

**PROTECTIVE ORDER - CRIME OF
INDUCING BREACH**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. McCoy

House Sponsor: _____

LONG TITLE

General Description:

This bill creates a crime for inducing, enticing, or provoking a breach of a protective order.

Highlighted Provisions:

This bill:

► provides that someone who intentionally or knowingly induces, entices, or provokes someone to violate a protective order is guilty of a class A misdemeanor.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-108, as last amended by Laws of Utah 2006, Chapter 157

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

Section 1. Section **76-5-108** is amended to read:

76-5-108. Protective orders restraining abuse of another -- Violation.

(1) Any person who is ~~§→ [the respondent or defendant subject]~~ a party ~~←§~~ to a protective order, child



28 protective order, ex parte protective order, or ex parte child protective order issued under Title
29 30, Chapter 6, Cohabitant Abuse Act, or Title 78, Chapter 3a, Juvenile Court Act of 1996, Title
30 77, Chapter 36, Cohabitant Abuse Procedures Act, or a foreign protection order enforceable
31 under Title 30, Chapter 6a, Uniform Interstate Enforcement of Domestic Violence Protection
32 Orders Act, who intentionally or knowingly violates that order [~~after having~~], or who
33 intentionally or knowingly induces, entices, or provokes another to violate that order, after the
34 order has been properly served, is guilty of a class A misdemeanor, except as a greater penalty
35 may be provided in Title 77, Chapter 36, Cohabitant Abuse Procedures Act.

36 (2) Violation of an order as described in Subsection (1) is a domestic violence offense
37 under Section 77-36-1 and subject to increased penalties in accordance with Section 77-36-1.1.

Legislative Review Note
as of 1-21-08 9:03 AM

Office of Legislative Research and General Counsel

S.B. 154 - Protective Order - Crime of Inducing Breach

Fiscal Note

2008 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.
