

Effective 5/12/2015

73-2-27 Criminal penalties.

- (1) This section applies to offenses committed under:
- (a) Section 73-1-14;
 - (b) Section 73-1-15;
 - (c) Section 73-2-20;
 - (d) Section 73-3-3;
 - (e) Section 73-3-26;
 - (f) Section 73-3-29;
 - (g) Section 73-5-9;
 - (h) Section 76-10-201;
 - (i) Section 76-10-202; and
 - (j) Section 76-10-203.
- (2) Under circumstances not amounting to an offense with a greater penalty under Subsection 76-6-106(2)(b)(ii) or Section 76-6-404, violation of a provision listed in Subsection (1) is punishable:
- (a) as a felony of the third degree if:
 - (i) the value of the water diverted or property damaged or taken is \$2,500 or greater; and
 - (ii) the person violating the provision has previously been convicted of violating the same provision;
 - (b) as a class A misdemeanor if:
 - (i) the value of the water diverted or property damaged or taken is \$2,500 or greater; or
 - (ii) the person violating the provision has previously been convicted of violating the same provision; or
 - (c) as a class B misdemeanor if Subsection (2)(a) or (b) does not apply.

Amended by Chapter 245, 2015 General Session

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