

1 **Criminal Conduct on Public Lands Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stewart E. Barlow**

Senate Sponsor:

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2 **LONG TITLE**

3 **General Description:**

4 This bill concerns criminal conduct on public lands.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ amends the criminal offense of defacing by graffiti on public lands to include additional  
8 conduct involving natural and archaeological features;

9 ▶ provides for a fine or restitution order to restore the damage caused by a defendant; and

10 ▶ makes technical and conforming changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **76-6-107.5**, as last amended by Laws of Utah 2023, Chapters 111, 411

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

19 Section 1. Section **76-6-107.5** is amended to read:

20 **76-6-107.5 . Damage, destruction, or defacing by graffiti of public lands.**

21 (1)(a) As used in this section[, "public"] :

22 (i) "Natural feature" means a rock formation or feature, geological formation or  
23 feature, or another naturally occurring formation or feature, such as a hoodoo,  
24 cave, stalactite, or stalagmite.

25 (ii)(A) "Archaeological feature" means a non-portable element created or used by  
26 humans that provides insights into past human activities or organization at a  
27 site.

28 (B) "Archaeological feature" includes a petroglyph, a pictograph, a habitation  
29

31 cave or rock shelter, and other marks or carvings on rock or elsewhere that are  
32 of archaeological interest.

33 (iii) "Public lands" means state or federally owned property that is held substantially  
34 in the property's natural state, including canyons, parks owned or managed by the  
35 state, national parks, land managed by the Bureau of Land Management, and other  
36 lands owned or maintained by a government entity for outdoor recreational use.

37 (b) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.

38 (2) An actor commits damage, destruction, or defacing by graffiti on public lands if the  
39 actor:

40 (a) damages or destroys:

41 (i) a natural feature on public lands;

42 (ii) an archaeological feature on public lands; or

43 (iii) a state-owned object permanently located on public lands; or

44 (b) creates, or assists in creating, graffiti on any public lands or state-owned object  
45 permanently located on public lands.

46 (3) A violation of Subsection (2) is<sup>[:]</sup> :

47 (a) a class B misdemeanor; or

48 (b) if the individual was previously convicted of violating this section, a class A  
49 misdemeanor.

50 (4) If an actor is convicted of [~~defacing by graffiti on public lands, the~~] a violation of this  
51 section, in addition to any other sentence imposed by the court, the court shall sentence  
52 the actor to a term of community service as follows:

53 (a) for a first conviction, the court shall sentence the actor to 100 hours of community  
54 service, to be completed within 90 days after the day on which the court issues the  
55 order;

56 (b) for a second conviction, the court shall sentence the actor to 200 hours of community  
57 service, to be completed within 180 days after the day on which the court issues the  
58 order; or

59 (c) for a third or subsequent conviction, the court shall sentence the actor to 300 hours of  
60 community service, to be completed within 270 days after the day on which the court  
61 issues the order.

62 (5) If an actor is enrolled in school or maintains full or part-time employment, the ordered  
63 community service may not be scheduled at a time the actor is scheduled to be in school  
64 or performing the individual's employment duties.

- 65 (6) A sentence of community service described in [~~Subjection~~] Subsection (4) shall, to the  
66 greatest extent possible, be for the benefit of public lands.
- 67 (7) If an actor is convicted of [~~defacing by graffiti on public lands~~] a violation of this section,  
68 the court may:
- 69 (a) [~~]impose a fine up to the full amount of the estimated cost to restore the damaged~~  
70 land, caused by the [~~actor~~] actor's violation of this section, to the land's original state;  
71 or
- 72 (b) order the actor to provide restitution to an authorized government agency that  
73 provides, or hires an outside agency to provide, restoration services for the damage  
74 caused by the actor's violation of this section.
- 75 (8) An actor who voluntarily, at the actor's own expense, and with the consent of the  
76 property owner, removes graffiti for which the actor is responsible shall be credited for  
77 costs ordered by the court under Subsection (7).

78 Section 2. **Effective Date.**

79 This bill takes effect on May 6, 2026.