

Jake Fitisemanu proposes the following substitute bill:

Imitation Firearm Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jake Fitisemanu

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses imitation firearms that have been altered to have the appearance of a firearm.

Highlighted Provisions:

This bill:

- creates the criminal offense of a minor possessing an altered toy, look-alike, or imitation firearm by a minor, which prohibits a minor from possessing a toy, look-alike, or imitation firearm that has been altered to have the appearance of an actual firearm.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-10-533, Utah Code Annotated 1953

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

Section 1. Section **76-10-533** is enacted to read:

76-10-533 . Possession of an altered toy, look-alike, or imitation firearm by a minor.

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

(i) "Altered toy, look-alike, or imitation firearm" means a toy, look-alike, or imitation firearm that has been altered so that a reasonable person would believe that the toy, look-alike, or imitation firearm is an actual firearm.

(ii)(A) "Public place" means any location or structure to which the public or a substantial group of the public has access, and includes:

- 30 (I) a sidewalk, street, or highway;
31 (II) a public park, public recreation facility, or any other area open to the public;
32 (III) a shopping mall, sports facility, stadium, arena, theater, movie house, or
33 playhouse, or the parking lot or structure adjacent to any of these; and
34 (IV) the common areas of schools, hospitals, apartment houses, office
35 buildings, transport facilities, and businesses.
- 36 (B) "Public place" includes the lobbies, hallways, elevators, restaurants and other
37 dining areas, and restrooms of any of the locations or structures under
38 Subsection (1)(a)(ii)(A).
- 39 (iii) "Toy, look-alike, or imitation firearm" means a non-firearm device regulated
40 under 16 C.F.R. Part 1272.
- 41 (b) Terms defined in Sections 76-1-101.5 and 76-10-501 apply to this section.
- 42 (2) An actor commits possession of an altered toy, look-alike, or imitation firearm by a
43 minor if:
- 44 (a) the actor is younger than 18 years old;
45 (b) the actor intentionally or knowingly possesses a toy, look-alike, or imitation firearm
46 in a public place;
47 (c) the possessed toy, look-alike, or imitation firearm described in Subsection (2)(b) is
48 an altered toy, look-alike, or imitation firearm; and
49 (d) the actor knows the toy, look-alike, or imitation firearm possessed by the actor as
50 described in Subsection (2)(b) is an altered toy, look-alike, or imitation firearm.
- 51 (3) A violation of Subsection (2) is an infraction.
- 52 (4) An actor may not be referred to the juvenile court or prosecuting attorney under this
53 section unless the actor has previously received a written warning from a law
54 enforcement officer for conduct described in Subsection (2).
- 55 **Section 2. Effective Date.**
- 56 This bill takes effect on May 7, 2025.