

2554:

13-3102: Misconduct no longer includes:

Entering a public establishment/event with a deadly weapon on person after a reasonable request by owner/operator to store it;

Removes the relevant immunity provisions;

Removes the definitions of Public Establishment/event

Removes: 13-3102.01:

13-3102.01. Storage of deadly weapons; definitions

A. If an operator of a public establishment or a sponsor of a public event requests that a person carrying a deadly weapon remove the weapon, the operator or sponsor shall provide temporary and secure storage. The storage shall be readily accessible on entry into the establishment or event and allow for the immediate retrieval of the weapon on exit from the establishment or event.

B. This section does not apply to the licensed premises of any public establishment or public event with a license issued pursuant to title 4.

C. The operator of the establishment or the sponsor of the event or the employee of the operator or sponsor or the agent of the sponsor, including a public entity or public employee, is not liable for acts or omissions pursuant to this section unless the operator, sponsor, employee or agent intended to cause injury or was grossly negligent.

D. For the purposes of this section, "public establishment" and "public event" have the same meanings prescribed in section 13-3102.

Removes this provision, *which Kavanaugh argues already requires lockers.*

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13-3108:

Adds State where it was previously only political subdivision:

as being prohibited from enacting rules, ordinances or taxes (is that even constitutional?)
as not being able to regulate licensing
as not being able to maintain records (except law enforcement or in conformance with subsection G wherein only a political subdivision enacts regarding secondhand firearms businesses, so effectively this gives the political subdivision more power than the state-is that even constitutional?)
as being prohibited from enacting any rule or ordinance that is more prohibitive than state law-doesn't that go without saying and if we say it does that now mean that the state can do so in other areas?)

F: But the State as well as political subdivision can now impose a sales tax and regulate minors as specified (couldn't the state already do that?)
And regulate gun businesses like other commercial land but not the sale or transfer of firearms on property it owns, leases or controls in a manner inconsistent with state law;
And regulate state as well as political subdivision employees but not prohibit the lawful transport of a firearm under 12-781 (concealed and locked inside a private vehicle.)

The state can now (in addition to the political subdivision) regulate firearms being discharged in parks and preserves (class 2 misdemeanor but a political subdivision can make it less) except in specified circumstances including self defense but the reasonable man standard for self defense against an animal is gone.

The state can also limit/prohibit as a class 3 misdemeanor (class 1 if a secured facility): *Intentional* possession in a public establishment (includes all manner of property used by govt for govt/event**-includes pvt event that is licensed or permitted but not multipurpose* facility or unsponsored gathering).

IF:

- 1) Signage at all entrances
- 2) Lockers: within 200 feet of entrance of adjacent bldg
Controlled by sponsor/operator
Immediate check/retrieval—not to exceed 5 minutes

EXCEPT: Peace officer in course of duty; shooting ranges/events; higher ed.

The only time it can be a Class 1 misdemeanor is if it is a secured facility=controlled access (officer or weapon detection)

*Multipurpose: professional sports/conventions, etc and could be a stadium. Facility includes on-site infrastructure and related commercial uses within.

**Used to perform government functions but not if in a multipurpose.

So the State can regulate intentional possession but not unintentional possession but even if it has all this stuff in place the only thing it can charge a violator with is a misdemeanor. Does this remove immunity from lawsuit for the state in that if a person is prohibited by an office policy of bringing in the weapon and they have no lockers, thus making them aggrieved they can sue? What would be the damages?

How can the state bind the future actions of the state where it says the state cannot enact a rule or ordinance?

And since misconduct no longer includes bringing in the weapon after being asked not to, and the person does bring it in intentionally they can only be charged with a Class 3m?

This applies to structures, vehicles and crafts. What about parking lots? Could we not just prohibit possession in the parking lot and be done with it if the parking lot is between you and the door?

How does this apply to a vehicle or craft when you can't have a locker for those? It doesn't so for those you could never exclude the intentional possession of a firearm.

So you don't pass a rule or an ordinance but you still have a policy that in this building there are no guns allowed. What can anyone do about that?