

28            **§→ [None] This bill takes effect on July 1, 2016. ←§**

29            **Utah Code Sections Affected:**

30            AMENDS:

31            **10-8-47**, as last amended by Laws of Utah 2012, Chapter 140

32            **26-38-2.6**, as enacted by Laws of Utah 2012, Chapter 171

33            **26-42-103**, as last amended by Laws of Utah 2011, Chapter 96

34            **51-9-203**, as last amended by Laws of Utah 2012, Chapter 242

35            **53-3-207**, as last amended by Laws of Utah 2013, Chapter 278

36            **53-3-806**, as last amended by Laws of Utah 2010, Chapter 276

37            **59-14-203.5**, as last amended by Laws of Utah 2011, Chapter 96

38            **59-14-301.5**, as last amended by Laws of Utah 2011, Chapter 96

39            **76-10-103**, as enacted by Laws of Utah 1973, Chapter 196

40            **76-10-104**, as last amended by Laws of Utah 2010, Chapter 114

41            **76-10-104.1**, as last amended by Laws of Utah 2013, Chapter 278

42            **76-10-105**, as last amended by Laws of Utah 2010, Chapter 114

43            **76-10-105.1**, as last amended by Laws of Utah 2010, Chapter 114

44            **76-10-112**, as enacted by Laws of Utah 1989, Chapter 193

45            **77-39-101**, as last amended by Laws of Utah 2010, Chapters 114 and 276

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

48            Section 1. Section **10-8-47** is amended to read:

49            **10-8-47. Intoxication -- Fights -- Disorderly conduct -- Assault and battery -- Petit**  
 50 **larceny -- Riots and disorderly assemblies -- Firearms and fireworks -- False pretenses**  
 51 **and embezzlement -- Sale of liquor, narcotics, or tobacco to minors -- Possession of**  
 52 **controlled substances -- Treatment of alcoholics and narcotics or drug addicts.**

53            A [~~municipal legislative body~~] municipality may:

54            (1) prevent intoxication, fighting, quarreling, dog fights, cockfights, prize fights,  
 55 bullfights, and all disorderly conduct [~~and~~];

56            (2) provide against and punish the offenses of assault and battery and petit larceny; [~~the~~  
 57 ~~municipal legislative body may~~]

58            (3) restrain riots, routs, noises, disturbances, or disorderly assemblies in any street,

555 than:

556 (A) four times for the attempted purchase of:

557 (I) a cigar;

558 (II) a cigarette;

559 (III) tobacco in any form; or

560 (IV) an electronic cigarette; and

561 (B) four times for the attempted purchase of alcohol.

562 (b) Nothing in this section shall prohibit an investigation under this section if:

563 (i) there is reasonable suspicion to believe the retail establishment has sold alcohol, a  
564 cigar, a cigarette, tobacco in any form, or an electronic cigarette to an individual under the age  
565 established by Section 32B-4-403 or 76-10-104; and

566 (ii) the supervising peace officer makes a written record of the grounds for the  
567 reasonable suspicion.

568 (7) (a) The peace officer exercising direction, supervision, and monitoring of the  
569 attempted purchase shall make a report of the attempted purchase, whether or not a purchase  
570 was made.

571 (b) The report required by this Subsection (7) shall include:

572 (i) the name of the supervising peace officer;

573 (ii) the name of the individual attempting the purchase;

574 (iii) a photograph of the individual attempting the purchase showing how that  
575 individual appeared at the time of the attempted purchase;

576 (iv) the name and description of the cashier or proprietor from whom the individual  
577 attempted the purchase;

578 (v) the name and address of the retail establishment; and

579 (vi) the date and time of the attempted purchase.

579a **§→ Section 16. Effective date.**

579b **This bill takes effect on July 1, 2016. ←§**

**Legislative Review Note**  
**as of 6-13-13 4:21 PM**

**Office of Legislative Research and General Counsel**