



Utah Legislator Endorsement Revocation Justification

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To initiate this discussion, one must always seek the ultimate origins of liberty by recognizing that our lives and our fundamental rights are inherent gifts from our Creator. The right to life means that individuals have the right to take the necessary actions for the sustainment, development, and well-being of their own lives. These inherently interwoven principles also naturally imply that our rights serve as a legal barrier, protecting individuals from the infringements of others. This timeless truth is such regardless of whether a segment of society or an out-of-control legislature, due to political exigency, now considers constitutionally protected conduct to no longer be a fundamental human right.

As obvious gifts from the Creator, these fundamental and individual rights are therefore inalienable — a term that means “not capable of being taken away or denied” as well as “not transferable to any other.” A just government cannot strip away the right to keep and bear arms simply because it thinks it is too dangerous for a given subsection of the population or that it does not comport with the unprincipled tenets of the foreign ideology that dominates its un-American edicts. Therefore, the proper role of government is to secure the God-given and unalienable rights of the people, which unequivocally includes the right of responsible minors, to possess arms to sustain life, liberty, and property. In a truly free society, individuals will, at times, conduct themselves in an unfortunate manner. This is true because liberty is an eternally perilous condition that compels us to trust one another, and the pursuit of it requires us to respect the natural of rights of our fellow citizens. Such a task is often exceedingly trying, especially when tragedies occur, or a pressing social issue creates an authoritarian impulse. In the face of such heartbreaking realities of this fallen world, there is the natural urge to curtail liberty in exchange for a measure of security. But those totalitarian cravings must be tempered through lengthy and principled discourse so that our legislative bodies are not making decisions without ensuring that ideas are properly scrutinized.

The temptation to “just do something” about any given issue is the continuous moral struggle of a representative of the people when seeking to fulfill their duties in a judicious manner. Indeed, the drive to seek governmental solutions to pressing social issues often leads us to ideas and actions that have not been properly fleshed out. Of course, this hasty approach to government fails to account for the maxim that “ideas have consequences.” Within the sphere of government, failure to properly debate and contemplate ideas inevitably leads to unplanned negative consequences which are imposed upon individual citizens, to their detriment.

As this principled discourse demonstrates, each piece of legislation in this review has very real consequences for the citizen. Given that the singular duty of a just government is to safeguard the liberties of the citizenry and to provide justice, Gun Owners of America must maintain fidelity to the noble aim of ensuring the furtherance of prudent government by verifying that those we endorse are adhering to our *no compromise* mission. In so doing, we demonstrate the critical imperative to protect the individual and institutions of civil society by seeking to endorse informed and virtuous candidates that will promote self-government and enable the flourishing of a free society. Such a free and just society does not impose onerous restrictions upon the liberties of its citizens in the name of security but instead encourages and empowers them to exercise personal responsibility in the preservation of life, liberty, and property with commonly held arms.

Speaking about this natural tension between liberty and security, Jefferson emphasized that only “timid men prefer the calm of despotism to the tempestuous sea of liberty.” This means that liberty is fundamentally dangerous because of the fallen nature of humanity. Rather than live in a polity that strips the individual of all that makes us human in the vain pursuit of government-imposed security, we should wholeheartedly desire to live in a society where mutual trust and respect for our God-given rights openly combats the dangers of our inherent imperfections.

If we wish to have a rebirth of liberty within this nation, we must passionately strive to preserve these cherished gifts from our Creator. That effort begins with the Sovereign States adhering to their mandate to defend the liberties of their citizens by ensuring that edicts that pervert the Rule of Law are not advanced at the State level.

Regrettably, the Utah State Legislature, along with Representatives Trevor Lee (R, House District 16), Tim Jimenez (R, House District, 28), and Colin Jack (R, House District 73), have seriously failed in their sacred duty to secure the “blessing of liberty” for future generations and as such justify the revocation of their GOA endorsement. For GOA, the following egregious proofs are more than sufficient to justify the revocation.

“To prove this, let Facts be submitted to a candid world.”¹

¹ The Declaration of Independence (1776).



2024 Legislative Infringements

Descending from Most Egregious Violation to Least

House Bill 362 (2024) Juvenile Justice Revisions

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 362 clumsily attempts to address the challenges facing urban criminality committed by youths within socialist dominated cities. However, in so doing, this legislation fundamentally changes the scope of juvenile justice regarding the possession of a dangerous weapon by a minor. Under prior law, youths under eighteen could possess standard-length rifles and shotguns, as well as possess handguns so long as they were engaging in activities at target concessions, shooting ranges, shooting competitions, and hunting grounds. When H.B. 362, first passed out of the House by an almost unanimous vote (including Representatives Lee, Jack and Jimenez) youths under eighteen would have been prohibited from possessing ALL FIREARMS unless they had permission from a parent or guardian and, in the case of rifles and shotguns, were accompanied by a parent, guardian, or “responsible adult” while in possession of the firearm. Thus, any minor who failed to bring an adult along on his hunting trip, even when that trip is on his own family’s private property, would be guilty under the law. Further, his parent or guardian would have been guilty of a crime as well.²

Not only was H.B. 362, as originally passed by the House, a gross violation of private property rights by telling property owners what government approved conduct an individual can engage in while on private property, but it was a usurpation of parental responsibility. The vast majority of rural/suburban parents raise their children with a healthy respect for firearms, just like any other

² Prior to the passage of H.B. 362, under 76-10-509.4, a minor (person under the age of 18) was prohibited from possessing a handgun, short-barreled rifle, short-barreled shotgun, full auto weapon, or a machine gun firearm attachment. The version of HB 362 which originally passed the House with the help of Representatives Lee, Jack, and Jimenez, amended this section to say that a minor cannot possess a “dangerous weapon” which is defined under the statute to include all firearms. Under the revision, minors would have been prohibited from possessing all firearms except for specifically defined exceptions. The first is found under 76-10-509.4 (4)(a),(b),&(c) which stated that a minor can possess a firearm with the permission of a parent or guardian if they are accompanied by the parent, legal guardian, or a responsible adult while in possession of the firearm. The next set of exceptions are found under 76-10-512 and includes target concessions, shooting ranges, competitions, and hunting exceptions to the prohibition under 76-10-509.4. What is important to note, and which lead to the issue in the bill, is that the exceptions under 76-10-512 apply only to the possession of HANDGUNS by minors. If this bill had been enacted into law as it originally passed the House, a minor could have possessed a handgun while hunting by themselves on their family-owned property, but if they were in possession of a rifle, shotgun, or any other firearm, they could not hunt on their family-owned property without being accompanied by a parent, legal guardian, or a responsible adult. This would have been the same for target concessions, shooting ranges, and competitions. To summarize, the problem created by the House arose from changing which firearms a minor was prohibited from possessing under 76-10-509.4, from handguns and certain NFA items to all firearms, including those used for hunting and sporting purposes (rifles and shotguns).

dangerous tool. These youths understand that firearms are essential tools for defense of life but also for provisioning of life through the constitutionally enumerated right to hunt. H.B. 362, as originally passed by Representatives Lee, Jack, and Jimenez is just another example of legislators attempting to enact unconstitutional edicts without concern for the First Principles that ought to form the foundations of just law.

House Bill 245 (2024) Utah National Guard Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 245, amongst other issues, threatens the militia clause of the Second Amendment by removing the citizenship requirement for service in the Utah State Defense Force. While the right to keep and bear arms to preserve life is a God-given right that is inherent to all humanity, the militia clause of the Second Amendment is a characteristic duty associated with citizenship. Within these United States, all male citizens are required to be “well regulated” as their skill at arms is “necessary for the security of a free state.” Meaning that all male citizens must be well trained or disciplined in the use of weapons of war as outlined in section one of the Militia Act of 1792. Allowing non-citizens to join the organized militia (Utah State Defense Force), enables foreign nationals to enlist in our armed services without a firm commitment to the First Principles that form the foundations of our Constitutional Republic. H.B. 245 is merely another attempt to erode our constitutional framework and dilute the duties of citizenship into a meaningless morass of delusion much like one’s find in socially defunct European nations.

House Bill 83 (2024) Criminal Threat or Interference Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez.

Infringement: H.B. 83 is an unadulterated attempt to curtail the God-given and constitutionally enumerated right to redress public servants for abusing the powers associated with their public office. Fundamentally, H.B. 83 proscribes citizens who are engaging in the political process as defined by the text, history, and tradition of our Republican form of governance – meaning this repugnant edict has the explicit intent to criminalize political speech, the right to freely associate, and protected public discourse.

With this obviously unconstitutional legislation Rep. Andrew Stoddard (Democrat, House District 40) initiates a most egregious assault upon the First Amendment by jeopardizing constitutionally protected public discourse by subjecting it to Maoist-inspired curtailments that are designed to enforce politically correct speech codes that will be used to target enemies of the political class. The implications of this bill are clear, it will create a cooling effect that will discourage political engagement and ensure self-censorship out of fear of government prosecution.

H.B. 83 contains the following infringements upon the right of “We the People” to criticize public officials:

- Expands the scope of a “Threat” to “influence or retaliate against an official action or a political action.”
- Redefines “Harm” as “a disadvantage to, or a physical, emotional, or economic injury to an individual or an individual’s property, reputation, or business interests.”
- Creates a broad category of people eligible to bring charges against an individual to almost anyone associated with “a public servant, party official, or voter”, such as “an

individual who resides in the household of the above mentioned and “an individual or entity in whose welfare a public servant, party official, or voter is interested.”

- Threats of “harm” incorporates the following political actions: “public servant’s or party official’s action, decision, opinion, recommendation, nomination, vote, or other exercise of discretion made in the public servant’s or party official’s capacity as a public servant or party official; or ... the voter’s vote or other action in relation to voting.”
- Those citizens charged under this heinous decree will face felony criminal prosecution for publicly rebuking an elected official, or nearly anyone associated with said public official, and their DNA will be collected into a database.
- For more outrageous curtailments of the right to redress government that already exist in Utah statutes, see sections [76-8-104](#) & [76-8-301](#).

The discerning sentinel of liberty keenly observes the authoritarian impulse in the fact that this bill carries with it a felony conviction – meaning that a citizen found guilty under the unlawful provisions of this bill will not only be punished for engaging in constitutionally protected speech, but the supposed crime carries with it the loss of one’s Second Amendments rights.

Another important point to consider is the fact that, as we have witnessed in oppressed states like Colorado, exercising one’s right to carry a firearm is seen by the left as an attempt to “[intimidate, threaten, and coerce voters](#).” Accordingly, it is not beyond the pale, to foresee a situation where a Utah citizen, while engaged in the act of verbally “influence[ing] or retaliate[ing]” against a public official or one of their supporters, could under this bill could be perceived as communicating a violent threat that, along with other verbal threats, caused the official “emotional harm.”

House Bill 86 (2024) Public Safety Data Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 86 seeks the enlargement of Utah’s surveillance state by expanding the reporting requirements of executive branch agencies regarding minors involved in defined reportable actions. These reportable actions include school disciplinary actions (“an action by a public school to formally discipline a student of that public school.”), minors in possession of a dangerous weapon, and law enforcement actions (“search and seizure, arrest, issuance of a citation, filing of a delinquency petition, indictment, criminal information referral to the juvenile court, or use of force by a law enforcement officer against a minor.”).

Given the disturbing Orwellian trend by the government to use data collected by non-state (social media/mental health providers) and state actors (civil and criminal court records) to deny citizens the ability to exercise their fundamental rights, this bill allows for the streamlining of record collection on minors into a state-controlled database. For example, the Bipartisan Safer Communities Act (2022) already requires, in the cases of a person younger than 21 years of age, a background check include all records of state governments and local law enforcement to determine whether the individual has a possibly disqualifying juvenile record. This law alone indicates that the collection of data by the government can and will be used against citizens. State-level data collection programs such as H.B. 86, that have no oversight or sunset clauses, are ripe for abuse at some future point when the authoritarian impulse once again reveals itself.

House Bill 101 (2024) Law Enforcement Reporting Requirements

Voted Yes: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 101 requires law enforcement agencies to annually report information regarding firearms seized from “restricted persons.” Given the ever-increasing categories of “restricted persons,” we should be seriously cautious about granting government more authority to collect information on the citizens of Utah. Data collection will always be employed and twisted to support more arms control. The FBI’s Uniform Crime Report already tracks arms used in criminal acts. Adding additional reporting requirements conducted by unaccountable executive branch agencies only opens the door to more abuse and the manipulation of data to support despotic plots to strip the citizenry of their God-given rights.

House Bill 143 (2024) Shooting Range Requirements

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 143 perpetuates a [socialist class system](#) that grants privileges to certain groups of citizens at the expense of others by waiving the fees at state-owned public shooting ranges for firefighters, military service members, peace officers, retired firefighters, retired peace officers, and veterans. Given that the God-given right to keep and bear arms includes the ability to train for “security and defense of self, family, others, property, or the state,” Utah ought to remove all fees and expand access to state-owned public shooting ranges to all citizens in order to promote a “well-regulated,” meaning a well-trained, militia, which in turn promotes the “general welfare” of the citizenry.

House Bill 309 (2024) Driver License Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 309 allows a concealed firearm permit holder to have the permit information included on their driver license or identification card. While this might seem a mere convenience to some, allowing for the additional [branding](#) of citizens as a person who is possibly carrying a firearm has grave consequences not only in regard to abuses from government but also for the criminal elements within society. Indeed, it would not take too much imagination to see how criminals would use the identifying mark to target firearms owners. Fundamentally, however, H.B. 309 is repugnant within a Constitutional Republic, because citizens have no duty to inform a government agent that they are exercising their God-given and constitutionally enumerated rights. Moreover, citizens should never be singled out by any identifying symbols on their government issued identification cards because it always invites more intrusive government scrutiny once the authoritarian impulse rears its ugly face within a nation. One would think that we would have learned the lessons of the twentieth century about what happens when the government begins to single out citizens with special identifiers.

House Bill 382 (2024) Wildlife Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 382 is a heinously bloated hunting bill that restricts hunting permits, increase criminal penalties, limits antler or horn taking, mandates the use of English names for birds, and allows DNR to close roads to benefit wildlife. On First Principles grounds, H.B. 382 goes far beyond the enumerated powers granted to a state government and increases the authority of an unaccountable executive branch agency.

The [right to hunt](#) is deeply rooted within our American system of republican government. Historically, the European game laws made hunting the sole dominion of those privileged few within the landed gentry, and frequently imposed draconian sentences, which commonly included the death penalty for peasants caught “poaching” on the lands of the aristocracy. Our nation’s oldest laws enumerating the right to hunt date back to the initial years of the American Revolution. By studying these early recognitions of the right to sustain life with the natural bounty of God’s creation, one clearly denotes that these principled laws sought to guard against feudal privileges as practiced in Europe. Given that Gun Owners of America is the only no compromise Second Amendment advocacy group, we do not support legislation that requires a government permission slip to exercise God-given rights.

House Bill 426 (2024) Firearm Amendments

Voted YES: Colin Jack voted in yes in committee.

Infringement: H.B. 426, amongst other infringements, places purchase and possession restrictions on ammunition, criminalizes the possession of arms where the identifying marks (serial number, make, model, and manufacturer, or any other distinguishing mark) have been “changed, altered, removed or obliterated,” bans the sale of arms if the unconstitutional background check is denied, requires the Bureau of Criminal Identification to inform law enforcement within 30 minutes of a background check denial, mandates the distribution of a firearms safety brochure, and requires dealers to post signs requiring the owners to lock up their firearms or face criminal penalties.

Clearly, H.B. 426 is just another example of those within government who seek to use the levers of power to create constitutional bureaucratic obstacles to those desiring to exercise their God-given rights. Additionally, recall that roughly [95% of NICS denials are “false positives,”](#) meaning the person is not proscribed they just have a similar name to someone who might be prohibited. Given that there is no appeal process to get one’s name removed from the system, once a person has been deemed to be prohibited by NICS that person is forever denied their most basic right.



2023 Legislative Infringements

Descending from Most Egregious Violation to Least

House Bill 199 (2023) Voluntary Firearm Safekeeping

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: Under current Utah law, an individual living with a firearm owner can take the owner's firearms and give them to law enforcement if they believe the owner is an immediate threat to themselves or another. Though not titled one, this edict is essentially a red-flag law. Red-flag laws have been described and promoted as a "gap filler" option, the purpose of which is to disarm individuals who are deemed "dangers to themselves or to the public," but who are otherwise not prohibited from possessing a firearm. The specific provisions of red-flag laws are different in each state, but generally they authorize courts to issue orders prohibiting individuals from owning, purchasing, and possessing firearms, upon the premise that the individual is at risk of committing a crime or hurting themselves at some unknown point in the future. Utah's version, which has been deceptively titled "Voluntary Commitment of a Firearm by a Cohabitant," is different from the standard red-flag provision and much more problematic in that instead of relying on a court order to remove firearms from an individual all that needs to be done is for an individual to take another's firearms and give them to law enforcement.

Red-flag laws are a blatant violation of the Second Amendment to the United States Constitution. The Second Amendment protects "the *right* of the people to keep and bear arms," - -regardless of whether the government believes it is a good idea that a particular individual possesses a firearm. According to the Framers, a God-given right cannot be removed by any temporal power. God-given rights are only forfeited by the individual through the commission of a violent crime that results in injury. Thus, it is not the State but the individual that forfeits the right through the unjust violation of the right to life of others. The State only serves as a neutral temporal power that verifies, through the due process of law with high evidentiary standards, the guilt of the accused. Consequently, if no **actual** violence against an individual has occurred there can be no true due process because no crime has been committed on the part of those accused under these unjust edicts. Thus, red-flag laws are, and will always be, an unconstitutional infringement upon the rights of the people.

Instead of filing legislation to repeal this unconstitutional edict, H.B. 199 adds to the unconstitutional infringements by including additional restrictions as to when law enforcement can return an owner's firearms. A vote in favor of H.B. 199, or any bill that would strengthen Utah's current red-flag law, is a sure indication that said legislator is no supporter of the right to keep and bear arms and sufficient grounds to revoke a GOA endorsement.

House Bill 300 (2023) Voluntary Firearm Restrictions Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 300 authorizes the creation of a voluntary firearm restriction list. The creation of such a data base is outside the purview of a just government. Individuals who desire not to exercise their God-given rights and duties of citizenship have the free will to do so. The government has no enumerated power to create lists and maintain databases of non-criminal citizens. Lists kept by the government are subject to manipulation and abuse by the unaccountable executive branch agencies that are tasked with managing that data. One merely has to observe [history](#) to discern how such lists can and will be used against the citizenry.

House Bill 226 (2023) Sale of a Firearm Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 226 is an expansion of government background checks, firearms sale tracking, and potential data collection of citizens engaged in constitutionally protected conduct. Specifically, H.B. 226 directs the Bureau of Criminal Identification to create an online process that allows an individual involved in the sale of a firearm to voluntarily determine if the other party to the sale has a valid concealed carry permit or if the firearm has been reported as stolen.

In addition to the specific infringements to constitutionally protected conduct (i.e. the creation of an additional background check process and reinforcement of the concealed carry permit scheme), such legislation should be opposed because the current “protections” offered in this bill (that the background check process is voluntary, the personal information given cannot be collected or provided to a law enforcement agency, an individual is not required to notify law enforcement if the firearm being sold has been reported stolen, and protection from civil liability for not using this voluntary process) are easily dispensed with. Once an executive branch agency process is put in place, mission creep inevitably drives the unaccountable government entity to expand its reach. Thus, it will be easier for the government to remove the “voluntary” requirement, collect personal data and provide it to law enforcement, force citizens to notify law enforcement if a person is prohibited or if a firearm is stolen, and remove the civil liability protections for a person who did not use the government reporting system.

Such mandatory reporting schemes are primary enforcement tools exploited by authoritarian governments in socialist controlled States, which creates an environment where citizens are incentivised to snitch on one another. Totalitarian governments throughout [history](#) have created such schemes in order to tear asunder the social contract and common bonds of trust between countrymen.

House Bill 225 (2023) Firearm Possession Amendments

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 225 requires law enforcement to conduct background checks upon returning firearms to their owner after the state attorney determines that seized property no longer needs to be retained for court proceedings; authorizes Criminal Investigations and Technical Service Division to track the relationships between the victims and misdemeanor assault perpetrator in order to determine whether the assault conviction qualifies as a misdemeanor crime of domestic violence; expands the number of prohibited persons convicted of a misdemeanor crime of domestic violence by including individuals in a “Dating Relationship”; and requires the Bureau

of Criminal Identification to report background check denials to local law enforcement within 24 hours.

It is a self-evident truth that a government-mandated background check imposed upon a citizen in order to exercise a God-given right is blatantly unconstitutional and should not be expanded. Additionally, roughly 95% of NICS denials are “false positives,” meaning the person is not proscribed they just have a similar name to someone who might be prohibited. Reporting these false positives to an increasingly militarized law enforcement will only result in the flagrant abuse of the citizenry by government hirelings, who mindlessly enforce these unconstitutional edicts, further eroding the underlying structure of our civil society.

Furthermore, a citizen should not have their firearm rights revoked for misdemeanor assault of a person identified under 76-10-503(1)(b)(xi), or any other misdemeanor conviction. As such, there should be no reason to identify the relationship status of the parties in a misdemeanor assault conviction or to add the additional category of, “Dating Relationship.”

House Bill 86 (2023) Firearm Reporting Requirements

Voted YES: Trevor Lee, Colin Jack, and Tim Jimenez

Infringement: H.B. 86 requires the Bureau of Criminal Identification to track and log into a digital database the sources from which a restricted person obtained a recovered firearm. This bill would create yet another illegal database that continues the disgustingly tyrannical trend within the legislature to collect data on Utah firearm owners.