



Utah 2024 Legislative Session: Significant Infringements

- **Senate Bill 27** creates the framework for an yet another expansion of an unaccountable bureaucratic executive branch agency that is poised to address the false narrative that gun violence is a national “health crises.”
- **Senate Bill 42** removes important reporting requirements for questionable programs that ought to be shut down due to lack of evidence of their effectiveness, and thus are a waste of limited taxpayer funds. Regarding the right to keep and arm, S.B. 42 eliminates reporting requirements for anti-second amendment programs that operate under the guise of mental health programs, which are designed to address the national “health crisis” of gun violence.

Status: **Passed House & Senate**

- **Senate Bill 83** creates criminal penalties for citizens who fail to secure their firearms. Within the Heller case, the Supreme Court invalidated Washington D.C.’s requirement that firearms be stored unloaded or locked. The Justices reasoned that since there was no text, history, or tradition of safe storage laws during the Founding Period, such laws openly violate the Second Amendment. Given the Heller holding, S.B. 83 is not only unconstitutional but it is repugnant to the citizen’s ability to preserve life, liberty, and property with easily accessible arms.
- **House Bill 30** greatly expands the government's warrant-less search and seizure powers as it applies to privately owned vehicles. Additionally, H.B. 30 specifically adds vehicles to what constitutes a deadly weapon and increases penalties for refusal to submit to a chemical test.
- **House Bill 68** attempts to address the injustices that are occurring within the courts in terms of unjust jurists failing to prudently sentence criminals within their jurisdictions. However, genuine justice demands that we provide a pathway towards redemption for those who have demonstrated a forthright repentance and have repaid

society for their criminality. A judicial system that focuses exclusively on punishments, only creates an enduring underclass of individuals, who are perpetually stripped of their God-given liberties and have no moral imperative to re-join society as an upstanding citizen. Without a fair legal process that provides a clear avenue for a true restoration of rights, legislation such as H.B. 68 will only create additional social unrest and merely reinforces a judicial system that promulgates injustice.

Status: Unanimously Passed the Utah House

- **House Bill 83** is an unadulterated attempt to curtail the God-given and constitutionally enumerated right to redress public servants for the abuse of 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.

The most egregious assault upon the First Amendment under H.B. 83 occurs when Rep. Andrew Stoddard (D, House District 40) links constitutionally protected public discourse to hate crimes, expands the scope of a “Threat” to “influence or retaliate against an official action or a political action,” and 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.” For more outrageous curtailments of free speech, see sections [76-8-104](#) & [76-8-301](#).

Those citizens convicted 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. Lastly, possession of a firearm during the alleged remonstrance against a government official will accrue additional criminal penalties.

Status: Unanimously Passed by Utah House

- **House Bill 86** seeks the enlargement of Utah’s surveillance state by adding additional tracking requirements for executive branch agencies regarding minors. 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. The Bipartisan Safer Communities Act (2022) already prohibits the purchase of a firearm if the buyer has committed “a disqualifying crime” while under 18 and requires the background check to include all records of state governments and local law enforcement. As recent history has demonstrated, the collection of data by the government can and will be used against citizens at some future point. State level data collection programs such as HB 86, that have no oversight or sunset clauses, are ripe for abuse at some future point when the authoritarian impulse once again reveals itself.

Status: Unanimously Passed by House Law Enforcement & Criminal Justice Committee

- **House Bill 97** creates a five-day waiting period to purchase a firearm and increases penalties to a third-degree felony for those with “intent to resell.” A right delayed is a right a denied - Given that truth, as well as the fact that there is no text, history, or tradition to support waiting periods or background checks, such edicts only create victims by delaying the right to purchase an arm for immediate self-defence. The Supreme Court and Circuit Courts has already held in 6 cases that the police have no duty to serve and protect. Consequently, those government offices who promulgate such decrees are engaged in a wilful disregard for the lives of their constituents and have failed in their solemn duty to protect the liberties of the citizenry. Therefore, all government officials engaged in the promotion and enforcement of such laws must be held liable for their criminal conduct under 42 U.S. Code § 1983.
- **House Bill 98** is a companion bill to S.B. 83, it creates criminal penalties for citizens who fail to secure their firearms and would fine citizens \$1,000 or \$5,000 if their firearm was taken without their permission. Within the Heller case, The Supreme Court invalidated Washington D.C.’s requirement that firearms be stored unloaded or locked. The Justices reasoned that since there was no text, history, or tradition of safe storage laws during the Founding Period, such laws openly violate the Second Amendment. Given the Heller holding, both H.B. 98 and S.B. 83 are not only unconstitutional but are repugnant to the citizen’s ability to preserve life, liberty, and property with easily accessible arms.

- **House Bill 101** is similar to H.B. 307, it only differs in that it tracks firearms data 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** perpetuates a socialist class system that grants privileges to certain groups of citizens at the expense of others by waiving fees at certain public shooting ranges. Given that the God-given right to keep and bear arms includes the ability to train for “security and defence of self, family, others, property, or the state,” Utah ought to remove all fees and expand access to firearms ranges as it promotes a “well-regulated,” meaning a well-trained, militia, which in turn promotes the “general welfare” of the citizenry.
- **House Bill 166** greatly expands the number of prohibited persons. The most egregious part of this legislation is that a person who is subject to a restraining order should not be restricted from the possession, purchase, transfer, or ownership of firearms. The 5th Circuit in United States v. Rahimi correctly found that a person subject to a civil protection order, but did not actually commit a crime, has the right to keep and bear arms. As such, it should not be a crime for a person subject to a restraining order to possess a firearm. This bill should be opposed on that issue alone.
- **House Bill 202** prohibits students within an “institution’s collegiate athletic program” from endorsing “a firearm that the student athlete cannot legally purchase.” H.B. 202 violates a student’s First Amendment rights and furthers the erroneous narrative that ownership/use of arms by American youths is only appropriate while under adult supervision. Such willfully ignorant notions are wholly inconsistent with the text, history, and tradition of the Second Amendment.
- **House Bill 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. Hence, 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.

Status: Unanimously Passed the House Government Operations Committee

- **House Bill 307** seeks to generate data that will eventually be employed by the left to further push the “gun trafficking crisis” narrative. Based upon a review of the literature from the arms control groups, once reporting is mandatory, they call for unconstitutional safe storage laws, universal background checks, obligatory reporting requirements that criminalize firearms owners who have been victims of theft, and a registry of assault weapons (i.e. all semi-automatic firearms) to trace firearms in order to combat the “health epidemic” of gun violence.
- **House Bill 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 once again 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.

Status: Hearing Today House Transportation Committee Hearing

- **House Bill 326** is a deceptive attempt at a back-door registration, which might mislead upstanding citizens into applying for these tax breaks in order to purchase a firearm storage/safety device. Given that GOA has already exposed the [ATF's de facto registry](#), one can be sure that the government will keep the tax records of those who apply and the holding capacities of the firearm storage devices. If the goal is to incentivize the citizenry to own firearms safety devices that protects the firearm while not hampering the deployment of the firearm in a self-defense scenario, then the state legislature should lower or abolish the sales taxes on all firearms storage devices.
- **House Bill 333** curtails the ownership of certain fireworks and creates a permit to purchase. It is true that fireworks can, when improperly employed, be dangerous and are a significant fire hazard. But by placing burdensome regulations on these items, the government will only punish law abiding citizens who exercise self-governance when employing these potentially hazardous items. Arson and criminal negligence are already on the books within Utah, thus H.B. 333 is redundant and is just another example of the authoritarian impulse by those within government who believe they know what is best for their subjects.

Historically, Colonial governments claimed the authority to regulate black powder at that period in American history due to conditions of time and space, which rested upon the limitations of the advancement of arms due to constraints of the technology at that time. Meaning that the black powder of the time was volatile and susceptible to temperature changes. Thus, storage laws required for larger portions (25lb+) to be stored in hardened locations (powder magazines) administered by a local government or an arms merchant. The need for regulation was due to the fact that homes of the Colonial/Early Republic period were predominantly made from wood and were densely packed into urban areas. Clearly, such regulations are not relevant due to advances in arms technology that have made arms safer for the discerning citizen.

- **House Bill 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 current law youths under 18 may possess arms in order to engage in target concessions, shooting ranges, competitions, and hunting with parental permission. If H.B. 362 is enacted, parents must give permission and that minor must be “accompanied by the actor's parent or guardian, or a responsible adult, while the actor has the dangerous weapon in the actor's possession.” Setting aside prudent concerns about the highly problematic “Responsible Adult” and “Dangerous Weapon” language within the legislation, H.B. 362 would now require that minors hunting on their own private property be accompanied by a “responsible adult.”

Not only is H.B. 362 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 also is 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 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. Accordingly, it is not uncommon for a 14-year-old to hunt unaccompanied on private land and do so with more discernment than most “responsible adults.” Thus, H.B. 362 is just another example of government passing unconstitutional edicts without concern for the First Principles that ought to form the foundations of just law.

- **House Bill 382** is a heinously bloated hunting bill that restricts hunting permits, increase criminal penalties, limits antler or horn taking, mandates the use 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 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 406** creates financial privacy laws for citizens regarding purchases associated with exercising their God-given right to keep and bear arms. The bill also creates significant financial penalties for banks or creditors for tracking arms purchases. While H.B. 406 does interfere with the free market, it is the singular duty of the State government to protect the “blessing of liberty” for its citizens from both public and private actors who would conspire to restrict the citizenry’s liberty. If these corrupt financial institutions understood that rights are reciprocal in nature, such regulations would not be required.

- **House Bill 426**, amongst other infringements, places purchase and possession restrictions on ammunition, criminalizes the possession of arms with damage to the serial number or the name of the maker, bans the sale of arms if the unconstitutional background check is denied, if a denial occurs the dealer has 30 minutes to inform law enforcement, 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, roughly [95% of NICS denials are “false positives.”](#) meaning the person is not proscribed because they 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.

- **House Bill 428** removes firecrackers from the list of Class C dangerous explosives. Given that Gun Owners of America is the only no compromise Second Amendment advocacy group, we do not support legislation that curtails God-given rights or their corollaries. While GOA supports the delisting of firecrackers from the dangerous explosives’ registry, it is important to note that both Federal and State governments have expressly defined powers and all other authority is vested within “We the People.” Considering that the Utah legislature is seeking to emulate its communist neighbors to the West, the citizenry of Utah must be ever vigilant for the authoritarian impulse. A government that is willing to exceed its constitutional moorings in order to ban/regulate a potentially dangerous tool, if improperly used, is one that can and is eager to strip the citizenry of all their God-given rights as soon as it is politically expedient.

Utah 2024 Legislative Session: Legislation that Requires Significant Amendments

- **House Bill 84** attempts to address the lack of tangible security within Utah’s schools. While Gun Owners of America unequivocally supports constitutionally grounded school security measures, H.B. 84 is a highly problematic piece of school security legislation that requires significant amendments to agree with the nation’s First Principles as codified in our founding legal documents and first laws governing the establishment of schools.
- **House Bill 119** is similar to H.B. 84, it creates a teacher carry program that would incentivize teachers to attend a firearms training course in order to perform duties that would supplement a school’s security protocols. Both H.B. 119 and H.B. 84 are highly problematic piece of school security legislation that requires significant

amendments to agree with the nation's First Principles as codified in our founding legal documents, as well as the first laws governing the establishment of schools.

Given that GOA 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. Both H.B. 119 and H.B. 84 have concealed carry permit requirements for applicants, in addition to mandatory biometric safes for firearms storage. Any teacher who desires to attend the training should be able to do so regardless of permit status. Additionally, apart from being easily hackable, expensive, and an overt hindrance during a mass murder event, biometric safes are not a substitute for a self-governing citizenry.

Utah 2024 Legislative Session: Supporting Legislation

- **House Bill 223** allows law enforcement some alternative actions for those who mistakenly take their firearm into an airport. If enacted H.B. 223 will enable law enforcement to issue an oral or written warning, or a written citation. Law enforcement may also temporarily take possession of the person's firearm until the person exits the airport, at which point the firearm may be returned to the individual or within 72 hours. Finally, any governmental authority regulating airports may not charge, cite, or prosecute individuals with any local or state regulations offenses for conduct covered in the bill.
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