

Jake Fitisemanu proposes the following substitute bill:

Imitation Firearm Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jake Fitisemanu

Senate Sponsor: Wayne A. Harper

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 an infraction for a minor, after receiving a previous written warning, to possess an altered toy, look-alike, or imitation firearm that has the appearance of an actual firearm.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53-5a-105, Utah Code Annotated 1953

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

Section 1. Section **53-5a-105** is enacted to read:

53-5a-105 . Possession of an altered toy, look-alike, or imitation firearm by a minor.

(1) As used in this section:

- (a) "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.
- (b) "Minor" means an individual younger than 18 years old.

⌘→ [(e)(i) "Public place" means any location or structure to which the public or a] ←⌘

30 ~~hatrightrightleft~~ [substantial group of the public has access, and includes:]

31 ~~[(A) a sidewalk, street, or highway;]~~

32 ~~[(B) a public park, public recreation facility, or any other area open to the public;]~~

33 ~~[(C) a shopping mall, sports facility, stadium, arena, theater, movie house, or]~~ ← ~~hatrightrightleft~~

34 ~~hatrightrightleft [playhouse, or the parking lot or structure adjacent to any of these; and]~~

35 ~~[(D) the common areas of schools, hospitals, apartment houses, office buildings,]~~ ← ~~hatrightrightleft~~

36 ~~hatrightrightleft [transport facilities, and businesses.]~~

37 ~~[(ii) "Public place" includes the lobbies, hallways, elevators, restaurants and other]~~ ← ~~hatrightrightleft~~

38 ~~hatrightrightleft [dining areas, and restrooms of any of the locations or structures under~~

Subsection

39 ~~(1)(a)(ii)(A).]~~

38a (c) "Public place" means the same as that term is defined in Section 76-9-102. ← ~~hatrightrightleft~~

39 (d) "Toy, look-alike, or imitation firearm" means a non-firearm device regulated under
40 16 C.F.R. Part 1272.

41 (2) It is an infraction for a minor to possess an altered toy, look-alike, or imitation firearm if
42 the minor:

43 (a) intentionally or knowingly possesses the altered toy, look-alike, or imitation firearm
44 in a public place;

45 (b) knows the possessed toy, look-alike, or imitation firearm is an altered toy, look-alike,
46 or imitation firearm; and

47 (c) has previously received a ~~hatrightrightleft~~ [written] documented ← ~~hatrightrightleft~~ warning
47a from a law enforcement officer warning

48 the minor that it is unlawful for the minor to possess an altered toy, look-alike, or
49 imitation firearm in a public place.

50 Section 2. **Effective Date.**

51 This bill takes effect on May 7, 2025.