

1 **PENALTY FOR USING FAKE**

2 **IDENTIFICATION**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Brent H. Goodfellow**

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Alcoholic Beverage Control Act to amend provisions related to  
10 the unlawful use of certain forms of identification.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ provides that it is a class A misdemeanor for a person to use certain forms of  
14 identification with false information to:
- 15 • procure alcoholic beverages or products;
  - 16 • gain admittance to a place where alcoholic beverages or products are sold or  
17 consumed; or
  - 18 • obtain employment that may not be obtained by a minor; and
- 19 ▶ makes technical changes.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **32A-1-301**, as last amended by Chapter 161, Laws of Utah 2002



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

29 Section 1. Section **32A-1-301** is amended to read:

30 **32A-1-301. Unlawful transfer or use of proof of age -- False information.**

31 (1) (a) It is unlawful for a person to transfer that person's proof of age to any other  
32 person to aid that person:

33 [~~(a)~~] (i) in procuring alcoholic beverages or products;

34 [~~(b)~~] (ii) to gain admittance to a place where alcoholic beverages or products are sold  
35 or consumed; or

36 [~~(c)~~] (iii) to obtain any employment that under this title may not be obtained by a  
37 minor.

38 [~~(2)~~] (b) Any person who permits that person's proof of age to be used by another for  
39 any purpose stated in [~~this section~~] Subsection (1)(a) is guilty of a class B misdemeanor.

40 (2) (a) It is unlawful for a person to use a proof of age containing false information  
41 with the intent to:

42 (i) procure alcoholic beverages or products;

43 (ii) gain admittance to a place where alcoholic beverages or products are sold or  
44 consumed; or

45 (iii) obtain any employment that under this title may not be obtained by a minor.

46 (b) A person who violates this Subsection (2) is guilty of a class A misdemeanor.

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**Legislative Review Note**  
**as of 2-13-04 5:14 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0335**

**Penalty for Using Fake Identification**

*19-Feb-04*

*2:31 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

The bill creates a new class A misdemeanor. There could be additional costs to local governments depending on actual sentencing.

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**Office of the Legislative Fiscal Analyst**