

Criminal Offense Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

House Sponsor:

LONG TITLE**Committee Note:**

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 10 voting for 0 voting against 6 absent

General Description:

This bill makes technical corrections regarding certain criminal offenses.

Highlighted Provisions:

This bill:

- corrects a cross reference concerning the criminal offense of prohibited conduct in the sale of a dangerous weapon;

- corrects subsection numbering errors in the criminal offense of sexual battery;

- amends the criminal offense of distributing material harmful to minors to include a penalty provision that was inadvertently omitted from a technical recodification bill in the 2025 General Session and makes additional technical corrections to the penalty provisions of the criminal offense;

- revises the criminal offense of public assistance fraud by a recipient of public assistance by amending the name of the offense and correcting a citation;

- updates the names of criminal offenses for patterns of unlawful activity; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-5d-102, as last amended by Laws of Utah 2025, Chapters 173, 208

76-5-418, as renumbered and amended by Laws of Utah 2025, Chapter 173

76-5c-205, as renumbered and amended by Laws of Utah 2025, Chapter 173

31 **76-8-1203.3**, as enacted by Laws of Utah 2024, Chapter 96

32 **76-17-401**, as renumbered and amended by Laws of Utah 2025, Chapter 173

33
34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **53-5d-102** is amended to read:

36 **53-5d-102 . Definitions.**

37 As used in this chapter:

- 38 (1) "Ammunition" means a bullet, a cartridge case, primer, propellant powder, or other
39 ammunition designed for use in any firearm, either as an individual component part or in
40 a completely assembled cartridge.
- 41 (2) "Manufacturer" means, with respect to a qualified product, a person who is engaged in
42 the business of manufacturing a qualified product and who is licensed to engage in
43 business as a manufacturer under 18 U.S.C. Chapter 44.
- 44 (3) "Negligent entrustment" means the supplying of a qualified product by a seller for use
45 by another person when the seller knows, or reasonably should know, the person to
46 whom the product is supplied is likely to, and does, use the product in a manner
47 involving unreasonable risk of physical injury to the person or others.
- 48 (4) "Person" means the same as that term is defined in Section 68-3-12.5.
- 49 (5)(a) "Qualified civil liability action" means a civil action or proceeding or an
50 administrative proceeding brought by any person against a manufacturer or seller of a
51 qualified product, or a trade association, for damages, punitive damages, injunctive or
52 declaratory relief, abatement, restitution, fines, or penalties, or other relief, resulting
53 from the criminal or unlawful misuse of a qualified product by the person or a third
54 party.
- 55 (b) "Qualified civil liability action" does not include:
- 56 (i) an action brought against a transferor convicted under 18 U.S.C. Sec. 924(h) or
57 Section ~~[76-11-302]~~ 76-11-216 by a party directly harmed by the conduct of which
58 the transferee was convicted;
- 59 (ii) an action brought against a seller for negligent entrustment or negligence per se;
- 60 (iii) an action in which a manufacturer or seller of a qualified product knowingly
61 violated a state or federal statute applicable to the sale or marketing of the
62 product, and the violation was a proximate cause of the harm for which relief is
63 sought, including:
- 64 (A) any incident in which the manufacturer or seller knowingly made any false

- entry in, or failed to make appropriate entry in, any record required to be kept under federal or state law with respect to the qualified product, or aided, abetted, or conspired with any person in making any false or fictitious oral or written statement with respect to any fact material to the lawfulness of the sale or other disposition of a qualified product; or
- (B) any case in which the manufacturer or seller aided, abetted, or conspired with any other person to sell or otherwise dispose of a qualified product, knowing, or having reasonable cause to believe, that the actual buyer of the qualified product was prohibited from possessing or receiving a firearm or ammunition under 18 U.S.C. Sec. 922(g) or (n) or Title 76, Chapter 11, Part 3, Persons Restricted Regarding Dangerous Weapons;
- (iv) an action for breach of contract or warranty in connection with the purchase of the product;
- (v) an action for death, physical injuries, or property damage resulting directly from a defect in design or manufacture of the product, when used as intended or in a reasonably foreseeable manner, except that where the discharge of the product was caused by a volitional act that constituted a criminal offense, then the act shall be considered the sole proximate cause of any resulting death, personal injuries, or property damage; or
- (vi) an action or proceeding commenced to enforce the provisions of 18 U.S.C. Chapter 44, 26 U.S.C. Chapter 53, or Title 76, Chapter 11, Weapons.
- (6) "Qualified product" means a firearm or antique firearm, as defined in Section 76-11-101, ammunition, or a component part of a firearm or ammunition.
- (7) "Seller" means, with respect to a qualified product, a federal firearms licensee, as defined in Section 53-5a-601.
- (8) "Trade association" means:
- (a) any corporation, unincorporated association, federation, business league, or professional or business organization not organized or operated for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual;
- (b) an organization described in 26 U.S.C. Sec. 501(c)(6) and exempt from tax under 26 U.S.C. Sec. 501(a); and
- (c) an organization, two or more members of which are manufacturers or sellers of a qualified product.

(9) "Unlawful misuse" means conduct that violates a statute, ordinance, or regulation as it relates to the use of a qualified product.

Section 2. Section **76-5-418** is amended to read:

76-5-418 . Sexual battery.

(1) Terms defined in Section 76-1-101.5 apply to this section.

(2) An actor commits sexual battery if, under circumstances not amounting to an offense described in Subsection (4)[~~the actor~~]:

(a) the actor intentionally touches, whether or not through clothing:

(i) the anus, buttocks, or any part of the genitals of another individual; or

(ii) [~~or~~]the breast of a female individual; and

[~~(iii)~~] (b) the actor's conduct is under circumstances that the actor knows or should know will likely cause affront or alarm to the individual touched.

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

(4) The offenses referred to in Subsection (2) are:

(a) rape under Section 76-5-402;

(b) rape of a child under Section 76-5-402.1;

(c) object rape under Section 76-5-402.2;

(d) object rape of a child under Section 76-5-402.3;

(e) forcible sodomy under [~~Subsection 76-5-403(2);~~] Section 76-5-403;

(f) sodomy on a child under Section 76-5-403.1;

(g) forcible sexual abuse under Section 76-5-404;

(h) sexual abuse of a child under Section 76-5-404.1;

(i) aggravated sexual abuse of a child under Section 76-5-404.3;

(j) aggravated sexual assault under Section 76-5-405; and

(k) an attempt to commit an offense under this Subsection [~~(2)~~] (4).

Section 3. Section **76-5c-205** is amended to read:

76-5c-205 . Distributing material harmful to minors.

(1) Terms defined in Sections 76-1-101.5, 76-5c-101, and 76-5c-201 apply to this section.

(2) An actor commits distributing material harmful to minors if the actor:

(a)(i) intentionally distributes or offers to distribute, or exhibits or offers to exhibit, material harmful to minors to an individual;

(ii) intentionally produces, performs, or directs any performance, before an individual that is harmful to minors; or

(iii) intentionally participates in a performance before an individual that is harmful to

- 133 minors; and
- 134 (b)(i) knows or believes the individual described in Subsection (2)(a) is a minor; or
- 135 (ii) negligently fails to determine if the individual described in Subsection (2)(a) is a
- 136 minor and the individual is a minor.
- 137 (3)(a) Except as provided in Subsection (3)(b)(iii), ~~[(e), (d), or (e),]~~ a violation of
- 138 Subsection (2) is a second degree felony if the actor is 18 years old or older and has
- 139 previously been convicted or adjudicated of a violation of Subsection (2) and is
- 140 subject to:
- 141 (i) a minimum mandatory fine of not less than \$5,000, plus \$10 for each article
- 142 exhibited up to the maximum allowed by law; and
- 143 (ii) incarceration, without suspension of sentence, for a term of not less than one year.
- 144 (b) ~~[Except as provided in Subsection (3)(c), (d), or (e), a]~~ A violation of Subsection (2)
- 145 is a third degree felony if:
- 146 (i) except as provided in Subsection (3)(c), the actor is 18 years old or older and is
- 147 subject to:
- 148 (A) a minimum mandatory fine of not less than \$1,000, plus \$10 for each article
- 149 exhibited up to the maximum allowed by law; and
- 150 (B) incarceration, without suspension of sentence, for a term of not less than 14
- 151 days; ~~[or]~~
- 152 (ii) the actor is younger than 18 years old and has previously been convicted or
- 153 adjudicated of a violation of Subsection (2); or
- 154 (iii)(A) the actor is 18 years old or older;
- 155 (B) the minor or the individual the actor believed to be a minor described in
- 156 Subsection (2) is 16 years old or older, and the actor is less than seven years
- 157 older than the minor or the individual the actor believed to be a minor at the
- 158 time of the offense; and
- 159 (C) the actor has previously been convicted or adjudicated of a violation of
- 160 Subsection (2).
- 161 (c) Except as provided in Subsection ~~[(3)(d) or (e)]~~ (3)(b)(iii), a violation of Subsection
- 162 (2) is a class A misdemeanor if the actor is 18 years old or older and the minor or the
- 163 individual the actor believed to be a minor described in Subsection (2) is 16 years old
- 164 or older, ~~[but younger than 18 years old,]~~ and the actor is less than seven years older
- 165 than the minor or the individual the actor believed to be a minor at the time of the
- 166 offense.

(d) Except as provided in Subsection [~~(3)(e)~~] (3)(b)(ii), a violation of Subsection (2) is a class A misdemeanor if the actor is 16 years old or 17 years old.

(e) ~~[A-]~~ Except as provided in Subsection (3)(b)(ii), a violation of Subsection (2) is a class B misdemeanor if the actor is younger than 16 years old.

(4)(a) This section does not apply to an Internet service provider, a provider of an electronic communications service as defined in 18 U.S.C. Sec. 2510, a telecommunications service, information service, or mobile service as defined in 47 U.S.C. Sec. 153, including a commercial mobile service as defined in 47 U.S.C. Sec. 332(d), or a cable operator as defined in 47 U.S.C. Sec. 522, if:

(i) the distribution of pornographic material by the Internet service provider occurs only incidentally through the provider's function of:

(A) transmitting or routing data from one person to another person; or

(B) providing a connection between one person and another person;

(ii) the provider does not intentionally aid or abet in the distribution of the pornographic material; and

(iii) the provider does not knowingly receive from or through a person who distributes the pornographic material a fee greater than the fee generally charged by the provider, as a specific condition for permitting the person to distribute the pornographic material.

(b) This section does not apply to a hosting company if:

(i) the distribution of pornographic material by the hosting company occurs only incidentally through the hosting company's function of providing data storage space or data caching to a person;

(ii) the hosting company does not intentionally engage, aid, or abet in the distribution of the pornographic material; and

(iii) the hosting company does not knowingly receive from or through a person who distributes the pornographic material a fee greater than the fee generally charged by the provider, as a specific condition for permitting the person to distribute, store, or cache the pornographic material.

(5) An Internet service provider is not negligent under this section if the Internet service provider complies with Section 76-5c-402.

(6) It is an affirmative defense to a prosecution for a violation of this section if the violation arises from displaying or exhibiting an outer portion of material that the material is:

(a) in a sealed opaque wrapper that covers at least the lower 2/3 of the material so that

the lower 2/3 of the material is concealed from view;

(b) placed behind a blinder rack; or

(c)(i) displayed in an area from which a minor is physically excluded; and

(ii) the material cannot be viewed by the minor from an area where the minor is allowed.

(7) Subsections (3)(a) and (3)(b)(i) supersede Section 77-18-105.

Section 4. Section **76-8-1203.3** is amended to read:

76-8-1203.3 . Public assistance fraud related to obtaining or using public assistance.

(1)(a) As used in this section, "SNAP benefit" means the same as that term is defined in Section 35A-1-102.

(b) Terms defined in Sections 76-1-101.5, 76-8-101, and 76-8-1201 apply to this section.

(2) An actor commits public assistance fraud ~~[by a recipient of]~~ relating to obtaining or using public assistance if the actor:

(a)(i) except as provided in Subsection (2)(b), is receiving public assistance administered by a state agency; and

(ii) intentionally, knowingly, or recklessly fails to disclose to the state agency administering the public assistance to the actor of a change of a material fact required to be disclosed under Subsection 76-8-1203(1) within 10 days after the day on which the change occurred;

(b)(i) is receiving public assistance from the Department of Workforce Services or the Department of Health and Human Services; and

(ii) at the time of a review or recertification, whichever comes first, intentionally, knowingly, or recklessly fails to disclose a change of a material fact required to be disclosed under Subsection 76-8-1203(1);

(c) in a manner not allowed by law, intentionally, knowingly, or recklessly uses, transfers, acquires, traffics in, falsifies, or possesses:

(i) SNAP benefits;

(ii) a SNAP benefit identification card;

(iii) a certificate of eligibility for medical services;

(iv) a Medicaid identification card;

(v) a fund transfer instrument;

(vi) a payment instrument; or

(vii) a public assistance warrant;

- (d)(i) is receiving public assistance;
- (ii) acquires income or resources in excess of the amount the actor previously reported to the state agency administering the public assistance to the actor; and
- (iii) fails to notify the state agency to which the actor previously reported within 10 days after the day on which the actor acquired the excess income or resources;
- (e)(i) fails to disclose a material fact required to be disclosed under Subsection 76-8-1203(1) or notify a state agency under Subsection 76-8-1203(2); and
- (ii)(A) intends to obtain or help another individual obtain an overpayment; or
- (B) obtains an overpayment, unauthorized payment, or benefit; or
- (f) receives an unauthorized payment or benefit as a result of unlawful acts described in this section, [~~Section 76-8-1203.3~~] Section 76-8-1203.1, Section 76-8-1203.5, or Section 76-8-1203.7.
- (3) Subject to Subsection (5), a violation of Subsection (2) is, based on the value of payments, assistance, or other benefits received, misappropriated, claimed, or applied:
- (a) a second degree felony if the value is or exceeds \$5,000;
- (b) a third degree felony if the value is or exceeds \$1,500 but is less than \$5,000;
- (c) a class A misdemeanor if the value is or exceeds \$500 but is less than \$1,500; or
- (d) a class B misdemeanor if the value is less than \$500.
- (4) It is not a defense to prosecution under this section that the actor repaid the funds or benefits obtained in violation of this section.
- (5)(a) In determining the value of payments, assistance, or other benefits received to determine the penalty level of an actor's conduct under Subsection (3), the value is calculated by aggregating the values of each instance of public assistance fraud committed by the actor as part of the same facts and circumstances or a related series of facts and circumstances.
- (b) The value of a benefit received by an individual is the ordinary or usual charge for similar benefits in the private sector.
- (6) The provisions of Section 35A-1-503 apply to a prosecution brought under this section.
- (7) Incidents of trafficking in SNAP benefits that occur within a six-month period, committed by an individual or coconspirators, are deemed to be a related series of facts and circumstances regardless of whether the transactions are conducted with a variety of unrelated parties.

Section 5. Section **76-17-401** is amended to read:

76-17-401 . Definitions.

As used in this part:

- (1)(a) "Enterprise" means an individual, sole proprietorship, partnership, corporation, business trust, association, or other legal entity, and a union or group of individuals associated in fact although not a legal entity.
- (b) "Enterprise" includes illicit as well as licit entities.
- (2) "Pattern of unlawful activity" means engaging in conduct that constitutes the commission of at least three episodes of unlawful activity, which episodes are not isolated, but have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics. Taken together, the episodes shall demonstrate continuing unlawful conduct and be related either to each other or to the enterprise. At least one of the episodes comprising a pattern of unlawful activity shall have occurred after July 31, 1981. The most recent act constituting part of a pattern of unlawful activity as defined by this part shall have occurred within five years of the commission of the next preceding act alleged as part of the pattern.
- (3) "Person" includes an individual or entity capable of holding a legal or beneficial interest in property, including state, county, and local governmental entities.
- (4) "Unlawful activity" means to directly engage in conduct or to solicit, request, command, encourage, or intentionally aid another person to engage in conduct that would constitute an offense described by the following crimes or categories of crimes, or to attempt or conspire to engage in an act that would constitute any of those offenses, regardless of whether the act is in fact charged or indicted by an authority or is classified as a misdemeanor or a felony:
- (a) an act prohibited by the criminal provisions under Title 13, Chapter 10, Unauthorized Recording Practices Act;
 - (b) an act prohibited by the criminal provisions under Title 19, Environmental Quality Code, Sections 19-1-101 through 19-7-109;
 - (c) taking, destroying, or possessing wildlife or parts of wildlife for the primary purpose of sale, trade, or other pecuniary gain under Title 23A, Wildlife Resources Act, or Section 23A-5-311;
 - (d) false claims for medical benefits, kickbacks, or other acts prohibited under Title 26B, Chapter 3, Part 11, Utah False Claims Act, Sections 26B-3-1101 through 26B-3-1112;
 - (e) an act prohibited by the criminal provisions under Title 32B, Chapter 4, Criminal Offenses and Procedure Act;

- (f) unlawful marking of [~~pistol or revolver~~] a handgun under Section 53-5a-105;
- (g) alteration of number or mark on [~~pistol or revolver~~] a handgun under Section 53-5a-106;
- (h) an act prohibited by the criminal provisions under Title 57, Chapter 11, Utah Uniform Land Sales Practices Act;
- (i) an act prohibited by the criminal provisions under Title 58, Chapter 37, Utah Controlled Substances Act, or Title 58, Chapter 37b, Imitation Controlled Substances Act, Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or Title 58, Chapter 37d, Clandestine Drug Lab Act;
- (j) an act prohibited by the criminal provisions under Title 61, Chapter 1, Utah Uniform Securities Act;
- (k) an act prohibited by the criminal provisions under Title 63G, Chapter 6a, Utah Procurement Code;
- (l) assault under Section 76-5-102;
- (m) aggravated assault under Section 76-5-103;
- (n) a threat of terrorism under Section 76-5-107.3;
- (o) a criminal homicide offense under Section 76-5-201;
- (p) kidnapping under Section 76-5-301;
- (q) aggravated kidnapping under Section 76-5-302;
- (r) human trafficking for labor under Section 76-5-308;
- (s) human trafficking for sexual exploitation under Section 76-5-308.1;
- (t) human smuggling under Section 76-5-308.3;
- (u) human trafficking of a child under Section 76-5-308.5;
- (v) benefiting from trafficking and human smuggling under Section 76-5-309;
- (w) aggravated human trafficking under Section 76-5-310;
- (x) sexual exploitation of a minor under Section 76-5b-201;
- (y) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
- (z) sexual extortion under Section 76-5b-204;
- (aa) arson under Section 76-6-102;
- (bb) aggravated arson under Section 76-6-103;
- (cc) causing a catastrophe under Section 76-6-105;
- (dd) burglary under Section 76-6-202;
- (ee) aggravated burglary under Section 76-6-203;
- (ff) burglary of a vehicle under Section 76-6-204;

337 (gg) manufacture or possession of an instrument for burglary or theft under Section
338 76-6-205;

339 (hh) robbery under Section 76-6-301;

340 (ii) aggravated robbery under Section 76-6-302;

341 (jj) theft under Section 76-6-404;

342 (kk) theft by deception under Section 76-6-405;

343 (ll) theft by extortion under Section 76-6-406;

344 (mm) theft by receiving stolen property under Section 76-6-408;

345 (nn) theft of [servicees] service under Section 76-6-409;

346 (oo) forgery under Section 76-6-501;

347 (pp) unlawful use of financial transaction card under Section 76-6-506.2;

348 (qq) unlawful acquisition, possession, or transfer of financial transaction card under
349 Section 76-6-506.3;

350 (rr) financial transaction card offenses under Section 76-6-506.6;

351 (ss) deceptive business practices under Section 76-6-507;

352 (tt) bribery or receiving bribe by person in the business of selection, appraisal, or
353 criticism of goods or services under Section 76-6-508;

354 (uu) bribery of a labor official under Section 76-6-509;

355 (vv) defrauding of creditors under Section 76-6-511;

356 (ww) acceptance of deposit by insolvent financial institution under Section 76-6-512;

357 (xx) unlawful dealing [~~with~~] of property by fiduciary under Section 76-6-513;

358 (yy) unlawful influence of a contest under Section 76-6-514;

359 (zz) making a false credit report under Section 76-6-517;

360 (aaa) criminal simulation under Section 76-6-518;

361 (bbb) criminal usury under Section 76-6-520;

362 (ccc) insurance fraud under Section 76-6-521;

363 (ddd) retail theft under Section 76-6-602;

364 (eee) [~~computer crimes~~] unlawful computer technology access or action or denial of
365 service attack under Section 76-6-703;

366 (fff) identity fraud under Section 76-6-1102;

367 (ggg) mortgage fraud under Section 76-6-1203;

368 (hhh) sale of [a-]child under Section 76-7-203;

369 (iii) bribery or offering a bribe under Section 76-8-103;

370 (jjj) threat to influence official or political action under Section 76-8-104;

371 (kkk) receiving or soliciting bribe or bribery by public servant under Section 76-8-105;
372 (lll) receiving bribe for endorsement of person as a public servant under Section
373 76-8-106;
374 (mmm) bribery for endorsement of person as public servant under Section 76-8-106.1;
375 (nnn) official misconduct based on unauthorized [æt] acts or failure of duty under
376 Section 76-8-201;
377 (ooo) official misconduct concerning inside information under Section 76-8-202;
378 (ppp) obstruction of justice in a criminal investigation or proceeding under Section
379 76-8-306;
380 (qqq) acceptance of bribe or bribery to prevent criminal prosecution under Section
381 76-8-308;
382 (rrr) harboring or concealing an offender who has escaped from official custody under
383 Section 76-8-309.2;
384 (sss) making a false or inconsistent material statement under Section 76-8-502;
385 (ttt) making a false or inconsistent statement under Section 76-8-503;
386 (uuu) making a written false statement under Section 76-8-504;
387 (vvv) tampering with a witness under Section 76-8-508;
388 (www) retaliation against a witness, victim, or informant under Section 76-8-508.3;
389 (xxx) receiving or soliciting a bribe as a witness under Section 76-8-508.7;
390 (yyy) extortion or bribery to dismiss a criminal proceeding under Section 76-8-509;
391 (zzz) tampering with evidence under Section 76-8-510.5;
392 (aaaa) falsification or alteration of a government record under Section 76-8-511, if the
393 record is a record described in Title 20A, Election Code, or Title 36, Chapter 11,
394 Lobbyist Disclosure and Regulation Act;
395 (bbbb) public assistance fraud by an applicant for public assistance under Section
396 76-8-1203.1;
397 (cccc) public assistance fraud [~~by a recipient of~~] related to obtaining or using public
398 assistance under Section 76-8-1203.3;
399 (dddd) public assistance fraud by a provider under Section 76-8-1203.5;
400 (eeee) fraudulently misappropriating public assistance funds under Section 76-8-1203.7;
401 (ffff) false statement to obtain or increase unemployment compensation under Section
402 76-8-1301;
403 (gggg) false statement to prevent or reduce unemployment compensation or liability
404 under Section 76-8-1302;

(hhhh) unlawful failure to comply with the Employment Security Act [~~requirements~~]
requirement under Section 76-8-1303;

(iiii) unlawful use or disclosure of employment information under Section 76-8-1304;

(jjjj) intentionally or knowingly causing one animal to fight with another under
Subsection 76-13-202(2)(d) or [~~(3)~~] (e), or Section 76-13-205 or 76-13-206
concerning dog fighting;

(kkkk) soliciting, recruiting, enticing, or intimidating a minor to join a criminal street
gang under Section 76-9-803;

(llll) aggravated soliciting, recruiting, enticing, or intimidating a minor to join a criminal
street gang under Section 76-9-803.1;

(mmmm) intimidating a minor to remain in a criminal street gang under Section
76-9-803.2;

(nnnn) aggravated intimidating a minor to remain in a criminal street gang under Section
76-9-803.3;

(oooo) unlawful conduct involving an explosive, chemical, or incendiary device under
Section 76-15-210;

(pppp) unlawful conduct involving an explosive, chemical, or incendiary part under
Section 76-15-211;

(qqqq) unlawful delivery or mailing of an explosive, chemical, or incendiary device
under Section 76-15-209;

(rrrr) forging or counterfeiting [~~trademarks~~] a trademark, trade name, or trade device
under Section 76-16-302;

(ssss) selling goods under a counterfeited trademark, trade name, or trade [~~deviees~~] device
under Section 76-16-303;

(tttt) [~~sales in containers~~] sale in a container bearing a registered trademark of a
substituted [~~artieles~~] article under Section 76-16-304;

(uuuu) [~~selling or dealing with~~] selling, trafficking, or withholding an article bearing a
registered trademark or service mark with intent to defraud under Section 76-16-306;

(vvvv) participating in gambling under Section 76-9-1402;

(wwwv) permitting gambling under Section 76-9-1403;

(xxxx) online gambling [~~prohibition~~] promotion under Section 76-9-1404;

(yyyy) general gambling promotion under Section 76-9-1405;

(zzzz) gambling fraud under Section 76-9-1406;

(aaaaa) possessing a gambling device or record under Section 76-9-1407;

(bbbbb) obtaining a benefit from a confidence game under Section 76-9-1410;
(ccccc) distributing pornographic material under Section 76-5c-202;
(ddddd) aiding or abetting a minor in distributing pornographic material under Section 76-5c-203;
(eeee) inducing acceptance of pornographic material under Section 76-5c-204;
(ffff) distributing material harmful to minors under Section 76-5c-205;
(ggggg) aiding or abetting a minor in distributing material harmful to minors under Section 76-5c-206;
(hhhhh) distribution of a pornographic ~~[file]~~ film for exhibition under Section 76-5c-305;
(iiii) indecent public display in the presence of a minor under Section 76-5c-207;
(jjjjj) engaging in prostitution under Section 76-5d-202;
(kkkkk) aiding prostitution under Section 76-5d-206;
(lllll) ~~[exploiting]~~ exploitation of prostitution under Section 76-5d-207;
(mmmmm) aggravated exploitation of prostitution under Section 76-5d-208;
(nnnnn) communications fraud under Section 76-6-525;
(oooo) possession of a dangerous weapon with criminal intent under Section 76-11-208;
(ppppp) an act prohibited by the criminal provisions of Chapter 9, Part 16, Money Laundering and Currency Transaction Reporting;
(qqqqq) vehicle compartment for contraband under Section 76-9-1902;
(rrrrr) ~~[-or-]~~ unlawful creation, installation, or attachment of a contraband compartment under Section 76-9-1903;
~~[(rrrrr)]~~ (sssss) an act prohibited by the criminal provisions of the laws governing taxation in this state; or
~~[(sssss)]~~ (ttttt) an act illegal under the laws of the United States and enumerated in 18 U.S.C. Secs. 1961(1)(B), (C), and (D).

Section 6. **Effective Date.**

This bill takes effect on May 6, 2026.