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**MONEY LAUNDERING AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor: Daniel R. Liljenquist

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**LONG TITLE**

**General Description:**

This bill modifies the Money Laundering and Currency Transaction Reporting Act in the Criminal Code to include a reference to federal law.

**Highlighted Provisions:**

This bill:

- ▶ amends the offense of money laundering to avoid state transaction reporting requirements so the offense includes the laundering of money to avoid federal transaction reporting requirements.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-10-1903**, as last amended by Laws of Utah 1996, Chapter 17

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

Section 1. Section **76-10-1903** is amended to read:

**76-10-1903. Money laundering.**

(1) A person commits the offense of money laundering who:



28 (a) transports, receives, or acquires the property which is in fact proceeds of the  
29 specified unlawful activity, knowing that the property involved represents the proceeds of some  
30 form of unlawful activity;

31 (b) makes proceeds of unlawful activity available to another by transaction [~~or~~],  
32 transportation, or other means, knowing that [~~it is~~] the proceeds are intended to be used for the  
33 purpose of continuing or furthering the commission of specified unlawful activity;

34 (c) conducts a transaction knowing the property involved in the transaction represents  
35 the proceeds of some form of unlawful activity with the intent:

36 (i) to promote the unlawful activity;

37 (ii) to conceal or disguise the nature, location, source, ownership, or control of the  
38 property; or

39 (iii) to avoid a transaction reporting requirement under this chapter or under federal  
40 law; or

41 (d) knowingly accepts or receives property which is represented to be proceeds of  
42 unlawful activity.

43 (2) Under Subsection (1)(d), knowledge that the property represents the proceeds of  
44 unlawful activity may be established by proof that a law enforcement officer or [~~person~~] an  
45 individual acting at the request of a law enforcement officer made [~~such~~] the representations  
46 and the person's subsequent statements or actions indicate that the person believed those  
47 representations to be true.

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**Legislative Review Note**  
as of **1-15-09 11:14 AM**

**Office of Legislative Research and General Counsel**