

**78A-6-1202 Definitions.**

- (1) "Adult" means a person 18 years of age or older.
- (2) "Gang activity" means any criminal activity that is conducted as part of an organized youth gang. It includes any criminal activity that is done in concert with other gang members, or done alone if it is to fulfill gang purposes. "Gang activity" does not include graffiti.
- (3) "Minor offense" means any unlawful act that is a status offense or would be a class B or C misdemeanor, infraction, or violation of a municipal or county ordinance if the youth were an adult. "Minor offense" does not include:
  - (a) class A misdemeanors;
  - (b) felonies of any degree;
  - (c) any offenses that are committed as part of gang activity;
  - (d) any of the following offenses which would carry mandatory dispositions if referred to the juvenile court under Section 78A-6-606:
    - (i) a second violation of Section 32B-4-409, Unlawful Purchase, Possession or Consumption by Minors -- Measurable Amounts in Body;
    - (ii) a violation of Section 41-6a-502, Driving Under the Influence;
    - (iii) a violation of Section 58-37-8, Controlled Substances Act;
    - (iv) a violation of Title 58, Chapter 37a, Utah Drug Paraphernalia Act;
    - (v) a violation of Title 58, Chapter 37b, Imitation Controlled Substances Act; or
    - (vi) a violation of Section 76-9-701, Intoxication; or
  - (e) any offense where a dangerous weapon, as defined in Subsection 76-1-601(5), is used in the commission of the offense.
- (4) "Sponsoring entity" means any political subdivision of the state, including a school or school district, juvenile court, law enforcement agency, prosecutor's office, county, city, or town.
- (5) "Status offense" means a violation of the law that would not be a violation but for the age of the offender.
- (6) "Youth" means a person under the age of 18 years or who is 18 but still attending high school.

Amended by Chapter 276, 2010 General Session