal a  
9 firearm without a concealed carry permit in other locations; and  
10 ▶ makes technical and conforming changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 **AMENDS:**

17 **53-5a-102.2**, as enacted by Laws of Utah 2025, Chapter 208

18 **76-11-205.5**, as enacted by Laws of Utah 2025, Chapter 208

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

20 Section 1. Section **53-5a-102.2** is amended to read:

21 **53-5a-102.2 . Open and concealed carry of a firearm outside of an individual's**  
22 **residence.**

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

30 (a) subject to Subsections (2)(a) and (b), an individual 18 years old or older but younger  
31 than 21 years old without a provisional carry permit issued under Section 53-5a-305  
32 may only carry in an open manner:  
33 (i) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the  
34 individual is lawfully present;  
35 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully  
36 present; and  
37 (iii) an unloaded firearm that the individual may otherwise lawfully carry, on a public  
38 street;

39 (b) subject to Subsections (2)(a) and (b), an individual 21 years old or older may open or  
40 conceal carry, without a conceal carry permit:  
41 (i) an unloaded or loaded firearm:  
42 (A) on a public street; or  
43 (B) in any other place not prohibited by, or pursuant to, state statute or federal law;  
44 (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully  
45 present; and  
46 (iii) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the  
47 individual is lawfully present; and

48 (c) subject to Subsections (2)(c) and (d), an individual 18 years old or older with a  
49 concealed carry permit issued under Section 53-5a-303, a temporary concealed carry  
50 permit issued under Section 53-5a-304, a provisional concealed carry permit issued  
51 under Section 53-5a-305, or a concealed carry permit lawfully issued by or in another  
52 state, may open or conceal carry a loaded or unloaded firearm:  
53 (i) in a vehicle in which the individual is lawfully present;  
54 (ii) on a public street; or  
55 (iii) in any other place not prohibited by, or pursuant to, state statute or federal law.

56 (2)(a) An individual openly carrying a firearm under Subsection (1)(a) or (b) without a  
57 concealed carry permit may not carry the firearm:  
58 (i) in a secure area established in accordance with Section 76-8-311.1 in which  
59 dangerous weapons are prohibited and notice of the prohibition is posted;  
60 (ii) on or about the premises of a public or private elementary school or secondary  
61 school as described in Section 76-11-205;  
62 (iii) on or about the premises of an institution of higher education as described in  
63 Section 76-11-205.5;

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

70 (b) An individual 21 years old or older concealing a firearm without a concealed carry  
71 permit under Subsection (1)(b) may not carry the firearm:  
72 (i) in a secure area established in accordance with Section 76-8-311.1 in which  
73 dangerous weapons are prohibited and notice of the prohibition is posted;  
74 (ii) on or about the school premises of a public or private elementary school or  
75 secondary school as described in Section 76-11-205;  
76 [~~(iii) on or about the premises of an institution of higher education as described in  
77 Section 76-11-205.5;~~]  
78 [~~(iv)~~] (iii) on or about a daycare premises as described in Section 76-11-206;  
79 [~~(v)~~] (iv) in an airport secure area as described in Section 76-11-218;  
80 [~~(vi)~~] (v) in a house of worship or in any private residence where dangerous weapons  
81 are prohibited as described in Section 76-11-219; or  
82 [~~(vii)~~] (vi) in any other place prohibited by, or pursuant to, another state statute or  
83 federal law.

84 (c) Subject to Subsection (2)(d), an individual with a concealed carry permit under  
85 Subsection (1)(c) may not carry the firearm in any manner:  
86 (i) in a secure area established in accordance with Section 76-8-311.1 in which  
87 dangerous weapons are prohibited and notice of the prohibition posted;  
88 (ii) in an airport secure area as described in Section 76-11-218;  
89 (iii) in a house of worship or in any private residence where dangerous weapons are  
90 prohibited as described in Section 76-11-219; or  
91 (iv) in any other place prohibited by, or pursuant to, another state statute or federal  
92 law.

93 (d) In addition to the locations described in Subsection (2)(c):  
94 (i) an individual 18 years old but younger than 21 years old with a provisional  
95 concealed carry permit under Section 53-5a-304 may not carry the firearm in any  
96 manner on or about the premises of a public or private elementary school or  
97 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; or
  - [~~(B) on or about the premises of an institution of higher education as described in Section 76-11-205.5; or~~]
  - [~~(C)~~] (B) 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 **76-11-205.5** is amended to read:

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

- (1) As used in this section, "on or about school premises" means:
  - (a) in a public or private institution of higher education; or
  - (b) on the grounds of a public or private institution of higher education.
- (2) An actor commits carrying a dangerous weapon at an institution of higher education if the actor:
  - (a) is not an individual listed in Subsection (4);
  - (b) carries a dangerous weapon on or about school premises; and
  - (c) knows or reasonably believes that the actor is on or about school premises at the time the actor carries the dangerous weapon.
- (3)(a) A violation of Subsection (2) is a class B misdemeanor if the dangerous weapon carried by the actor is not a firearm.
- (b) A violation of Subsection (2) is a class A misdemeanor if the dangerous weapon carried by the actor is a firearm.
- (4) This section does not apply if:

132 (a) the actor is an individual exempt from certain weapons laws as described in Section  
133 53-5a-108;

134 (b) the actor has a concealed carry permit as described in Section 53-5a-303;

135 (c) the actor has a provisional concealed carry permit as described in Section 53-5a-304;

136 (d) the actor has a temporary concealed carry permit issued under Section 53-5a-305;

137 (e) the actor is an individual who may conceal a dangerous weapon without a concealed  
138 carry permit under Subsection 53-5a-102.2(1)(b);

139 [(e)] (f) the actor is carrying the dangerous weapon at the actor's place of residence or on  
140 the actor's real property;

141 [(f)] (g) the possession of the dangerous weapon is approved by the responsible school  
142 administrator;

143 [(g)] (h) the dangerous weapon is present or to be used in connection with a lawful,  
144 approved activity and is in the possession or under the control of the actor  
145 responsible for the dangerous weapon's possession or use; or

146 [(h)] (i) the actor is carrying the dangerous weapon in a vehicle lawfully under the actor's  
147 control, not including a vehicle owned by the school or used by the school to  
148 transport students.

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

151 **Section 3. Effective Date.**

152 This bill takes effect on May 6, 2026.