



LEGISLATIVE  
RESEARCH &  
GENERAL COUNSEL

# Title 76 Recodification Project

## For the 2024 General Legislative Session

Staff Presentation

Office of Legislative Research and General Counsel

October 11, 2023

# Overview of Recodification Project: Purpose

**Standardize existing offenses into a set framework, to allow for:**

- **Automation for law enforcement and prosecutorial offices**
- **Easier data collection**
- **Clarity in the law**

**Clarify and standardize language**

**Break apart statutes with multiple offenses into single statutes**

**Technical changes only**



# Overview: New Structure

## Standardized structure for offenses:

- (1): Definitions related to section
- (2): Elements of offense
- (3): Penalties
- (4): Limitations/Defenses
- (5) (6, etc.): Additional information related to punishment and other subjects

**\*First three subsections are rigidly enforced; the remaining subsections may be altered due to drafting concerns.**





# Example:

Section 76-8-316. Influencing, impeding, or retaliating against a judge or member of the Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole.

Current version contains four different offenses:

- Threats (Subsection (2))
- Assault (Subsection (3))
- Aggravated assault (Subsection (4))
- Attempted murder (Subsection (5))



# Now broken into four new offense sections:

- Section 76-8-316. Threat
- Section 76-8-316.2 Assault
- Section 76-8-316.4 Aggravated assault
- Section 76-8-316.6 Attempted murder





# Title 76 Recodification Project Status

- Chapters 1 – 4: No offenses
- Chapters 5 – 5b: 2022 General Session (10 parts) (COMPLETE)
- Chapter 6 – 6a: 2023 General Session (15 parts) (COMPLETE)
- Chapter 7: Offenses Against the Family (4 parts) (WAIT)
- Chapter 7a: Abortion Prohibition (3 parts) (WAIT)
- Chapter 8: Offenses Against the Admin. of Gov't (14 parts) ←
- Chapter 9: Offenses Against Public Order & Decency (10 parts)
- Chapter 10: Offenses Against Public Health, Safety, Welfare, and Morals (31 parts)