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2026 General Session: HB301, Drug Recodification, removes, amends, and reorganizes drug statutes that were found in Title 58. The following three tables track the statutes recodified in HB301:

- Table One lists the new statutes first and provides a description of the changes;
- Table Two lists the old statutes first; and
- Table Three outlines changes to other sections outside of Title 58.

TABLE ONE: NEW SECTIONS TO OLD SECTIONS + DESCRIPTION OF CHANGES

New Chapter/Part/Statute	Old Chapter/Part/Statute	Description of Changes/Other Notes
Title 58, Chapter 37, Controlled Substances	Title 58, Chapter 37, Utah Controlled Substances Act	
Part 1, General Provisions	(No parts)	
58-37-101. Definitions.	58-37-2. Definitions	<ul style="list-style-type: none"> • Minor technical changes • Moved definitions no longer in chapter to where they now appear
58-37-102. Applicability of chapter -- Uniform construction.	58-37-18. Prior prosecutions and proceedings continued -- Uniform construction.	<ul style="list-style-type: none"> • Changed “date of act” to the actual date (1/1/72) • Changed references to “act” to “chapter” • Minor technical changes
58-37-103. Restrictions on less restrictive ordinances.	58-37-8(18) Restrictions on ordinances	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-104. Severability.	58-37-8(17) severability	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-105. Division responsibilities – Licensing – Records required.	58-37-6 Subsections (1) through (6)	<ul style="list-style-type: none"> • Subsections (7) through (11) moved to separate sections as noted below • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-106. Judicial review	58-37-17. Judicial review	<ul style="list-style-type: none"> • Minor technical changes
58-37-107. Controlled substances	58-37-3. Controlled substances	<ul style="list-style-type: none"> • Renumbered only
58-37-108. Schedules of controlled substances	58-37-4. Schedules of controlled substances	<ul style="list-style-type: none"> • Minor technical changes

58-37-109. Listed controlled substances	58-37-4.2. Listed controlled substances	<ul style="list-style-type: none"> • Minor technical changes
58-37-110. Recognized controlled substance analogs	58-37-5.5. Recognized controlled substance analogs	<ul style="list-style-type: none"> • Renumbered only
58-37-111. Exceptions to applicability for certain herbs and food supplements.	58-37-2.5. Restricted applicability	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76
58-37-112. Labeling and packaging controlled substance -- Informational pamphlet for opiates -- Naloxone education and offer to dispense.	58-37-7 (1) through (5). Labeling and packaging controlled substance -- Informational pamphlet for opiates -- Naloxone education and offer to dispense.	<ul style="list-style-type: none"> • Subsections (6) and (7) are now offenses in Title 76: <ul style="list-style-type: none"> ○ 76-18-205 ○ 76-18-206 • Minor technical changes
58-37-113. Medical research use of controlled substances – Penalties for violation.	58-37-6(10) concerning medical research	<ul style="list-style-type: none"> • Moved 58-37-6(10) here • Added penalty provision from 58-37-6(8) as well because it applied to 58-37-6(10) • Minor technical changes
58-37-114. Burden of proof in proceedings on violations.	58-37-15(1) and (2). Burden of proof in proceedings on violations – Enforcement officers exempt from liability	<ul style="list-style-type: none"> • Moved 58-37-15(3) on law enforcement immunity to new section (58-37-115) • Updated reference to “act” to “chapters” and added references to reflect sections that moved to Title 76 • Minor technical changes
58-37-115. Restrictions on liability for law enforcement.	58-37-15(3) concerning law enforcement liability	<ul style="list-style-type: none"> • Moved 58-37-15(3) on law enforcement immunity to this section • Updated reference to reflect sections that moved to Title 76
Part 2, Enforcement, Proceedings, and Penalties	(no parts)	
58-37-201. Definitions	Reserved	
58-37-202. Applicability of Title 76 to prosecutions.	58-37-8.5. Applicability of Title 76 prosecutions under this chapter	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-203. Enforcement – Coordination and cooperation of federal and state agencies – Powers.	58-37-12. Enforcement – Coordination and cooperation of federal and state agencies – Powers.	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-204. Investigators – Status of peace officers.	58-37-9. Investigators – Status of peace officers.	<ul style="list-style-type: none"> • Updated reference to reflect sections that moved to Title 76 • Minor technical changes
58-37-205. Search warrants—administrative inspection warrants –	58-37-10. Search warrants—administrative inspection warrants – Inspections and	<ul style="list-style-type: none"> • Updated reference to “act” to “chapters” and added references to reflect sections that moved to Title 76 • Minor technical changes

Inspections and seizures of property without warrant.	seizures of property without warrant	
58-37-206. Court action to enjoin a violation – Jury trial.	58-37-11. Court action to enjoin violations –Jury trial.	<ul style="list-style-type: none"> • Updated reference to “act” to “chapters” and added references to reflect sections that moved to Title 76 • Minor technical changes
58-37-207. Resort for illegal use or possession of controlled substances deemed common nuisance – District court power to suppress and enjoin.	58-37-14. Resort for illegal use or possession of controlled substances deemed common nuisance – District court power to suppress and enjoin.	<ul style="list-style-type: none"> • Updated reference to “act” to “chapter” and added references to reflect sections that moved to Title 76 • Minor technical changes
58-37-208. Prima facie evidence	58-37-8(9) prima facie evidence	<ul style="list-style-type: none"> • Moved 58-37-8(9) here because it refers to “chapter” • Added references to reflect sections that moved to Title 76 • Minor technical changes
58-37-209. Privileged communication.	58-37-6(9) concerning privilege	<ul style="list-style-type: none"> • Moved 58-37-6(9) here
58-37-210. Penalties—Bar to state prosecution.	58-37-8(5) and (8)(b) concerning general penalty and bar to prosecution	<ul style="list-style-type: none"> • Moved 58-37-8(5) and (8)(b) here because they refer to “chapter” • Added references to reflect sections that moved to Title 76
Part 3, Specific Provisions Regarding Prescriptions and Orders	(no parts)	
58-37-301. Definitions	Reserved	<ul style="list-style-type: none"> • Reserved
58-37-302. Electronic prescriptions for controlled substances.	58-37-22. Electronic prescriptions for controlled substances	<ul style="list-style-type: none"> • Renumbered only
58-37-303. Continuing education for controlled substance prescribers.	58-37-6.5. Continuing education for controlled substance prescribers	<ul style="list-style-type: none"> • Renumbered only
58-37-304. Prescription requirements -- Penalties.	58-37-6(7) and (8) concerning requirements for prescriptions	<ul style="list-style-type: none"> • Moved 58-37-6(7) and (8) here • Subsection (8) has penalties applicable to (7) • This section now contains the subsection that is being repealed in 2032, and the corresponding section has been updated in the bill • Minor technical changes
58-37-305. High risk prescriptions.	58-37-6(11) concerning high risk prescriptions	<ul style="list-style-type: none"> • Moved 58-37-6(11) here • Minor technical changes
58-37-306. Opiate prescription consultation – Prescription for opiate antagonist required.	58-37-19. Opiate prescription consultation – Prescription for opiate antagonist required.	<ul style="list-style-type: none"> • Minor technical changes

58-37-307. Methadone orders authorized.	58-37-23. Methadone orders authorized	<ul style="list-style-type: none"> Minor technical changes
58-37-308. Veterinary exemption for gabapentin.	58-37-6.1. Veterinary exemption for gabapentin.	<ul style="list-style-type: none"> Added references to reflect sections that moved to Title 76
58-37-309. Drugs for behavioral health treatment.	58-37-3.5 Drugs for behavioral health treatment	<ul style="list-style-type: none"> Updated reference to reflect sections that moved to Title 76
Part 4, Specific Provisions Relating to Cannabis, Cannabinoid Products, and Hemp	(no parts)	
58-37-401. Definitions	Reserved	Reserved
58-37-402. Exemption for possession or use of cannabis to treat a qualifying illness – Penalties.	58-37-3.9. Exemption for possession or use of cannabis to treat a qualifying illness	<ul style="list-style-type: none"> Added references to reflect sections that moved to Title 76 Minor technical changes
58-37-403. Exemption for possession or distribution of a cannabinoid product, expanded cannabinoid product, or transportable industrial hemp concentrate.	58-37-3.6. Exemption for possession or distribution of a cannabinoid product, expanded cannabinoid product, or transportable industrial hemp concentrate.	<ul style="list-style-type: none"> Added references to reflect sections that moved to Title 76 Minor technical changes
58-37-404. Medical cannabis decriminalization.	58-37-3.7. Medical cannabis decriminalization	<ul style="list-style-type: none"> Added references to reflect sections that moved to Title 76 Minor technical changes
58-37-405. Enforcement.	58-37-3.8. Enforcement	<ul style="list-style-type: none"> Minor technical changes
Title 58, Chapter 37c, Controlled Substance Precursors	Title 58, Chapter 37c, Controlled Substance Precursor Act	
Part 1, General Provisions	(no parts)	
58-37c-101. Definitions	58-37c-3. Definitions	<ul style="list-style-type: none"> Minor technical changes
58-37c-102. Responsibility of Department of Commerce – Delegation to the Division of Professional Licensing – Rulemaking authority of the division.	58-37c-5. Responsibility of Department of Commerce – Delegation to the Division of Professional Licensing – Rulemaking authority of the division.	<ul style="list-style-type: none"> Minor technical changes
58-37c-103. Division duties.	58-37c-6. Division duties	<ul style="list-style-type: none"> Minor technical changes
58-37c-104. Controlled substance precursor license.	58-37c-7. Controlled substance precursor license.	<ul style="list-style-type: none"> Renumbered only
58-37c-105. License— Exceptions from licensure or regulation.	58-37c-8. License—Exceptions from licensure or regulation.	<ul style="list-style-type: none"> Renumbered only

58-37c-106. Term of license—Expiration – Renewal.	58-37c-9. Term of license—Expiration – Renewal.	<ul style="list-style-type: none"> Renumbered only
58-37c-107. Reporting and recordkeeping – Penalty.	58-37c-10. Reporting and recordkeeping.	<ul style="list-style-type: none"> Contents of repealed 58-37c-16 placed here Minor technical changes
58-37c-108. Grounds for denial of license -- Disciplinary proceedings.	58-37c-12. Grounds for denial of license -- Disciplinary proceedings.	<ul style="list-style-type: none"> Renumbered only
58-37c-109. License does not authorize possession of controlled substances.	58-37c-13. License does not authorize possession of controlled substances.	<ul style="list-style-type: none"> Minor technical changes
58-37c-110. Emergency listing provision.	58-37c-14. Emergency listing provision.	<ul style="list-style-type: none"> Minor technical changes
58-37c-111. Civil forfeiture.	58-37c-15. Civil forfeiture.	<ul style="list-style-type: none"> Minor technical changes
58-37c-112. Inspection authority.	58-37c-17. Inspection authority.	<ul style="list-style-type: none"> Minor technical changes
58-37c-113. Department of Public Safety enforcement authority.	58-37c-21. Department of Public Safety enforcement authority.	<ul style="list-style-type: none"> Minor technical changes
58-37c-114. Penalty for unlawful conduct.	58-37c-11. Unlawful conduct — penalties.	<ul style="list-style-type: none"> Minor technical changes
Part 2, Provisions Concerning Specific Precursors	(no parts)	
58-37c-201. Definitions.	Reserved	Reserved
58-37c-202. Recordkeeping requirements for sale of crystal iodine – Penalty.	58-37c-18. Recordkeeping requirements for sale of crystal iodine.	<ul style="list-style-type: none"> Minor technical changes
58-37c-203. Possession or sale of crystal iodine -- Penalty.	58-37c-19. Possession or sale of crystal iodine.	<ul style="list-style-type: none"> Minor technical changes
58-37c-204. Iodine solution greater than 1.5% -- Prescription or permit required -- Penalties.	58-37c-19.5. Iodine solution greater than 1.5% -- Prescription or permit required -- Penalties.	<ul style="list-style-type: none"> Minor technical changes
58-37c-205. Red phosphorus is a precursor – Penalty -- Affirmative defense.	58-37c-19.7. Red phosphorus is a precursor -- Affirmative defense.	<ul style="list-style-type: none"> Minor technical changes
58-37c-206. Anhydrous ammonia is a precursor – Penalty-- Requirements regarding purposes and containers.	58-37c-19.9. Anhydrous ammonia is a precursor -- Requirements regarding purposes and containers.	<ul style="list-style-type: none"> Minor technical changes
58-37c-207. Possession of ephedrine, pseudoephedrine, or phenylpropanolamine –	58-37c-20. Possession of ephedrine, pseudoephedrine, or phenylpropanolamine -- Penalties.	<ul style="list-style-type: none"> Minor technical changes

Penalties – Affirmative defense.		
58-37c-208. Pseudoephedrine products -- Limitations on retail sale - Penalty.	58-37c-20.5. Pseudoephedrine products -- Limitations on retail sale.	<ul style="list-style-type: none"> • Minor technical changes
Title 58, Chapter 37e, Drug Dealer Liability	Title 58, Chapter 37e, Drug Dealer’s Liability Act	
58-37e-101. Definitions	58-37e-2	<ul style="list-style-type: none"> • Minor technical changes
58-37e-102. Liability for participation in the illegal drug market –Exemption.	58-37e-3	<ul style="list-style-type: none"> • Minor technical changes
58-37e-103. Recovery of damages.	58-37e-4	<ul style="list-style-type: none"> • Renumbered only
58-37e-104. Limited recovery of damages by individual drug user.	58-37e-5	<ul style="list-style-type: none"> • Minor technical changes
58-37e-105. Third party cases.	58-37e-6	<ul style="list-style-type: none"> • Renumbered only
58-37e-106. Illegal drug market target community.	58-37e-7	<ul style="list-style-type: none"> • Renumbered only
58-37e-107. Joinder of parties.	58-37e-8	<ul style="list-style-type: none"> • Minor technical changes
58-37e-108. Comparative responsibility.	58-37e-9	<ul style="list-style-type: none"> • Minor technical changes
58-37e-109. Contribution among and recovery from multiple defendants.	58-37e-10	<ul style="list-style-type: none"> • Minor technical changes
58-37e-110. Standard of proof—Effect of criminal drug conviction.	58-37e-11	<ul style="list-style-type: none"> • Minor technical changes
58-37e-111. Prejudgment attachment and execution on judgments.	58-37e-12	<ul style="list-style-type: none"> • Minor technical changes
58-37e-112. Statute of limitations.	58-37e-13	<ul style="list-style-type: none"> • Replaced “effective date of this chapter” with date the chapter was effective • Minor technical changes
58-37e-113. Representation of governmental entities – Stay of action.	58-37e-14	<ul style="list-style-type: none"> • Renumbered only
Title 76, Chapter 18, Drug Offenses	Parts of Title 58, Chapters 37, 37a, 37b, & 37d	
Part 1, General Provisions	Parts of Title 58, Chapter 37	
76-18-101. Definitions		<ul style="list-style-type: none"> • Reserved
76-18-102. Applicable provisions to chapter from other titles	References to 58-37-3.5 (new 58-37-309) and 58-37-3.9 (new 58-37-402)	<ul style="list-style-type: none"> • Added references to applicability of sections that referenced all of Title 58 in order to preserve scope

Part 2, Offenses Concerning Controlled Substances	Parts of Title 58, Chapter 37	
76-18-201. Definitions	Part of 58-37-2	<ul style="list-style-type: none"> Moved definitions from 58-37-2 here since no longer used in that chapter Added references to reflect sections that moved to Title 76 Minor technical changes
76-18-202. Applicable provisions to part from other titles.	58-37-101 58-37-102 58-37-104 58-37-105 58-37-107 58-37-108 58-37-109 58-37-110 58-37-111 58-37-114 58-37-115 58-37-202 58-37-203 58-37-204 58-37-206 58-37-208 58-37-210 58-37-308 58-37-403 58-37-404 58-37-405	<ul style="list-style-type: none"> Added references to applicability of sections that referenced Title 58, Chapter 37, in order to preserve scope of those sections
76-18-203. Exemptions and affirmative defenses applicable to certain drug offenses.	58-37-8(10) Veterinarians 58-37-8(11) Placebo, law enforcement, investigational drugs 58-37-8(12) Peyote 58-37-8(13) & (14) Medical research	<ul style="list-style-type: none"> Moved affirmative defenses together that were in 58-37-8 Minor technical changes
76-18-204. Enhanced penalties and sentencing for certain drug offenses.	58-37-8(4)	<ul style="list-style-type: none"> Moved 58-37-8(4) here Updated formatting to match Title 76 formatting Minor technical changes
76-18-205. Unlawful alteration or removal of a controlled substance label.	58-37-7(6) concerning altering labels	<ul style="list-style-type: none"> Moved 58-37-7(6) here Added catch-all penalty from 58-37-8(5) Updated formatting to match Title 76 formatting Minor technical changes for clarity
76-18-206. Unlawful failure to use original controlled substance container.	58-37-7(7) concerning original containers	<ul style="list-style-type: none"> Moved 58-37-7(7) here Added catch-all penalty from 58-37-8(5)

		<ul style="list-style-type: none"> • Updated formatting to match Title 76 formatting • Minor technical changes for clarity
76-18-207. Unlawful possession or use of a controlled substance or controlled substance analog.	58-37-8(2)(a)(i)	<ul style="list-style-type: none"> • Added provision from 58-37-8(15) limiting penalty enhancement from a 76-18-207 violation • Added clarifying “not including marijuana” to applicable penalty provisions to clarify that a different penalty applies for marijuana despite it being a Schedule I drug • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6), (7), and (8)(a) • Added minors screening provision from 58-37-8(19) • Added reporting by courts based on requirement in 58-37-8(2)(g) • Added bystander defense from 58-37-8(16)
76-18-208. Unlawfully producing, manufacturing, or dispensing a controlled substance or counterfeit substance.	58-37-8(1)(a)(i)	<ul style="list-style-type: none"> • Added clarifying “not including marijuana” to applicable penalty provision to clarify that a different penalty applies for marijuana despite it being a Schedule I drug • Added reference to 76-18-204 concerning applicability of enhanced penalties from existing 58-37-8(4) • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6)(a), (7) and (8)(a) • Added reporting by courts based on requirement in 58-37-8(1)(e) • Added minors screening provision from 58-37-8(19)
76-18-209. Unlawfully distributing or agreeing to distribute a controlled substance or counterfeit substance.	58-37-8(1)(a)(ii)	<ul style="list-style-type: none"> • Added clarifying “not including marijuana” to applicable penalty provision to clarify that a different penalty applies for marijuana despite it being a Schedule I drug • Added reference to 76-18-204 concerning applicability of enhanced penalties from existing 58-37-8(4) • Added additional sentencing provisions from 58-37-8(1)(c) for first and second degree felonies

		<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6)(a), (7), and (8)(a) • Added reporting by courts based on requirement in 58-37-8(1)(e) • Added minors screening provision from 58-37-8(19)
76-18-210. Unlawfully possessing a controlled substance or counterfeit controlled substance with intent to distribute	58-37-8(1)(a)(iii)	<ul style="list-style-type: none"> • Added clarifying “not including marijuana” to applicable penalty provision to clarify that a different penalty applies for marijuana despite it being a Schedule I drug • Added reference to 76-18-204 concerning applicability of enhanced penalties from existing 58-37-8(4) • Added additional sentencing provisions from 58-37-8(1)(c) for first and second degree felonies • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6)(a), (7), and (8)(a) • Added reporting by courts based on requirement in 58-37-8(1)(e) • Added minors screening provision from 58-37-8(19)
76-18-211. Unlawfully engaging in a continuing criminal enterprise involving drugs.	58-37-8(1)(a)(iv)	<ul style="list-style-type: none"> • Added reference to 76-18-204 concerning applicability of enhanced penalties from existing 58-37-8(4) • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6)(a), (7),4 and (8)(a) • Added reporting by courts based on requirement in 58-37-8(1)(e) • Added minors screening provision from 58-37-8(19)
76-18-212. Unlawfully allowing possession, use, or distribution of a controlled substance on premises.	58-37-8(2)(a)(ii)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6), (7) and (8)(a) • Added reporting by courts based on requirement in 58-37-8(2)(g) • Added minors screening provision from 58-37-8(19)

76-18-213. Unlawful possession of altered or forged prescription or order for a controlled substance	58-37-8(2)(a)(iii)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(6), (7) and (8)(a) • Added reporting by courts based on requirement in 58-37-8(2)(g) • Added minors screening provision from 58-37-8(19)
76-18-214. Unlawful use of license number in the course of manufacturing or distributing a controlled substance.	58-37-8(3)(a)(i) (first half of provision)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(7) and (8)(a) • Added minors screening provision from 58-37-8(19)
76-18-215. Unlawful misrepresentation as an authorized person to obtain a controlled substance	58-37-8(3)(a)(i) (second half of provision)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(7) and (8)(a) • Added minors screening provision from 58-37-8(19)
76-18-216. Unlawful conduct to obtain a controlled substance.	part of 58-37-8(3)(a)(ii) (rest is in next section)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(7) and (8)(a) • Added minors screening provision from 58-37-8(19)
76-18-217. Unlawfully prescribing or dispensing a controlled substance to a person known to be using unlawful means.	Remaining part of 58-37-8(3)(a)(ii)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(7) and (8)(a) • Added minors screening provision from 58-37-8(19)
76-18-218. Unlawfully making, forging, altering, or uttering a prescription or a written order.	58-37-8(3)(a)(iii)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(1) - (14) • Added language from former 58-37-8(7) and (8)(a) • Added minors screening provision from 58-37-8(19)
76-18-219. Unlawful materials to create a counterfeit controlled substance.	58-37-8(3)(a)(iv)	<ul style="list-style-type: none"> • Added reference to new section for defenses and exemptions from former 58-37-8(10) - (14) • Added language from former 58-37-8(7) and (8)(a)

		<ul style="list-style-type: none"> Added minors screening provision from 58-37-8(19)
78-18-220. Trafficking of fentanyl or a fentanyl-related substance.	58-37-8.1. Trafficking of fentanyl or a fentanyl-related substance.	<ul style="list-style-type: none"> Updated formatting to match Title 76 formatting
76-18-221. Unlawful failure to report a practitioner's diversion of drugs.	58-37-8.2 Duty to report drug diversion	<ul style="list-style-type: none"> Updated formatting to match Title 76 formatting Renamed offense for clarity
76-18-222. Possession, sale, or use of an adulterant or synthetic urine.	58-37-8.3. Possession, sale, or use of an adulterant or synthetic urine.	<ul style="list-style-type: none"> Minor technical changes
Part 3, Offenses Concerning Drug Paraphernalia	Title 58, Chapter 37a, Utah Drug Paraphernalia Act	
76-18-301. Definitions	58-37a-3. Drug paraphernalia defined	<ul style="list-style-type: none"> Added definition for "minor" for part for clarity Minor technical changes
76-18-302. Considerations in determining whether an object is drug paraphernalia.	58-37a-4. Considerations in determining whether object is drug paraphernalia	<ul style="list-style-type: none"> Minor technical changes
76-18-303. Seizure – Forfeiture – Property Rights—Bystander defense	58-37a-6 58-37-8(16)	<ul style="list-style-type: none"> Added bystander defense from 58-37-8(16) because it applies to this part Minor technical changes
76-18-304. Unlawful use of drug paraphernalia	58-37a-5. Unlawful acts	<ul style="list-style-type: none"> Now only contains offense from Subsection (1) as well as related provisions Added contents from repealed 58-37a-7 regarding sentencing of minors Removed additional embedded offenses and placed in own statutes as noted below Updated formatting to match Title 76 formatting Minor technical changes
76-18-305. Unlawful delivery of drug paraphernalia.	Subsections 58-37a-5(2) and (3)	<ul style="list-style-type: none"> Embedded offense from Subsections 58-37a-5(2) and (3) Added contents from repealed 58-37a-7 regarding sentencing of minors Updated formatting to match Title 76 formatting Minor technical changes
76-18-306. Unlawful advertisement of drug paraphernalia	Subsection 58-37a-5(4)	<ul style="list-style-type: none"> Embedded offense from Subsection 58-37a-5(4) Added contents from repealed 58-37a-7 regarding sentencing of minors

		<ul style="list-style-type: none"> • Updated formatting to match Title 76 formatting • Minor technical changes
Part 4, Offenses Concerning Imitation Controlled Substances	Title 58, Chapter 37b, Imitation Controlled Substances Act	
76-18-401. Definitions	58-37b-2. Definitions.	<ul style="list-style-type: none"> • Added definition of “minor” for part • Minor technical changes
76-18-402. Exemption of certain persons – Bystander defense.	58-37b-8. Exemption of persons registered under Controlled Substances Act	<ul style="list-style-type: none"> • Added bystander defense from 58-37-8(16) because referenced in that section • Minor technical changes
76-18-403. Unlawful use of an imitation controlled substance.	58-37b-6. Use of substance unlawful – Penalty.	<ul style="list-style-type: none"> • Added contents of repealed 58-37b-9 regarding sentencing of minors • Updated formatting to match Title 76 formatting • Minor technical changes
76-18-404. Unlawful manufacture of an imitation controlled substance.	58-37b-4. Manufacture, distribution or possession of substance unlawful—Penalty.	<ul style="list-style-type: none"> • Removed embedded offense regarding distribution and placed into new section as described below • Added contents of repealed 58-37b-9 regarding sentencing of minors • Added reference to enhancement provision under 76-18-204 because this statute (58-37b-4) was referenced there • Updated formatting to match Title 76 formatting • Minor technical changes
76-18-405. Unlawful distribution or possession with intent to distribute an imitation controlled substance.	58-37b-4 (embedded offense)	<ul style="list-style-type: none"> • New statute created by removing embedded offense from 58-37b-4 concerning distribution • Added contents of repealed 58-37b-9 regarding sentencing of minors • Added reference to enhancement provision under 76-18-204 because this statute (58-37b-4) was referenced there • Minor technical changes
76-18-406. Unlawful advertisement of an illegal controlled substance.	58-37b-7. Advertisement of substance unlawful – Penalty.	<ul style="list-style-type: none"> • Added contents of repealed 58-37b-9 regarding sentencing of minors • Updated formatting to match Title 76 formatting • Minor technical changes
Part 5, Clandestine Drug Labs	Title 58, Chapter 37d, Clandestine Drug Lab Act	
76-18-501. Definitions.	58-37d-3	<ul style="list-style-type: none"> • Minor technical changes

76-18-502. Purpose – Coordination with other sections	58-37d-2	<ul style="list-style-type: none"> Added references to reflect sections that moved to Title 76, Chapter 18, Part 2 Minor technical changes
76-18-503. Department of Public Safety enforcement authority.	58-37d-9	<ul style="list-style-type: none"> Minor technical changes
76-18-504. Seizure and forfeiture.	58-37d-7	<ul style="list-style-type: none"> Renumbered only
76-18-505. Legal inference of intent – Illegal possession of a controlled substance precursor or clandestine laboratory equipment.	58-37d-6	<ul style="list-style-type: none"> Minor technical changes
76-18-506. Unlawful clandestine drug offense.	58-37d-4, 58-37d-5	<ul style="list-style-type: none"> Added contents of repealed 58-37d-5 to this section Updated formatting to match Title 76 formatting Minor technical changes

TABLE TWO: OLD SECTIONS TO NEW SECTIONS

Old Code Reference	Name	New Code Reference (see Table 1 for details)
Title 58, Ch. 37	Utah Controlled Substances Act (Controlled Substances)	Portions of chapter left in place and others placed in Title 76, Ch. 18, Part 2
58-37-1	Short title.	Repealed as per drafting guidelines
58-37-2	Definitions.	Renumbered to 58-37-101 except as noted in 76-18-201
58-37-2.5	Restricted applicability.	Renumbered as 58-37-111
58-37-3	Controlled substances.	Renumbered as 58-37-107
58-37-3.5	Drugs for behavioral health treatment.	Renumbered as 58-37-309
58-37-3.6	Exemption for possession or distribution of a cannabinoid product, expanded cannabinoid product, or transportable industrial hemp concentrate.	Renumbered as 58-37-403
58-37-3.7	Medical cannabis decriminalization.	Renumbered as 58-37-404
58-37-3.8	Enforcement.	Renumbered as 58-37-405
58-37-3.9	Exemption for possession or use of cannabis to treat a qualifying illness.	Renumbered as 58-37-402

58-37-4	Schedules of controlled substances -- Schedules I through V -- Findings required -- Specific substances included in schedules.	Renumbered as 58-37-108
58-37-4.2	Listed controlled substances.	Renumbered as 58-37-109
58-37-5.5	Recognized controlled substance analogs.	Renumbered as 58-37-110
58-37-6	License to manufacture, produce, distribute, dispense, administer, or conduct research -- Issuance by division -- Denial, suspension, or revocation -- Records required -- Prescriptions.	Renumbered: 58-37-6(1) through (6) as 58-37-105 58-37-6(7) and (8) as 58-37-304 58-37-6(9) as 58-37-209 58-37-6(10) as 58-37-113 58-37-6(11) as 58-37-305
58-37-6.1	Veterinary exemption for gabapentin.	Renumbered as 58-37-308
58-37-6.5	Continuing education for controlled substance prescribers.	Renumbered as 58-37-303
58-37-7	Labeling and packaging controlled substance -- Informational pamphlet for opiates -- Naloxone education and offer to dispense.	Renumbered: 58-37-7(1) through (5) as 58-37-112 58-37-7(6) as 76-18-205 58-37-7(7) as 76-18-206
58-37-8	Prohibited acts -- Penalties.	Repealed and contents placed as follows: 58-37-8(1)(a)(i) as 76-18-208 58-37-8(1)(a)(ii) as 76-18-209 58-37-8(1)(a)(iii) as 76-18-210 58-37-8(1)(a)(iv) as 76-18-211 58-37-8(2)(a)(i) as 76-18-207 58-37-8(2)(a)(ii) as 76-18-212 58-37-8(2)(a)(iii) as 76-18-213 58-37-8(3)(a)(i) as 76-18-214 & 76-18-215 58-37-8(3)(a)(ii) as 76-18-216 & 76-18-217 58-37-8(3)(a)(iii) as 76-18-218 58-37-8(3)(a)(iv) as 76-18-219 58-37-8(4) as 76-18-204 58-37-8(5) as 58-37-210 58-37-8(6) added to relevant offenses 58-37-8(7) added to relevant offenses 58-37-8(8)(a) added to relevant offenses 58-37-8(8)(b) as 58-37-210 58-37-8(9) as 58-37-208 58-37-8(10) through (14) as 76-18-203

		58-37-8(15) added to 76-18-207 58-37-8(16) added to relevant offenses 58-37-8(17) as 58-37-104 58-37-8(18) as 58-37-103 58-37-8(19) added to relevant offenses
58-37-8.1	Trafficking of fentanyl or a fentanyl-related substance.	Renumbered as 76-18-220
58-37-8.2	Duty to report drug diversion.	Renumbered as 76-18-221
58-37-8.3	Possession, sale, or use of an adulterant or synthetic urine.	Renumbered as 76-18-222
58-37-8.5	Applicability of Title 76 prosecutions under this chapter.	Renumbered as 58-37-202
58-37-9	Investigators -- Status of peace officers.	Renumbered as 58-37-204
58-37-10	Search warrants -- Administrative inspection warrants -- Inspections and seizures of property without warrant.	Renumbered as 58-37-205
58-37-11	Court action to enjoin violations -- Jury trial.	Renumbered as 58-37-206
58-37-12	Enforcement -- Coordination and cooperation of federal and state agencies -- Powers.	Renumbered as 58-37-203
58-37-14	Resort for illegal use or possession of controlled substances deemed common nuisance -- District court power to suppress and enjoin.	Renumbered as 58-37-207
58-37-15	Burden of proof in proceedings on violations -- Enforcement officers exempt from liability.	Renumbered: 58-37-15(1) and (2) as 58-37-114 58-37-15(3) as 58-37-115
58-37-17	Judicial review.	Renumbered as 58-37-106
58-37-18	Prior prosecutions and proceedings continued -- Uniform construction.	Renumbered as 58-37-102
58-37-19	Opiate prescription consultation -- Prescription for opiate antagonist required.	Renumbered as 58-37-306
58-37-22	Electronic prescriptions for controlled substances.	Renumbered as 58-37-302
58-37-23	Methadone orders authorized.	Renumbered as 58-37-307
Title 58, Ch. 37a	Utah Drug Paraphernalia Act	Moved to Title 76, Chapter 18, Part 3
58-37a-1	Short title.	Repealed as per drafting guidelines
58-37a-2	Purpose.	Repealed as per drafting guidelines

58-37a-3	"Drug paraphernalia" defined. (Definitions)	Renumbered as 76-18-301
58-37a-4	Considerations in determining whether object is drug paraphernalia.	Renumbered as 76-18-302
58-37a-5	Unlawful acts.	Renumbered as 76-18-304, with separate offenses placed into new sections: Subsection (1): 76-18-304 Subsections (2) & (3): 76-18-305 Subsection (4): 76-18-306
58-37a-6	Seizure -- Forfeiture -- Property rights.	Renumbered as 76-18-303
58-37a-7	Sentencing requirements for minors.	Repealed and contents placed in offenses in 76-18-304, 76-18-305, and 76-18-306
Title 58, Ch. 37b	Imitation Controlled Substances Act	Moved to Title 76, Chapter 18, Part 4
58-37b-1	Short title.	Repealed as per drafting guidelines
58-37b-2	Definitions.	Renumbered as 76-18-401
58-37b-4	Manufacture, distribution or possession of substance unlawful -- Penalty.	Renumbered as 76-18-404 and 76-18-405 (split into two sections)
58-37b-6	Use of substance unlawful -- Penalty.	Renumbered as 76-18-403
58-37b-7	Advertisement of substance unlawful -- Penalty.	Renumbered as 76-18-406
58-37b-8	Exemption of persons registered under Controlled Substances Act.	Renumbered as 76-18-402
58-37b-9	Sentencing requirements for minors.	Repealed and contents placed in offenses in 76-18-404, 76-18-405, and 76-18-406
Title 58, Ch. 37c	Utah Controlled Substance Precursor Act	Remaining in place but renumbered and amended as noted below
58-37c-1	Short title.	Repealed as per drafting guidelines
58-37c-2	Purpose.	Repealed as per drafting guidelines
58-37c-3	Definitions.	Renumbered as 58-37c-101
58-37c-5	Responsibility of Department of Commerce -- Delegation to the Division of Professional Licensing - - Rulemaking authority of the division.	Renumbered as 58-37c-102

58-37c-6	Division duties.	Renumbered as 58-37c-103
58-37c-7	Controlled substance precursor license.	Renumbered as 58-37c-104
58-37c-8	License -- Exceptions from licensure or regulation.	Renumbered as 58-37c-105
58-37c-9	Term of license -- Expiration -- Renewal.	Renumbered as 58-37c-106
58-37c-10	Reporting and recordkeeping.	Renumbered as 58-37c-107
58-37c-11	Penalty for unlawful conduct.	Renumbered as 58-37c-114
58-37c-12	Grounds for denial of license -- Disciplinary proceedings.	Renumbered as 58-37c-108
58-37c-13	License does not authorize possession of controlled substances.	Renumbered as 58-37c-109
58-37c-14	Emergency listing provision.	Renumbered as 58-37c-110
58-37c-15	Civil forfeiture.	Renumbered as 58-37c-111
58-37c-16	Civil penalties.	Repealed; contents in new 58-37c-107
58-37c-17	Inspection authority.	Renumbered as 58-37c-112
58-37c-18	Recordkeeping requirements for sale of crystal iodine.	Renumbered as 58-37c-202
58-37c-19	Possession or sale of crystal iodine.	Renumbered as 58-37c-203
58-37c-19.5	Iodine solution greater than 1.5% - - Prescription or permit required -- Penalties.	Renumbered as 58-37c-204
58-37c-19.7	Red phosphorus is a precursor -- Affirmative defense.	Renumbered as 58-37c-205
58-37c-19.9	Anhydrous ammonia is a precursor -- Requirements regarding purposes and containers.	Renumbered as 58-37c-206
58-37c-20	Possession of ephedrine, pseudoephedrine, or phenylpropanolamine -- Penalties.	Renumbered as 58-37c-207
58-37c-20.5	Pseudoephedrine products -- Limitations on retail sale.	Renumbered as 58-37c-208
58-37c-21	Department of Public Safety enforcement authority.	Renumbered to 58-37c-113
Title 58, Ch. 37d	Clandestine Drug Lab Act	Moved to Title 76, Chapter 18, Part 5
58-37d-1	Short title.	Repealed as per drafting guidelines
58-37d-2	Purpose.	Renumbered as 76-18-502
58-37d-3	Definitions.	Renumbered as 76-18-501
58-37d-4	Prohibited acts -- Second degree felony.	Renumbered as 76-18-506

58-37d-5	Prohibited acts -- First degree felony.	Repealed and contents placed in 76-18-506
58-37d-6	Legal inference of intent -- Illegal possession of a controlled substance precursor or clandestine laboratory equipment.	Renumbered as 76-18-505
58-37d-7	Seizure and forfeiture.	Renumbered as 76-18-504
58-37d-8	Applicability of Title 76 prosecutions under this chapter.	Repealed due to placement of part in Title 76
58-37d-9	Department of Public Safety enforcement authority.	Renumbered as 76-18-503
Title 58, Ch. 37e	Drug Dealer's Liability Act	Remaining in place but renumbered and amended as noted below
58-37e-1	Title.	Repealed as per drafting guidelines
58-37e-2	Definitions.	Renumbered as 58-37e-101
58-37e-3	Liability for participation in the illegal drug market.	Renumbered as 58-37e-102
58-37e-4	Recovery of damages.	Renumbered as 58-37e-103
58-37e-5	Limited recovery of damages.	Renumbered as 58-37e-104
58-37e-6	Third party cases.	Renumbered as 58-37e-105
58-37e-7	Illegal drug market target community.	Renumbered as 58-37e-106
58-37e-8	Joinder of parties.	Renumbered as 58-37e-107
58-37e-9	Comparative responsibility.	Renumbered as 58-37e-108
58-37e-10	Contribution among and recovery from multiple defendants.	Renumbered as 58-37e-109
58-37e-11	Standard of proof -- Effect of criminal drug conviction.	Renumbered as 58-37e-110
58-37e-12	Prejudgment attachment and execution on judgments.	Renumbered as 58-37e-111
58-37e-13	Statute of limitations.	Renumbered as 58-37e-112
58-37e-14	Representation of governmental entities -- Stay of action.	Renumbered as 58-37e-113

TABLE THREE: NOTES ON OTHER SECTIONS

Statute	Note
76-3-203.11	Added definition from 58-37-8(16)(c) concerning bystander defense; related provision is in new 76-18-207, 76-18-303, and 76-18-402
76-5-102.1	Added provision from 58-37-8(19) concerning screening for minors due to reference to this offense in that subsection
76-5-207	Added provision from 58-37-8(19) concerning screening for minors due to reference to this offense in that subsection

