

CRIME POSTING RESTRICTIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions relating to the distribution of a recording of a crime.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ makes it a crime to distribute a recording of a crime unless the crime has been reported to law enforcement.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-9-707, Utah Code Annotated 1953

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

Section 1. Section **76-9-707** is enacted to read:

76-9-707. Distributing a recording of a crime.

(1) As used in this section:

(a) "Distribute" means to sell, exhibit, display, provide, give, grant admission to,



28 provide access to, post online, or otherwise transfer.

29 (b) "Law enforcement officer" means the same as that term is defined in Section
30 53-13-103.

31 (c) ~~Ĥ→ (i) ←Ĥ~~ "Recording" means a photograph, film, video recording, picture, or image.

31a ~~Ĥ→ (ii) "Recording" does not include an ongoing video of events currently in process. ←Ĥ~~

32 (2) An actor commits the offense of distributing a recording of a crime if the actor:

33 (a) witnesses a crime being committed against another individual;

34 (b) knows that the individual is in need of immediate assistance;

35 (c) ~~Ĥ→ intentionally ←Ĥ~~ fails to summon a law enforcement officer or other assistance;

36 (d) intentionally creates a recording that captures all or part of the crime; and

37 (e) ~~Ĥ→ intentionally ←Ĥ~~ distributes the recording to another individual who is not the

37a individual described in

38 Subsection (2)(a).

39 (3) A violation of Subsection (2) is a class B misdemeanor.

40 (4) Notwithstanding Subsection (2), an actor is not guilty of a violation of Subsection

41 (2) if the actor:

42 (a) before distributing a recording of the crime, reports the crime to a law enforcement

43 officer or reasonably believes that another individual has reported the crime to a law

44 enforcement officer; or

45 (b) distributes the recording to a law enforcement officer or a prosecuting attorney.