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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.

(1) As used in this section:

- (a) "Aircraft" means the same as that term is defined in Section 72-10-102.
- (b) "Laser light" means light that is amplified by stimulated emission of radiation.
- ~~(b)~~ (c) "Laser pointer" means any portable device that emits a visible beam of laser

- 28 light that may be directed at ~~[a person]~~ an individual.
- 29 ~~[(e)]~~ (d) "Law enforcement officer" means an officer under Section 53-13-103.
- 30 (2) ~~[A person is guilty of]~~ An actor commits unlawful use of a laser pointer if the ~~[person]~~
- 31 actor directs a beam of laser light from a laser pointer at:
- 32 (a) a moving motor vehicle or ~~[its]~~ the occupants of a moving motor vehicle; ~~[or]~~
- 33 (b) one whom the ~~[person]~~ actor knows or has reason to know is a law enforcement
- 34 officer~~[-]~~ ; or
- 35 (c) an aircraft or the occupants of an aircraft.
- 36 (3) It is an affirmative defense to a charge under Subsection (2)(b) that:
- 37 (a) the law enforcement officer was:
- 38 (i) not in uniform;
- 39 (ii) not traveling in a vehicle identified as a law enforcement vehicle; and
- 40 (iii) not otherwise engaged in an activity that would give the ~~[person]~~ actor reason to
- 41 know ~~[him]~~ the law enforcement officer to be a law enforcement officer; and
- 42 (b) the law enforcement officer was not otherwise known by the ~~[person]~~ actor to be a
- 43 law enforcement officer.
- 44 (4) ~~[Violation]~~
- 45 (a) A violation of Subsection (2)(a) is an infraction.
- 46 (b) ~~[-Violation]~~ A violation of Subsection (2)(b) is a class C misdemeanor.
- 47 (c) (i) Except as provided in Subsection (4)(c)(ii) or (4)(c)(iii), a violation of
- 48 Subsection (2)(c) is a class B misdemeanor.
- 49 (ii) Except as provided in Subsection (4)(c)(iii), a violation of Subsection (2)(c) is a
- 50 class A misdemeanor if the actor previously has been convicted of a violation of
- 51 Subsection (2)(c).
- 52 (iii) A violation of Subsection (2)(c) is a third degree felony if the actor's conduct
- 53 causes an aircraft to crash or perform an emergency landing.
- 54 (5) If the violation of this section constitutes an offense subject to a greater penalty under
- 55 another provision of ~~[Title 76, Utah Criminal Code,]~~ this title than is provided under this
- 56 section, this section does not prohibit the prosecution and sentencing for the offense
- 57 subject to a greater penalty.
- 58 Section 2. **Effective date.**
- 59 This bill takes effect on May 1, 2024.