

**Senator D. Edgar Allen** proposes to substitute the following bill:

**UNLAWFUL USE OF A LASER POINTER**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: D. Edgar Allen**

AN ACT RELATING TO THE UTAH CRIMINAL CODE; CREATING THE CRIME OF UNLAWFUL USE OF A LASER POINTER; ESTABLISHING PENALTIES; AND PROVIDING DEFINITIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**76-10-2401**, Utah Code Annotated 1953

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

Section 1. Section **76-10-2401** is enacted to read:

**Part 24. Unlawful Use of a Laser Pointer**

**76-10-2401. Unlawful use of a laser pointer.**

(1) As used in this section:

(a) "Laser pointer" means any portable device that emits a visible beam of laser light that may be directed at a person.

(b) "Law enforcement officer" means an officer under Section 53-13-103.

(2) A person is guilty of unlawful use of a laser pointer if the person directs a beam of laser light from a laser pointer at:

(a) a moving motor vehicle or its occupants; or

(b) one whom the person knows or has reason to know is a law enforcement officer.

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

(a) the law enforcement officer was not in uniform, not traveling in a vehicle identified as a law enforcement vehicle, and not otherwise engaged in an activity that would give the person

26 reason to know him to be a law enforcement officer; and

27 (b) the law enforcement officer was not otherwise known by the person to be a law

28 enforcement officer.

29 (4) Violation of Subsection (2)(a) is an infraction. Violation of Subsection (2)(b) is a class

30 C misdemeanor.