

CRIMINAL LAW INTENT AMENDMENT

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Ty McCartney

LONG TITLE

General Description:

This bill amends the Criminal Code to provide that if an element of a criminal offense is the intentional causation of a result, and if the result of defendant's commission of the offense differs from the defendant's intent only because a different person or property was affected than the defendant intended, the requirement of intentional causation is met.

Highlighted Provisions:

This bill:

- ▶ provides that if a criminal offense includes a requirement that the defendant intentionally acted to cause an intended result, then this requirement is met if the defendant's action differs from the intended result only in that the person or property affected differs from the person or property the defendant intended to commit the offense against.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-2-105, Utah Code Annotated 1953

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

Section 1. Section **76-2-105** is enacted to read:

76-2-105. Transferred intent.

Where intentionally causing a result is an element of an offense, that element is established even if a different person than the actor intended was killed, injured, or harmed, or different property than the actor intended was damaged or otherwise affected.