

**AMENDMENTS TO ANIMAL CRUELTY  
PROVISIONS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Sheryl L. Allen**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Utah Criminal Code relating to animal cruelty.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ removes conflicting animal cruelty provisions related to hazing;
- ▶ provides that a veterinarian is immune from civil liability for reporting, in good faith, an incident of cruelty to an animal;
- ▶ describes the circumstances under which aggravated cruelty to an animal is a third degree felony;
- ▶ describes the circumstances under which a class C misdemeanor for cruelty to an animal is enhanced to a class B misdemeanor;
- ▶ describes the circumstances under which a class B misdemeanor for cruelty to an animal is enhanced to a class A misdemeanor; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **76-5-107.5**, as last amended by Laws of Utah 1997, Chapters 240 and 289

31 **76-9-301**, as last amended by Laws of Utah 1996, Second Special Session, Chapter 7

32 **76-9-301.5**, as last amended by Laws of Utah 1996, Second Special Session, Chapter 7

33 **76-9-301.6**, as last amended by Laws of Utah 1998, Chapter 282

34 **76-10-1602**, as last amended by Laws of Utah 2007, Chapter 129

35 REPEALS AND REENACTS:

36 **76-9-301.7**, as enacted by Laws of Utah 1996, Second Special Session, Chapter 7



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

39 Section 1. Section **76-5-107.5** is amended to read:

40 **76-5-107.5. Prohibition of "hazing" -- Definitions -- Penalties.**

41 (1) A person is guilty of hazing if that person intentionally, knowingly, or recklessly  
42 commits an act or causes another to commit an act that:

43 (a) (i) endangers the mental or physical health or safety of another; [or]

44 (ii) involves any brutality of a physical nature such as whipping, beating, branding,  
45 calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or  
46 exposure to the elements; [or]

47 (iii) involves consumption of any food, liquor, drug, or other substance or any other  
48 physical activity that endangers the mental or physical health and safety of an individual; or

49 (iv) involves any activity that would subject the individual to extreme mental stress,  
50 such as sleep deprivation, extended isolation from social contact, or conduct that subjects  
51 another to extreme embarrassment, shame, or humiliation; [or] and

52 [~~v) involves cruelty to any animal as provided in Section 76-9-301; and~~]

53 (b) (i) is for the purpose of initiation, admission into, affiliation with, holding office in,  
54 or as a condition for continued membership in any organization; or

55 (ii) if the actor knew that the victim is a member of or candidate for membership with a  
56 school team or school organization to which the actor belongs or did belong within the  
57 preceding two years.

58 (2) It is not a defense to prosecution of hazing that a person under 21, against whom

59 the hazing was directed, consented to or acquiesced in the hazing activity.

60 (3) An actor who hazes another is guilty of a:

61 [~~(a)~~] class C misdemeanor if the conduct violates Section 76-9-301;

62 [~~(b)~~] (a) class B misdemeanor if there are no aggravating circumstances;

63 [~~(c)~~] (b) class A misdemeanor if the act involves the operation or other use of a motor  
64 vehicle;

65 [~~(d)~~] (c) third degree felony if the act involves the use of a dangerous weapon as  
66 defined in Section 76-1-601;

67 [~~(e)~~] (d) third degree felony if the hazing results in serious bodily injury to a person; or

68 [~~(f)~~] (e) second degree felony if hazing under Subsection (3)[~~(c)~~](d) involves the use of  
69 a dangerous weapon as defined in Section 76-1-601.

70 (4) A person who in good faith reports or participates in reporting of an alleged hazing  
71 is not subject to any civil or criminal liability regarding the reporting.

72 (5) (a) This section does not apply to military training or other official military  
73 activities.

74 (b) Military conduct is governed by Title 39, Chapter 6, Utah Code of Military Justice.

75 (6) (a) A prosecution under this section does not bar a prosecution of the actor for:

76 (i) any other offense for which the actor may be liable as a party for conduct committed  
77 by the person hazed; or

78 (ii) any offense, caused in the course of the hazing, that the actor commits against the  
79 person who is hazed.

80 (b) Under Subsection (6)(a)(i) a person may be separately punished, both for the hazing  
81 offense and the conduct committed by the person hazed.

82 (c) Under Subsection (6)(a)(ii) a person may not be punished both for hazing and for  
83 the other offense, but shall be punished for the offense carrying the greater maximum penalty.

84 Section 2. Section **76-9-301** is amended to read:

85 **76-9-301. Cruelty to animals.**

86 (1) As used in this section:

87 (a) (i) "Abandon" means to intentionally deposit, leave, or drop off any live animal:

88 (A) without providing for the care of that animal, in accordance with accepted animal  
89 husbandry practices or customary farming practices; or

90 (B) in a situation where conditions present an immediate, direct, and serious threat to  
91 the life, safety, or health of the animal.

92 (ii) "Abandon" does not include returning wildlife to its natural habitat.

93 (b) (i) "Animal" means, except as provided in Subsection (1)(b)(ii), a live, nonhuman  
94 vertebrate creature.

95 (ii) "Animal" does not include:

96 (A) a live, nonhuman vertebrate creature, if:

97 (I) the conduct toward the creature, and the care provided to the creature, is in

98 accordance with accepted animal husbandry practices; and

99 (II) the creature is:

100 (Aa) owned or kept by a zoological park that is accredited by, or a member of, the  
101 American Zoo and Aquarium Association;

102 (Bb) kept, owned, or used for the purpose of training hunting dogs or raptors; or

103 (Cc) temporarily in the state as part of a circus or traveling exhibitor licensed by the  
104 United States Department of Agriculture under 7 U.S.C. 2133;

105 (B) a live, nonhuman vertebrate creature that is owned, kept, or used for rodeo  
106 purposes, if the conduct toward the creature, and the care provided to the creature, is in  
107 accordance with accepted rodeo practices;

108 (C) livestock, if the conduct toward the creature, and the care provided to the creature,  
109 is in accordance with accepted animal husbandry practices or customary farming practices; or

110 (D) wildlife, as defined in Section 23-13-2, including protected and unprotected  
111 wildlife, if the conduct toward the wildlife is in accordance with lawful hunting, fishing, or  
112 trapping practices or other lawful practices.

113 (c) (i) "Companion animal" means, except as provided in Subsection (1)(c)(ii), an  
114 animal that is:

115 (A) a dog, except for a dog used primarily for the purpose of protecting or herding  
116 livestock;

117 (B) a cat; or

118 (C) any other animal that:

119 (I) depends on its owner to receive necessary food, water, care, or shelter; and

120 (II) is commonly considered to be a pet.

- 121 (ii) "Companion animal" does not include:
- 122 (A) livestock;
- 123 (B) wildlife, as defined in Section 23-13-2, including protected and unprotected
- 124 wildlife;
- 125 (C) aquatic animals; or
- 126 (D) amphibians.
- 127 (d) "Custody" means ownership, possession, or control over an animal.
- 128 (e) "Legal privilege" means an act that:
- 129 (i) is authorized by state law, including Division of Wildlife Resources rules; and
- 130 (ii) is not in violation of a local ordinance.
- 131 (f) "Livestock" means:
- 132 (i) domesticated:
- 133 (A) cattle;
- 134 (B) sheep;
- 135 (C) goats;
- 136 (D) turkeys;
- 137 (E) swine;
- 138 (F) equines;
- 139 (G) camelidae;
- 140 (H) ratites; or
- 141 (I) bison;
- 142 (ii) domesticated elk, as defined in Section 4-39-102; or
- 143 (iii) any domesticated nonhuman vertebrate creature, domestic furbearer, or domestic
- 144 poultry, raised, kept, or used for agricultural purposes.
- 145 (g) "Necessary food, water, care, or shelter" means the following, taking into account
- 146 the species, age, and physical condition of the animal:
- 147 (i) appropriate and essential food and water;
- 148 (ii) veterinary care; and
- 149 (iii) adequate protection, including appropriate shelter, against extreme weather
- 150 conditions.
- 151 (h) "Torture" means intentionally or knowingly causing or inflicting extreme physical

152 pain to an animal in an especially heinous, atrocious, cruel, or exceptionally depraved manner.

153 ~~[(1) A]~~ (2) Except as provided in Subsection (4), a person is guilty of cruelty to  
154 animals if the person, without legal privilege to do so, intentionally, knowingly, recklessly, or  
155 with criminal negligence:

156 (a) fails to provide necessary food, water, care, or shelter for an animal in ~~[his]~~ the  
157 person's custody;

158 (b) abandons an animal in the person's custody;

159 (c) transports or confines an animal in a cruel manner;

160 (d) injures an animal;

161 (e) causes any animal, not including a dog, to fight with another animal of like kind for  
162 amusement or gain; or

163 (f) causes any animal, including a dog, to fight with a different kind of animal or  
164 creature for amusement or gain.

165 ~~[(2) A]~~ (3) Except as provided in Section 76-9-301.7, a violation of Subsection [(1)]  
166 (2) is:

167 (a) a class B misdemeanor if committed intentionally or knowingly; and

168 (b) a class C misdemeanor if committed recklessly or with criminal negligence.

169 ~~[(3)]~~ (4) A person is guilty of aggravated cruelty to an animal if the person, without  
170 legal privilege to do so:

171 (a) tortures an animal;

172 (b) administers, or causes to be administered, poison or poisonous ~~[substances]~~  
173 substance to an animal ~~[without having a legal privilege to do so]; or~~

174 (c) kills an animal or causes an animal to be killed ~~[an animal without having a legal~~  
175 privilege to do so].

176 ~~[(4) A]~~ (5) Except as provided in Section 76-9-301.7, a violation of Subsection [(3)]  
177 (4) is:

178 (a) a class A misdemeanor if committed intentionally or knowingly;

179 (b) a class B misdemeanor if committed recklessly; and

180 (c) a class C misdemeanor if committed with criminal negligence.

181 ~~[(5)]~~ (6) It is a defense to prosecution under this section that the conduct of the actor  
182 towards the animal was:

- 183 (a) by a licensed veterinarian using accepted veterinary practice;
- 184 (b) directly related to bona fide experimentation for scientific research, provided that if
- 185 the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless
- 186 directly necessary to the veterinary purpose or scientific research involved;
- 187 (c) permitted under Section 18-1-3;
- 188 (d) by a person who humanely destroys any animal found suffering past recovery for
- 189 any useful purpose; or
- 190 (e) by a person who humanely destroys any apparently abandoned animal found on the
- 191 person's property.

192 ~~[(6)]~~ (7) For purposes of Subsection ~~[(5)]~~ (6)(d), before destroying the suffering

193 animal, the person who is not the owner of the animal shall obtain:

- 194 (a) the judgment of a veterinarian of the animal's nonrecoverable condition;
- 195 (b) the judgment of two other persons called by the person to view the unrecoverable
- 196 condition of the animal in the person's presence;
- 197 (c) the consent from the owner of the animal to the destruction of the animal; or
- 198 (d) a reasonable conclusion that the animal's suffering is beyond recovery, through the
- 199 person's own observation, if the person is in a location or circumstance where the person is
- 200 unable to contact another person.

201 ~~[(7)]~~ (8) This section does not affect or prohibit:

202 (a) the training, instruction, and grooming of animals, ~~[so long as]~~ if the methods used

203 are in accordance with accepted animal husbandry practices~~[-]~~ or customary farming practices;

204 ~~[(8)(a) This section does not affect or prohibit]~~

205 (b) the use of an electronic locating or training collar by the owner of an animal for the

206 purpose of lawful animal training, lawful hunting practices, or protecting against loss of that

207 animal~~[-];~~ or

208 (c) the lawful hunting of, fishing for, or trapping of, wildlife.

209 ~~[(b)]~~ (9) County and municipal governments may not prohibit the use of an electronic

210 locating or training collar.

211 ~~[(9)]~~ (10) Upon conviction under this section, the court may in its discretion, in

212 addition to other penalties:

213 (a) order the defendant to be evaluated to determine the need for psychiatric or

214 psychological counseling, to receive counseling as the court determines to be appropriate, and  
215 to pay the costs of the evaluation and counseling;

216 (b) require the defendant to forfeit any rights the defendant has to the animal subjected  
217 to a violation of this section and to repay the reasonable costs incurred by any person or agency  
218 in caring for each animal subjected to violation of this section;

219 (c) order the defendant to no longer possess or retain custody of any animal, as  
220 specified by the court, during the period of the defendant’s probation or parole or other period  
221 as designated by the court; and

222 (d) order the animal to be placed for the purpose of adoption or care in the custody of a  
223 county and municipal animal control agency, an animal welfare agency registered with the  
224 state, sold at public auction, or humanely destroyed.

225 ~~[(10)]~~ [(11)] This section does not prohibit the use of animals in lawful training.

226 ~~[(11) As used in this section:]~~

227 ~~[(a) "Abandons" means to intentionally deposit, leave, or drop off any live animal:]~~

228 ~~[(i) without providing for the care of that animal; or]~~

229 ~~[(ii) in a situation where conditions present an immediate, direct, and serious threat to~~  
230 ~~the life, safety, or health of the animal.]~~

231 ~~[(b) (i) "Animal" means a live, nonhuman vertebrate creature.]~~

232 ~~[(ii) "Animal" does not include animals kept or owned for agricultural purposes and~~  
233 ~~cared for in accordance with accepted husbandry practices, animals used for rodeo purposes,~~  
234 ~~and does not include protected and unprotected wildlife as defined in Section 23-13-2.]~~

235 ~~[(c) "Custody" means ownership, possession, or control over an animal.]~~

236 ~~[(d) "Legal privilege" means an act authorized by state law, including Division of~~  
237 ~~Wildlife Resources statutes and rules, and conducted in conformance with local ordinances.]~~

238 ~~[(e) "Necessary food, care, and shelter" means appropriate and essential food and other~~  
239 ~~needs of the animal, including veterinary care, and adequate protection against extreme weather~~  
240 ~~conditions.]~~

241 [(12) A veterinarian who, acting in good faith, reports a violation of this section to law  
242 enforcement, may not be held civilly liable for making the report.

243 Section 3. Section **76-9-301.5** is amended to read:

244 **76-9-301.5. Spectator at organized animal fighting exhibitions.**

245 It is unlawful for a person to knowingly be present as a spectator at any place, building,  
246 or tenement where preparations are being made for an exhibition of the fighting of animals, as  
247 prohibited by [~~Subsection~~] Subsections 76-9-301[~~(+)~~](2)(e) and (f), or to be present at such  
248 exhibition, regardless of whether any entrance fee has been charged. A person who violates  
249 this [~~subsection~~] section is guilty of a class B misdemeanor.

250 Section 4. Section **76-9-301.6** is amended to read:

251 **76-9-301.6. Dog fighting exhibition -- Authority to arrest and take possession of**  
252 **dogs and property.**

253 (1) A peace officer as defined in Title 53, Chapter 13, Peace Officer Classifications,  
254 may enter any place, building, or tenement where an exhibition of dog fighting is occurring, or  
255 where preparations are being made for such an exhibition and, without a warrant, arrest all  
256 persons present.

257 (2) (a) Notwithstanding the provisions of Section 76-9-305, any authorized officer who  
258 makes an arrest under Subsection (1) may lawfully take possession of all dogs, paraphernalia,  
259 implements, or other property or things used or employed, or to be employed, in an exhibition  
260 of dog fighting prohibited by Subsection 76-9-301[~~(+)~~](2)(f) or Section 76-9-301.1.

261 (b) The officer, at the time of the taking of property pursuant to Subsection (2)(a), shall  
262 state his name and provide other identifying information to the person in charge of the dogs or  
263 property taken.

264 (3) (a) After taking possession of dogs, paraphernalia, implements, or other property or  
265 things under Subsection (2), the officer shall file an affidavit with the judge or magistrate  
266 before whom a complaint has been made against any person arrested under this section.

267 (b) The affidavit shall include:

268 (i) the name of the person charged in the complaint;

269 (ii) a description of all property taken;

270 (iii) the time and place of the taking of the property;

271 (iv) the name of the person from whom the property was taken;

272 (v) the name of the person who claims to own the property, if known; and

273 (vi) a statement that the officer has reason to believe and believes that the property  
274 taken was used or employed, or was to be used or employed, in violation of Section 76-9-301  
275 or 76-9-301.1, and the grounds for the belief.

276 (4) (a) The officer shall deliver the confiscated property to the judge or magistrate who  
277 shall, by order, place the property in the custody of the officer or any other person designated in  
278 the order, and that person shall keep the property until conviction or final discharge of the  
279 person against whom the complaint was made.

280 (b) The person designated in Subsection (4)(a) shall assume immediate custody of the  
281 property, and retain the property until further order of the court.

282 (c) Upon conviction of the person charged, all confiscated property shall be forfeited  
283 and destroyed or otherwise disposed of, as the court may order.

284 (d) If the person charged is acquitted or discharged without conviction, the court shall,  
285 on demand, order the property to be returned to its owner.

286 Section 5. Section **76-9-301.7** is repealed and reenacted to read:

287 **76-9-301.7. Cruelty to animals -- Enhanced penalties.**

288 (1) As used in this section, "conviction" means a conviction by plea or by verdict,  
289 including a plea of guilty or no contest that is held in abeyance under Title 77, Chapter 2a,  
290 Pleas in Abeyance, regardless of whether the charge was, or is, subsequently reduced or  
291 dismissed in accordance with the plea in abeyance agreement.

292 (2) A person who commits an offense described in Subsection 76-9-301(4) is guilty of  
293 a third degree felony if:

294 (a) the offense is committed in the presence of a minor;

295 (b) the offense is committed incident to one act, scheme, course of conduct, or criminal  
296 episode during which the person committed domestic violence, as defined in Section 77-36-1;

297 (c) the offense is committed against a companion animal; or

298 (d) prior to committing the offense, the person is:

299 (i) convicted of a violation of Subsection 76-9-301(4);

300 (ii) (A) convicted of an offense described in Subsection (3)(a); and

301 (B) subject to the enhanced penalty described in Subsection (4)(b) for the offense  
302 described in Subsection (2)(d)(ii)(A);

303 (iii) convicted of a violation of Subsection 76-9-306(2);

304 (iv) convicted of an offense described in Subsection 76-9-301.1(1); or

305 (v) convicted of an offense in any district, territory, or state of the United States that is  
306 the same, or substantially similar to, an offense described in Subsection (2)(d)(i), (iii), or (iv).

- 307 (3) A person is subject to an enhanced penalty, under Subsection (4), if:  
308 (a) the person commits:  
309 (i) a class B or class C misdemeanor offense described in Section 76-9-301;  
310 (ii) an offense described in Subsection 76-9-301.1(4); or  
311 (iii) an offense described in Section 76-9-301.5; and  
312 (b) prior to committing the offense described in Subsection (3)(a), the person is:  
313 (i) convicted of an offense described in Section 76-9-301;  
314 (ii) convicted of an offense described in Subsection 76-9-301.1(4);  
315 (iii) convicted of an offense described in Section 76-9-301.5;  
316 (iv) convicted of an offense described in Subsection 76-9-306(2); or  
317 (v) convicted of an offense in any district, territory, or state of the United States that is  
318 the same, or substantially similar to, an offense described in Subsections (3)(b)(i) through (iv).  
319 (4) The enhanced penalty described in Subsection (3) is as follows:  
320 (a) if the offense is a class C misdemeanor, it is enhanced to a class B misdemeanor; or  
321 (b) if the offense is a class B misdemeanor, it is enhanced to a class A misdemeanor.
- 322 Section 6. Section **76-10-1602** is amended to read:  
323 **76-10-1602. Definitions.**  
324 As used in this part:  
325 (1) "Enterprise" means any individual, sole proprietorship, partnership, corporation,  
326 business trust, association, or other legal entity, and any union or group of individuals  
327 associated in fact although not a legal entity, and includes illicit as well as licit entities.  
328 (2) "Pattern of unlawful activity" means engaging in conduct which constitutes the  
329 commission of at least three episodes of unlawful activity, which episodes are not isolated, but  
330 have the same or similar purposes, results, participants, victims, or methods of commission, or  
331 otherwise are interrelated by distinguishing characteristics. Taken together, the episodes shall  
332 demonstrate continuing unlawful conduct and be related either to each other or to the  
333 enterprise. At least one of the episodes comprising a pattern of unlawful activity shall have  
334 occurred after July 31, 1981. The most recent act constituting part of a pattern of unlawful  
335 activity as defined by this part shall have occurred within five years of the commission of the  
336 next preceding act alleged as part of the pattern.  
337 (3) "Person" includes any individual or entity capable of holding a legal or beneficial

338 interest in property, including state, county, and local governmental entities.

339 (4) "Unlawful activity" means to directly engage in conduct or to solicit, request,  
340 command, encourage, or intentionally aid another person to engage in conduct which would  
341 constitute any offense described by the following crimes or categories of crimes, or to attempt  
342 or conspire to engage in an act which would constitute any of those offenses, regardless of  
343 whether the act is in fact charged or indicted by any authority or is classified as a misdemeanor  
344 or a felony:

345 (a) any act prohibited by the criminal provisions of Title 13, Chapter 10, Unauthorized  
346 Recording Practices Act;

347 (b) any act prohibited by the criminal provisions of Title 19, Environmental Quality  
348 Code, Sections 19-1-101 through 19-7-109;

349 (c) taking, destroying, or possessing wildlife or parts of wildlife for the primary  
350 purpose of sale, trade, or other pecuniary gain, in violation of Title 23, [~~Chapter 13,~~] Wildlife  
351 Resources Code of Utah, or Section 23-20-4;

352 (d) false claims for medical benefits, kickbacks, and any other act prohibited by Title  
353 26, Chapter 20, Utah False Claims Act, Sections 26-20-1 through 26-20-12;

354 (e) any act prohibited by the criminal provisions of Title 32A, Chapter 12, Criminal  
355 Offenses;

356 (f) any act prohibited by the criminal provisions of Title 57, Chapter 11, Utah Uniform  
357 Land Sales Practices Act;

358 (g) any act prohibited by the criminal provisions of Title 58, Chapter 37, Utah  
359 Controlled Substances Act, or Title 58, Chapter 37b, Imitation Controlled Substances Act,  
360 Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or Title 58, Chapter 37d,  
361 Clandestine Drug Lab Act;

362 (h) any act prohibited by the criminal provisions of Title 61, Chapter 1, Utah Uniform  
363 Securities Act;

364 (i) any act prohibited by the criminal provisions of Title 63, Chapter 56, Utah  
365 Procurement Code;

366 (j) assault or aggravated assault, Sections 76-5-102 and 76-5-103;

367 (k) a terroristic threat, Section 76-5-107;

368 (l) criminal homicide, Sections 76-5-201, 76-5-202, and 76-5-203;

- 369 (m) kidnapping or aggravated kidnapping, Sections 76-5-301 and 76-5-302;  
370 (n) sexual exploitation of a minor, Section 76-5a-3;  
371 (o) arson or aggravated arson, Sections 76-6-102 and 76-6-103;  
372 (p) causing a catastrophe, Section 76-6-105;  
373 (q) burglary or aggravated burglary, Sections 76-6-202 and 76-6-203;  
374 (r) burglary of a vehicle, Section 76-6-204;  
375 (s) manufacture or possession of an instrument for burglary or theft, Section 76-6-205;  
376 (t) robbery or aggravated robbery, Sections 76-6-301 and 76-6-302;  
377 (u) theft, Section 76-6-404;  
378 (v) theft by deception, Section 76-6-405;  
379 (w) theft by extortion, Section 76-6-406;  
380 (x) receiving stolen property, Section 76-6-408;  
381 (y) theft of services, Section 76-6-409;  
382 (z) forgery, Section 76-6-501;  
383 (aa) fraudulent use of a credit card, Sections 76-6-506.1, 76-6-506.2, and 76-6-506.4;  
384 (bb) deceptive business practices, Section 76-6-507;  
385 (cc) bribery or receiving bribe by person in the business of selection, appraisal, or  
386 criticism of goods, Section 76-6-508;  
387 (dd) bribery of a labor official, Section 76-6-509;  
388 (ee) defrauding creditors, Section 76-6-511;  
389 (ff) acceptance of deposit by insolvent financial institution, Section 76-6-512;  
390 (gg) unlawful dealing with property by fiduciary, Section 76-6-513;  
391 (hh) bribery or threat to influence contest, Section 76-6-514;  
392 (ii) making a false credit report, Section 76-6-517;  
393 (jj) criminal simulation, Section 76-6-518;  
394 (kk) criminal usury, Section 76-6-520;  
395 (ll) fraudulent insurance act, Section 76-6-521;  
396 (mm) retail theft, Section 76-6-602;  
397 (nn) computer crimes, Section 76-6-703;  
398 (oo) identity fraud, Section 76-6-1102;  
399 (pp) sale of a child, Section 76-7-203;

- 400 (qq) bribery to influence official or political actions, Section 76-8-103;
- 401 (rr) threats to influence official or political action, Section 76-8-104;
- 402 (ss) receiving bribe or bribery by public servant, Section 76-8-105;
- 403 (tt) receiving bribe or bribery for endorsement of person as public servant, Section
- 404 76-8-106;
- 405 (uu) official misconduct, Sections 76-8-201 and 76-8-202;
- 406 (vv) obstruction of justice, Section 76-8-306;
- 407 (ww) acceptance of bribe or bribery to prevent criminal prosecution, Section 76-8-308;
- 408 (xx) false or inconsistent material statements, Section 76-8-502;
- 409 (yy) false or inconsistent statements, Section 76-8-503;
- 410 (zz) written false statements, Section 76-8-504;
- 411 (aaa) tampering with a witness or soliciting or receiving a bribe, Section 76-8-508;
- 412 (bbb) retaliation against a witness, victim, or informant, Section 76-8-508.3;
- 413 (ccc) extortion or bribery to dismiss criminal proceeding, Section 76-8-509;
- 414 (ddd) public assistance fraud in violation of Section 76-8-1203, 76-8-1204, or
- 415 76-8-1205;
- 416 (eee) unemployment insurance fraud, Section 76-8-1301;
- 417 (fff) intentionally or knowingly causing one animal to fight with another, Subsection
- 418 76-9-301[(+)(f)](2)(e) or (f), or Section 76-9-301.1;
- 419 (ggg) possession, use, or removal of explosives, chemical, or incendiary devices or
- 420 parts, Section 76-10-306;
- 421 (hhh) delivery to common carrier, mailing, or placement on premises of an incendiary
- 422 device, Section 76-10-307;
- 423 (iii) possession of a deadly weapon with intent to assault, Section 76-10-507;
- 424 (jjj) unlawful marking of pistol or revolver, Section 76-10-521;
- 425 (kkk) alteration of number or mark on pistol or revolver, Section 76-10-522;
- 426 (lll) forging or counterfeiting trademarks, trade name, or trade device, Section
- 427 76-10-1002;
- 428 (mmm) selling goods under counterfeited trademark, trade name, or trade devices,
- 429 Section 76-10-1003;
- 430 (nnn) sales in containers bearing registered trademark of substituted articles, Section

431 76-10-1004;  
432 (ooo) selling or dealing with article bearing registered trademark or service mark with  
433 intent to defraud, Section 76-10-1006;  
434 (ppp) gambling, Section 76-10-1102;  
435 (qqq) gambling fraud, Section 76-10-1103;  
436 (rrr) gambling promotion, Section 76-10-1104;  
437 (sss) possessing a gambling device or record, Section 76-10-1105;  
438 (ttt) confidence game, Section 76-10-1109;  
439 (uuu) distributing pornographic material, Section 76-10-1204;  
440 (vvv) inducing acceptance of pornographic material, Section 76-10-1205;  
441 (www) dealing in harmful material to a minor, Section 76-10-1206;  
442 (xxx) distribution of pornographic films, Section 76-10-1222;  
443 (yyy) indecent public displays, Section 76-10-1228;  
444 (zzz) prostitution, Section 76-10-1302;  
445 (aaaa) aiding prostitution, Section 76-10-1304;  
446 (bbbb) exploiting prostitution, Section 76-10-1305;  
447 (cccc) aggravated exploitation of prostitution, Section 76-10-1306;  
448 (dddd) communications fraud, Section 76-10-1801;  
449 (eeee) any act prohibited by the criminal provisions of Title 76, Chapter 10, Part 19,  
450 Money Laundering and Currency Transaction Reporting Act;  
451 (ffff) any act prohibited by the criminal provisions of the laws governing taxation in  
452 this state; and  
453 (gggg) any act illegal under the laws of the United States and enumerated in Title 18,  
454 Section 1961 (1)(B), (C), and (D) of the United States Code.

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**Legislative Review Note**  
**as of 2-12-08 3:35 PM**

**Office of Legislative Research and General Counsel**

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**H.B. 470 - Amendments to Animal Cruelty Provisions**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**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.

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