

LASER POINTER AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill concerns the criminal offense of unlawful use of a laser pointer.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends the criminal offense of unlawful use of a laser pointer to include conduct concerning an aircraft or the aircraft's occupants;
- ▶ provides criminal penalties; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-10-2501, as enacted by Laws of Utah 2001, Chapter 67

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

Section 1. Section **76-10-2501** is amended to read:

76-10-2501. Unlawful use of a laser pointer .



- 28 (1) As used in this section:
- 29 (a) "Aircraft" means the same as that term defined in Section 72-10-102.
- 30 (b) "Laser light" means light that is amplified by stimulated emission of radiation.
- 31 ~~[(b)]~~ (c) "Laser pointer" means any portable device that emits a visible beam of laser
- 32 light that may be directed at ~~[a person]~~ an individual.
- 33 ~~[(c)]~~ (d) "Law enforcement officer" means an officer under Section 53-13-103.

34 (2) ~~[A person is guilty of]~~ An actor commits unlawful use of a laser pointer if the

35 ~~[person]~~ actor directs a beam of laser light from a laser pointer at:

- 36 (a) a moving motor vehicle or ~~[its]~~ the occupants of a moving motor vehicle; ~~[or]~~
- 37 (b) one whom the ~~[person]~~ actor knows or has reason to know is a law enforcement
- 38 officer~~[-];~~ or
- 39 (c) an aircraft or the occupants of an aircraft.

40 (3) It is an affirmative defense to a charge under Subsection (2)(b) that:

- 41 (a) the law enforcement officer was:
- 42 (i) not in uniform;
- 43 (ii) not traveling in a vehicle identified as a law enforcement vehicle; and
- 44 (iii) not otherwise engaged in an activity that would give the ~~[person]~~ actor reason to
- 45 know ~~[him]~~ the law enforcement to be a law enforcement officer; and
- 46 (b) the law enforcement officer was not otherwise known by the ~~[person]~~ actor to be a
- 47 law enforcement officer.

48 (4) ~~[Violation]~~ (a) A violation of Subsection (2)(a) is an infraction.

49 (b) ~~[Violation]~~ A violation of Subsection (2)(b) is a class C misdemeanor.

50 (c) (i) Except as provided in Subsection (4)(c)(ii) or (4)(c)(iii), a violation of

51 Subsection (2)(c) is a class B misdemeanor.

52 (ii) Except as provided in Subsection (4)(c)(iii), a violation of Subsection (2)(c) is a

53 class A misdemeanor if the actor previously has been convicted of a violation of Subsection

54 (2)(c).

55 (iii) A violation of Subsection (2)(c) is a third degree felony if the actor's conduct

56 causes an aircraft to crash or perform an emergency landing.

57 (5) If the violation of this section constitutes an offense subject to a greater penalty

58 under another provision of ~~[Title 76, Utah Criminal Code,]~~ this title than is provided under this

59 section, this section does not prohibit the prosecution and sentencing for the offense subject to
60 a greater penalty.

61 Section 2. **Effective date.**

62 This bill takes effect on May 1, 2024.