

Representative Gage Froerer proposes the following substitute bill:

**CRIME OF CLAIMING MILITARY AWARD BY
NONRECIPIENT**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: Jon J. Greiner

LONG TITLE

General Description:

This bill makes it a crime for a person to intentionally make a false representation that the person has been awarded a decoration, medal, or badge of the armed forces of the United States, or to, with the intent to defraud or to make a false representation, wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ makes it a class C misdemeanor for a person to intentionally make a false representation that the person has been awarded a service medal; and
- ▶ makes it a class C misdemeanor for a person, without legal authorization, and with the intent to defraud or to falsely represent that the person or another person has been awarded a service medal, to wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof.

Monies Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **76-9-706**, Utah Code Annotated 1953



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

34 Section 1. Section **76-9-706** is enacted to read:

35 **76-9-706. False representation of military award.**

36 (1) As used in this section, "service medal" means:

37 (a) a congressional medal of honor, as defined in 18 U.S.C. 704(c)(2);

38 (b) a distinguished service cross, as defined in 10 U.S.C 3742;

39 (c) a Navy cross, as defined in 10 U.S.C. 6242;

40 (d) an Air Force cross, as defined in 10 U.S.C. 8742;

41 (e) a silver star, as defined in 10 U.S.C. 3746, 6244, or 8746;

42 (f) a bronze star, as defined in 10 U.S.C. 1133;

43 (g) a purple heart, as defined in 10 U.S.C. 1129;

44 (h) any decoration or medal authorized by the Congress of the United States for the
45 armed forces of the United States;

46 (i) any service medal or badge awarded to members of the armed forces of the United
47 States;

48 (j) any ribbon, button, or rosette for a decoration, medal, or badge described in
49 Subsection (1)(a) through (i); or

50 (k) an imitation of a decoration, medal, badge, ribbon, button, or rosette described in
51 Subsection (1)(a) through (j).

52 (2) Any person who intentionally makes a false representation, verbally or in writing,
53 that the person has been awarded a service medal is guilty of a class C misdemeanor.

54 (3) Any person who wears, purchases, attempts to purchase, solicits for purchase,
55 mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells,
56 attempts to sell, advertises for sale, trades, barter, or exchanges for anything of value a service

57 medal, or any colorable imitation thereof, except when authorized by federal law, or under
58 regulations made pursuant to federal law, with the intent to defraud, or to falsely represent that
59 the person or another person has been awarded a service medal, is guilty of a class C
60 misdemeanor.

H.B. 463 1st Sub. (Buff) - Crime of Claiming Military Award by Nonrecipient

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
