

TITLE 76, CHAPTER 8 REORGANIZATION AND SUBSTANTIAL RECODIFICATION CHANGES

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2024 General Session: The following changes to Title 76, Chapter 8 proposed for recodification to create uniform subsection structure in offense statutes and to address a few substantive issues per the direction of the [Criminal Code Evaluation Task Force](#). Subsections were reorganized to match the following order as much as possible:

- Subsection (1) Definitions
- Subsection (2) Elements of offense
- Subsection (3) Penalties
- Subsection (4) Limitations/Defenses
- Subsection (5) etc. Limitations/Defenses cont. or additional information

Substantive amendments to create clarity are noted below. Statutes that did not need to be amended based on the standards for this recodification are not included in this chart. In addition, noteworthy amendments to statutes outside of Title 76, Chapter 8 are included in a separate chart below, including several revisions to statutes from previous Criminal Code Recodification bills. Practitioners and the public should rely on the final language codified in adopted legislation rather than notes in these documents.

| Reference | Summary of changes | Comments/Cross-reference notes |
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| Part 1: Corrupt Practices | | |
| 76-8-101. Definitions | <ul style="list-style-type: none"> • Minor technical changes | no xrefs in code Removed chapter definition of “harm” in substitute to HB15 |
| 76-8-102. Campaign contributions not prohibited. | Minor technical changes | no xrefs in code |
| 76-8-103. Bribery or offering a bribe. | Minor technical changes | Xfref checked, no changes needed only references to Section # |

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| 76-8-104. Threats to influence official or political action | <ul style="list-style-type: none"> • New title: “Threat to influence official or political action” • Removed definition of “harm” from statute due to addition of “harm” to chapter definitions in 76-8-101. (Update: Removed chapter definition of “harm” in substitute to HB15 and reinstated section one) • Revised elements of offense to reflect that former definition of “harm” included a disadvantage or injury to a person or entity in whose welfare the public servant, party official, or voter is interested • Minor technical changes | Xref checked, 76-10-1602 added to bill to fix change to section name. Other references only referenced section # |
| 76-8-105. Receiving or soliciting bribe or bribery by public servant | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-106. Receiving bribe or bribery for endorsement of person as public servant. | <ul style="list-style-type: none"> • New title: Receiving bribe for endorsement of person as a public servant • Removed embedded separate offense of bribery for endorsement and put in new section 76-8-106.1 • Minor technical changes | Xref to section name changed in 76-10-1602 |
| 76-8-106.1. Bribery for endorsement of person as public servant | <ul style="list-style-type: none"> • New offense • Created by removing embedded separate offense from 76-8-106 | Added to 76-10-1602 |
| 76-8-107. Alteration of proposed legislative bill or resolution. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-108. Alteration of enrolled legislative bill or resolution. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-110. Peace officer prohibited from acting as compensated collection agent for collection agencies or creditors. | <ul style="list-style-type: none"> • New title: “Prohibited action by peace officer for collection agency or creditor.” • Minor technical changes | No xrefs in code |
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| Part 2: Abuse of Office | | |

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| 76-8-201. Official misconduct -- Unauthorized acts or failure of duty. | <ul style="list-style-type: none"> • New title: "Official misconduct based on an unauthorized act or failure of duty." • Minor technical changes | Xref to section name changed in 76-10-1602 |
| 76-8-201. Official misconduct – Unlawful acts based on "inside" information. | <ul style="list-style-type: none"> • New title: "Official misconduct concerning inside information." • Minor technical changes | Xref to section name changed in 76-10-1602 |
| 76-8-203. Unofficial misconduct. | Minor technical changes | No xrefs in code |
| Part 3: Obstructing Governmental Operations | | |
| 76-8-301. Interference with public servant. | <ul style="list-style-type: none"> • New title: "Interference with a public servant." • Removed embedded offense of willful denial of use or movement of public servant on public property to new offense created as 76-8-301.2 • Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-301.2. Denial of public servant's use of public property | <ul style="list-style-type: none"> • New offense created from embedded offense in 76-8-301. | Xref added to 76-3-203.3 |
| 76-8-301.5. Failure to disclose identity. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-302. Picketing or parading in or near court. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-303. Prevention of Legislature or public servants from meeting or organizing. | <ul style="list-style-type: none"> • New title: "servants" replaced with "servant" • Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-305. Interference with peace officer. | <ul style="list-style-type: none"> • New title: "Interference with a peace officer." • Changed reference from "law enforcement officer" to "peace officer" in Subsection (4) to standardize terms within statute | Xfref checked, no changes needed only references to Section # |
| 76-8-305.5. Failure to stop at the command of a peace officer. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-306. Obstruction of justice in criminal investigations or proceedings -- Elements -- Penalties -- Exceptions. | <ul style="list-style-type: none"> • New title: "Obstruction of justice in a criminal investigation or proceeding." | Corrected xref to section name in 76-10-1602 and 77-23a-8 Othe xrefs just to section # |

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| | <ul style="list-style-type: none"> Revised exception in Subsection (5) to include exception for offense for harboring or concealing an offender who has escaped from official custody, which was an embedded offense and is now located in new offense Section 76-8-309.2 | |
| 76-8-306.5. Obstructing service of a Board of Pardons' warrant or a probationer order to show cause. | Minor technical changes | No xrefs in code |
| 76-8-307. Failure to aid peace officer. | Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-308. Acceptance of bribe or bribery to prevent criminal prosecution -- Defense. | <ul style="list-style-type: none"> New title: Acceptance of bribe or bribery to prevent criminal prosecution Minor technical changes | Xfref checked, no changes needed only references to Section # |
| 76-8-309. Escape and aggravated escape -- Consecutive sentences -- Definitions. | <ul style="list-style-type: none"> New title: Escape Changed definition of "confinement in state prison" and "official custody" and related punishment in order to make the definitions logically consistent with the status of an offender or work release or home visit from a jail or prison Clarified that an actor is subject to a consecutive sentence regardless of whether the actor is an offender or is convicted under Subsection (2)(b). Clarified language regarding a court imposing punishment as a consecutive offense Removed embedded offense and created new section for it as new Section 76-8-309.1 | Xref removed in 53-10-403 All other xrefs correct |
| 76-8-309.1 New Section. Title: Aggravated escape | <ul style="list-style-type: none"> New section created from offense that was previously embedded in Section 76-8-309 Included consecutive sentence provision from 76-8-309 | Xref added to sections 17-22-5, 64-13-14.5, 53-10-403, 76-5-203 |
| 76-8-309.2. New Section. Title: Harboring or concealing an offender who has escaped from official custody. | <ul style="list-style-type: none"> New section created from offense that previously was embedded in Section 76-8-306. | Added xref to 76-3-203.3, 76-8-504.6, 76-8-510.5, 77-23a-8, and 76-10-1602 because those sections referenced 76-8-306 where 309.2 was embedded and it |

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| | | made sense to add this section there as well |
| 76-8-311.1. Secure areas -- Items prohibited -- Penalty. | <ul style="list-style-type: none"> • New title: Establishment of secure areas – Items prohibited – References to penalty provisions] • Removed embedded offense and put it in new statute 76-8-311.2 • Added references to penalty provisions | Xref changed in 53B-3-103 no changes needed elsewhere as only references are to Section # |
| 76-8-311.2 New Section. Prohibited dangerous weapon or ammunition in secure area | <ul style="list-style-type: none"> • New section • Reconciled overlap with current 76-8-311.3 offenses by providing cross references to penalty provisions in new sections 76-8-311.4, 76-8-311.6, or 76-8-311.7 | Added xref to one place in 53B-3-103 because it talked about the penalties of 311.1 which are now here. Did not add xref to any other section where 76-8-311.1 is referenced because the xrefs discuss compliance with rules or definitions which this section does not create |
| 76-8-311.3. Items prohibited in correctional and mental health facilities -- Penalties. | <ul style="list-style-type: none"> • New title: “ Establishment of prohibited item policy in a correctional or mental health facility— Reference to penalty provisions – Exceptions -- Rulemaking. • Removed embedded offense provisions and put them into their own sections: 76-8-311.4, 76-8-311.6, 76-8-311.7, 76-8-311.8, 76-8-311.9, and 76-8-311.10 • Added references to offense provisions • Changed “department” to Department of Corrections because that appears to be the correct reference | Did not add xrefs to all the other sections created from this wherever 76-8-311.3 is referenced because all the references are about compliance with rules which are established in this section, definitions in this section, or secure areas established pursuant to this section. None of the new sections deal with any of this and all the xrefs in the code still make sense just referencing this section not the others |
| 76-8-311.4. Prohibited item in correctional or mental health facility for use by offender or detainee | <ul style="list-style-type: none"> • New section • Previously found in 76-8-311.3(4)(a) & (b) • Clarified that intent to sell or provide applied to both an offender or detainee, as “detainee” was apparently omitted from current statute • Added reference to defenses in 76-8-311.3 | No need to xref anywhere see above |

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| <p>76-8-311.6. Possession of prohibited item by offender or detainee in correctional or mental health facility</p> | <ul style="list-style-type: none"> • New section • Previously found in 76-8-311.3(4)(c) • Added reference to defenses in 76-8-311.3 | <p>No need to xref anywhere see above</p> |
| <p>76-8-311.7. Possession of prohibited item in correctional facility or secure area of mental health facility</p> | <ul style="list-style-type: none"> • New section • Previously found in 76-8-311(4)(d) • Due to potential overlap with 76-8-311.2, provided language in 76-8-311.2 to reference this section • Due to potential overlap with 76-8-311.6 if the possession is by an offender or detainee, provided language in Subsection (3) to clarify that 76-8-311.6 would apply over this section. • Added reference to defenses in 76-8-311.3 | <p>No need to xref anywhere see above</p> |
| <p>76-8-311.8. Prohibited substance in correctional or mental health facility.</p> | <ul style="list-style-type: none"> • New Section • Previously found in 76-8-311.3(5)(a), (b), and (e) • Added reference to defenses in 76-8-311.3 | <p>No need to xref anywhere see above</p> |
| <p>76-8-311.9. Prohibited tobacco, electronic cigarette, or nicotine product in a correctional facility.</p> | <ul style="list-style-type: none"> • New Section • Previously found in 76-8-311.3(5)(c) • Added reference to defenses in 76-8-311.3 | <p>No need to xref anywhere see above</p> |
| <p>76-8-311.10. Possession of contraband in a correctional facility.</p> | <ul style="list-style-type: none"> • New section • Previously found in 76-8-311.3(5)(f) • Added reference to defenses in 76-8-311.3 | <p>No need to xref anywhere see above</p> |
| <p>76-8-311.5. Aiding or concealing a juvenile offender -- Trespass of a secure care facility -- Criminal penalties.</p> | <ul style="list-style-type: none"> • Renumbered as 76-8-319 | <p>Xref already fixed in section 76-8-306</p> |
| <p>76-8-312. Bail-jumping.</p> | <ul style="list-style-type: none"> • New title: Unlawful absence after pretrial release • Revised name of offense to reflect current terminology regarding pretrial release • Minor technical changes | <p>Xfref checked, no changes needed only references to Section #</p> |
| <p>76-8-313. Threatening elected officials -- Assault.</p> | <ul style="list-style-type: none"> • New title: Threatened or attempted assault on an elected official • Amended to include provisions from Section 76-8-314 (definitions) and 76-8-315 (penalties). | <p>Xfref checked, no changes needed only references to Section #</p> |

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| | <ul style="list-style-type: none"> Clarified elements regarding third degree felony penalty | |
| 76-8-314. Threatening elected officials -- "Elected official" defined. | Repealed and contents placed within Section 76-8-313 | No xrefs in code |
| 76-8-315. Threatening elected officials -- Penalties for assault. | Repealed and contents placed within Section 76-8-313 | Xref in section 53-10-403 fixed to read 76-8-313 where this went |
| 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. | <ul style="list-style-type: none"> New title: "Threat with intent to impede, intimidate, interfere, or retaliate against a judge or a 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." Limited offense to threats and moved other conduct to new offenses found in 76-8-316.2 (assault), 76-8-316.4 (aggravated assault), 76-8-316.6 (attempted murder) Minor technical revisions | Xref to name of section changed in sections 76-8-306, 53-10-403 |
| 76-8-316.2. Assault with intent to impede, intimidate, interfere, or retaliate against a judge or a 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 | <ul style="list-style-type: none"> New offense Removed from 76-8-316 into its own section | Added to 76-8-306 and 53-10-403 because those sections referenced 76-8-316 where this section was embedded and it made sense to add this section there as well |
| 76-8-316.4. Aggravated assault with intent to impede, intimidate, interfere, or retaliate against a judge or a 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 | <ul style="list-style-type: none"> New offense Removed from 76-8-316 into its own section | Added to 76-8-306 and 53-10-403 because those sections referenced 76-8-316 where this section was embedded and it made sense to add this section there as well |
| 76-8-316.6. Attempted murder with intent to impede, intimidate, interfere, or retaliate against a judge or a member of the Board of Pardons and Parole or acting against a family member of a judge or a | <ul style="list-style-type: none"> New offense Removed from 76-8-316 into its own section Put murder reference from 76-8-316(6) into this offense as it appears to be the most appropriate place | Added to 76-8-306 and 53-10-403 because those sections referenced 76-8-316 where this section was embedded and it made sense to add this section there as well |

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| member of the Board of Pardons and Parole | | |
| 76-8-317. Refusal to comply with order to evacuate or other orders issued in a local or state emergency -- Penalties. | <ul style="list-style-type: none"> • New title: "Refusal to comply with an order to evacuate or order issued in a local or state emergency" • Changed "order to evacuate issued under this chapter" to "order to evacuate issued under Title 53, Chapter 2a, Emergency Management Act" because there are no references in this chapter 8 to evacuation orders • Minor technical revisions | No xrefs in code |
| 76-8-318. Assault or threat of violence against child welfare worker -- Penalty. | <ul style="list-style-type: none"> • New title: removed word "Penalty" • Minor technical revisions | No xrefs in code |
| 76-8-319. Aiding or concealing an adjudicated minor. (Previously 76-8-311.5. Aiding or concealing a juvenile offender -- Trespass of a secure care facility -- Criminal penalties.) | <ul style="list-style-type: none"> • Moved from 76-8-311.5 in order to keep all of the secure area statutes together • New title: "Aiding or concealing an adjudicated minor" • Removed embedded offense of trespass of a secure care facility and created new section for it as new section 76-8-320 • Added definition of "adjudicated minor" and incorporated definition into offense in order to capture portions of offense that are inapplicable to juvenile offenders as defined • Added definition of "facility" to provide clarity | One xref already changed in 76-8-306 |
| 76-8-320. New Section. Trespass of a secure care facility | New section created from embedded offense in 76-8-311.5 (now renumbered as 76-8-319) | No need to add xref to 76-8-306 where 76-8-319 is located and where this section was embedded because this does not deal with harboring juvenile offenders |
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| Part 4: Offenses against public property | | |

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| 76-8-402. Misusing public money or public property. | <ul style="list-style-type: none"> • Minor technical revisions • Added disqualification for public office provision from 76-8-404 | Xref already changed in 76-8-403 all other xrefs are correct |
| 76-8-403. Failure to keep and pay over public money. | <ul style="list-style-type: none"> • Minor Technical revisions | No xrefs in the code |
| 76-8-404. Making profit from or misusing public money or public property -- Disqualification from office -- Criminal penalty. | <ul style="list-style-type: none"> • Repealed and placed provisions in 76-8-402 | Xref already changed in 76-8-402 No other xrefs in code |
| 76-8-405. Failure to pay over fine, forfeiture, or fee. | <ul style="list-style-type: none"> • New title: "Failure to pay over a fine, forfeiture, or fee" • Minor technical revisions | No xrefs in the code |
| 76-8-406. Obstructing collection of revenue. | <ul style="list-style-type: none"> • New title: "Obstructing the collection of revenue" • Minor technical revisions | No xrefs in the code |
| 76-8-407. Refusing to give tax assessment information, or giving false information. | <ul style="list-style-type: none"> • New title: "Refusing to give accurate tax assessment information" • Minor technical revisions | No xrefs in the code |
| 76-8-408. Giving false tax receipt or failing to give receipt. | <ul style="list-style-type: none"> • New title: "Giving a false tax receipt or failing to give a receipt" • Minor technical revisions | No xrefs in the code |
| 76-8-409. Refusing to give tax assessor or tax or license collector list of, or denying access to, employees. | <ul style="list-style-type: none"> • New title: "Refusing to give a tax assessor or tax or license fee collector a list of employees" • Removed embedded offense and put it into new section 76-8-409.2 • Other minor technical revisions | No xrefs in the code |
| 76-8-409.2 Denying a tax assessor or tax or license fee collector access to a building or place of employment | <ul style="list-style-type: none"> • New section • Created with embedded offense found in Section 76-8-409. | No xrefs in the code |
| 76-8-410. Doing business without license. | <ul style="list-style-type: none"> • New title: "Doing business without a license" • Minor technical revisions | No xrefs in the code |
| 76-8-411. Trafficking in warrants. | <ul style="list-style-type: none"> • Minor technical revisions | No xrefs in the code |

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| 76-8-412. Stealing, destroying or mutilating public records by custodian. | <ul style="list-style-type: none"> • New title: "Stealing, destroying, or mutilating a public record by a custodian" • Created a definition of "public records" from the elements of the crime for clarification • Removed phrase "or placed in his hands for any purpose" because it was redundant with "custody" • Added "government" before "officer" to clarify that the officer means someone working for a governmental entity | No xrefs in the code |
| 76-8-413. Stealing, destroying or mutilating public records by one not custodian. | <ul style="list-style-type: none"> • New title: "Stealing, destroying, or mutilating a public record by a noncustodian" • Needed to revamp section as it had no elements and simply referred to Section 76-8-412. Added the elements and definition from 76-8-412 and adapted it to non-custodian. | No xrefs in the code |
| 76-8-414. Recording false or forged instruments. | <ul style="list-style-type: none"> • New title: "Recording a false or forges instrument" • Minor technical revisions | No changes needed, xrefs in code still correct |
| 76-8-415. Damaging or removing monuments of official surveys. | <ul style="list-style-type: none"> • New title: "Damaging or removing a monument of an official survey" • Minor technical revisions | No xrefs in the code |
| 76-8-416. Taking toll or maintaining road, bridge, or ferry without authority -- Refusal to pay lawful toll. | <ul style="list-style-type: none"> • New title: "Taking a toll or maintaining road, bridge, or ferry without authority" • Removed embedded offense and placed it in new section 76-8-416.2 | No xrefs in the code |
| 76-8-416.2 Refusal to pay lawful toll | <ul style="list-style-type: none"> • New Section. • Created with embedded offense found in section 76-8-416 | No xrefs in the code |
| 76-8-417. Tampering with official notice or proclamation. | <ul style="list-style-type: none"> • New title: "Tampering with an official notice or proclamation" • Minor technical revisions | No xrefs in the code |

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| 76-8-418. Damaging jails or other places of confinement. | <ul style="list-style-type: none"> • New title: "Damaging a jail or other place of confinement" • Minor technical revisions | No xrefs in the code |
| 76-8-419. Damaging highways or bridges. | <ul style="list-style-type: none"> • New title: "Damaging a highway or bridge" • Minor technical revisions | No xrefs in the code |
| 76-8-420. Removing or damaging road signs. | <ul style="list-style-type: none"> • New title: "Removing or damaging a road sign" • Minor technical revisions | No xrefs in the code |
| Part 5: Falsification in official matters | | |
| 76-8-501. Definitions | <ul style="list-style-type: none"> • Minor technical revisions • | No changes needed, xrefs in code still correct |
| 76-8-502. False or inconsistent material statements. | <ul style="list-style-type: none"> • New title "Making a false or inconsistent material statement" • Minor technical revisions | Xref change name of section in 76-10-1602 other xrefs already changed. |
| 76-8-503. False or inconsistent statements. | <ul style="list-style-type: none"> • New title: "Making a false or inconsistent statement" • Minor technical revisions | Xref change name of section in 76-10-1602 other xrefs still correct or already taken care of in bill |
| 76-8-504. Written false statement. | <ul style="list-style-type: none"> • New title: "Making a written false statement" • Minor technical revisions | Xref change name of section in 76-10-1602 other xrefs still correct |
| 76-8-504.5. False statements -- Preliminary hearing. | <ul style="list-style-type: none"> • New title: "Making a false statement to be used in a preliminary hearing" • Minor technical revisions | No xrefs in the code |
| 76-8-504.6. False or misleading information. | <ul style="list-style-type: none"> • New title: "Providing false or misleading information" • Minor technical revisions | No changes needed, xrefs in code still correct |
| 76-8-505. False or inconsistent statements -- Proof of falsity of statements -- Irregularities no defense. | <ul style="list-style-type: none"> • Repealed and placed provisions in Section 76-8-502, 76-8-503. • Section contained a provision that applied to the part but was only dealing with statements made under oath so that provision was placed in each section in the part that deals with statements made under oath and not in sections in the part that do not. | No xrefs in the code |

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| 76-8-506. Providing false information to law enforcement officers, government agencies, or specified professionals. | <ul style="list-style-type: none"> • New title: "Providing false information to a law enforcement officer, government agency, or specified professional" • Minor technical revisions | No changes needed, xrefs in code still correct |
| 76-8-507. False personal information to peace officer. | <ul style="list-style-type: none"> • New title: "Providing false personal information to a peace officer" • Minor technical revisions | No xrefs in the code |
| 76-8-508. Tampering with witness -- Receiving or soliciting a bribe. | <ul style="list-style-type: none"> • New title: "Tampering with a witness" • Removed embedded offense of receiving or soliciting a bribe and create a new section 76-8-508.7 | Xrefs changed throughout code. See xrefs for new section 76-8-508.7 |
| 76-8-508.3. Retaliation against a witness, victim, or informant. | <ul style="list-style-type: none"> • Reworked definition of "closely associated" to bring it in line with style guide • Definition of "harm" removed due to addition of "harm" in chapter definitions in 76-8-101. (Update: Removed chapter definition of "harm" in substitute to HB15 and reinstated section one) • Minor technical revisions | Xrefs changed throughout code. |
| 76-8-508.5. Tampering with juror -- Retaliation against juror -- Penalty. | <ul style="list-style-type: none"> • New title: "Tampering or retaliating against a juror" • Minor technical revisions | Xrefs changed throughout code |
| 76-8-508.7 Receiving or soliciting a bribe as a witness | <ul style="list-style-type: none"> • New section • Placed embedded offense from 76-8-508 here | Needed to be xrefed in Section 76-8-306 and 76-3-203.1, 76-9-802, 76-9-902, 77-36-1, 77-23a-8, 26B-6-205, 76-10-1602 because it was part of a crime that was referenced as 76-8-508 before it got split up. |
| 76-8-509. Extortion or bribery to dismiss criminal proceeding. | <ul style="list-style-type: none"> • New title: "Extortion or bribery to dismiss a criminal proceeding" • Minor technical revisions | Xrefs changed throughout code |
| 76-8-510.5. Tampering with evidence -- Definitions -- Elements -- Penalties. | <ul style="list-style-type: none"> • New title: "Tampering with evidence" • Minor technical revisions | Xrefs changed throughout code |

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| 76-8-511. Falsification or alteration of government record -- Penalty. | <ul style="list-style-type: none"> • New title: "Falsification or alteration of a government record" • Minor technical revisions | One xref changed in code |
| 76-8-512. Impersonation of officer. | <ul style="list-style-type: none"> • New title: "Impersonation of an officer" • Minor technical revisions | No xrefs in code |
| 76-8-513. False judicial or official notice. | <ul style="list-style-type: none"> • New title: "Sending a false judicial or official notice" • Created two definitions from old language to clarify the conduct required for an individual to be charged under the statute | No xrefs in code |
| 76-8-515. Impersonation of a utility officer or employee. | <ul style="list-style-type: none"> • Minor technical revisions | No xrefs in code |
| Part 6: Abuse of Process | | |
| 76-8-601. Wrongful commencement of action in justice court. | Minor technical revisions | No xrefs in code |
| 76-8-602. Assuming liability for conferring jurisdiction upon justice court judge. | <ul style="list-style-type: none"> • New title: Wrongfully conferring jurisdiction upon a justice court judge" • Minor technical revisions | No xrefs in code |
| 76-8-603. Wrongful attachment by justice court -- Liability. | <ul style="list-style-type: none"> • Removed embedded offense concerning actors who are not justice court judges • New title: Wrongfully issued writ of attachment by a justice court. • Kept additional liability/damages because existing statute does not carve out courts from these damages | No xrefs in code |
| 76-8-604. Wrongful inducement to receive writ of attachment | <ul style="list-style-type: none"> • New statute. • Contains embedded offense concerning actors who are not justice court judges from 76-8-603 • Includes additional liability/damages from 76-8-603 | No xrefs in code |
| Part 7: Colleges and Universities | | |

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| 76-8-701. Definitions. | <ul style="list-style-type: none"> • Repealed and definitions placed in applicable sections 76-8-703 and -705 | No xrefs in code |
| 76-8-702. Purpose. | <ul style="list-style-type: none"> • Repealed. No substantive provision in section | No xrefs in code |
| 76-8-703. Criminal trespass upon an institution of higher education. | <ul style="list-style-type: none"> • Removed provision detailing a chief administrative officer's ability to order a person to leave an institution and placed it in newly created Section 53B-20-107 • Applicable definitions placed in section from 76-8-701 • Minor technical revisions | No xrefs in code |
| 76-8-705. Willful interference with lawful activities of students or faculty. | <ul style="list-style-type: none"> • Applicable definitions placed in section from 76-8-701 • Minor technical revisions | No xrefs in code |
| 76-8-707. Assistance by local authorities. | <ul style="list-style-type: none"> • Repealed. • Provisions merged with Section 76-8-709 and Section 76-8-716 into higher education code in new Section 53B-20-107 | No xrefs in code |
| 76-8-709. Enforcement of laws by local agencies not limited. | <ul style="list-style-type: none"> • Repealed. • Provisions merged with Section 76-8-709 and Section 76-8-716 into higher education code in new Section 53B-20-107 | No xrefs in code |
| 76-8-716. Request for assistance from state and local law enforcement authorities. | <ul style="list-style-type: none"> • Repealed. • Provisions merged with Section 76-8-707 and Section 76-8-709 into higher education code in new Section 53B-20-107 | No xrefs in code |
| 76-8-717. Violations -- Classifications of offenses. | <ul style="list-style-type: none"> • Repealed and placed penalty provision in section 76-8-704 which is the only section the penalty provision of this section applied to. | One xref already taken care of in bill |

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| Part 8: Sabotage prevention | | |
| 76-8-801. Definitions. | <ul style="list-style-type: none"> • Repealed, definitions only applied to Section 76-8-809 and –810, definitions have been moved to Section 76-8-809 | No xrefs in code |
| 76-8-802. Destruction of property to interfere with preparation for defense or war. | <ul style="list-style-type: none"> • New title: “Destruction of property to interfere with preparations for defense or war.” • Minor technical revisions • Provision from Section 76-8-805 dealing with the public release of information placed in section | One xref changed |
| 76-8-803. Causing or omitting to note defects in articles used in preparation for defense or war. | <ul style="list-style-type: none"> • Minor technical revisions • Removed a reference in the elements of the crime to “one of a number of similar articles and things” because it is just redundant with the preceding language which criminalizes behavior directed at an article or thing in the singular that covers this extra plural language • Provision from Section 76-8-805 dealing with the public release of information placed in section | No xref change needed |
| 76-8-804. Attempts to commit crimes of sabotage. | <ul style="list-style-type: none"> • Minor technical revisions | No xref change needed |
| 76-8-805. Conspiracy to commit crimes of sabotage. | <ul style="list-style-type: none"> • Minor technical revisions • Added cross references to | No xref change needed |
| 76-8-806. Facts kept secret until complaint filed. | <ul style="list-style-type: none"> • Repealed • Section had a provision that related to sections 802, 803, 804, and 805. This section has been repealed and the provision placed in each of those sections | No xrefs in code |
| 76-8-807. Posting of signs at war or defense facilities -- Entering posted premises without permission. | <ul style="list-style-type: none"> • New title “Trespassing at a war or defense facility” • Removed jargon not applicable to the elements of the offense | No xref change needed |

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| 76-8-808. Detention and arrest without warrant of unauthorized persons on posted premises. | <ul style="list-style-type: none"> • Repealed • Provisions of this section placed in Section 76-8-807 | No xrefs in code |
| 76-8-809. Closing or restricting use of highways abutting defense or war facilities -- Posting of notices. | <ul style="list-style-type: none"> • Minor technical revisions • Definitions from Section 76-8-801 moved here | No xrefs in code |
| 76-8-810. Violation of order relating to use of highways -- Classification of offense. | <ul style="list-style-type: none"> • New title: "Violation of an order closing or restricting a highway" | No xrefs in code |
| 76-8-811. Bargaining rights of employees not impaired by sabotage prevention laws. | <ul style="list-style-type: none"> • Minor technical revisions | No xrefs in code |
| Part 9: Syndicalism and sabotage | | |
| 76-8-901. "Criminal syndicalism" and "sabotage" defined. | <ul style="list-style-type: none"> • New title "Definitions" • Removed jargon from Sabotage definition defining who can commit sabotage by just saying "an individual" because the definition as currently read includes any individual not just employees or employers. | No xrefs in code |
| 76-8-902. Advocating criminal syndicalism or sabotage. | <ul style="list-style-type: none"> • Major technical revisions for readability | No xref change needed |
| 76-8-903. Assembly for advocating criminal syndicalism or sabotage. | <ul style="list-style-type: none"> • New title: "Assembling for advocating criminal syndicalism or sabotage" • Minor technical revisions | Two xref changed in code |
| 76-8-904. Permitting use of property for assembly advocating criminal syndicalism or sabotage. | <ul style="list-style-type: none"> • New title: "Permitting the use of property for assembly advocating criminal syndicalism or sabotage" • Minor technical revisions | No xrefs in code |
| Part 11: Taxation | | |

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| 76-8-1101. Criminal offenses and penalties relating to revenue and taxation -- Rulemaking authority -- Statute of limitations. | Repealed—this section is identical to provisions already in 59-1-401 | One xref changed in 59-1-401 |
| Part 12: Public Assistance Fraud | | |
| 76-8-1201. Definitions. | <ul style="list-style-type: none"> • Minor technical revisions | No xrefs in code |
| 76-8-1202. Application of part. | <ul style="list-style-type: none"> • Repealed • Provisions placed in each section establishing a criminal offense | No xrefs in code |
| 76-8-1203. Disclosure required -- Penalty. | <ul style="list-style-type: none"> • New title: “Required disclosures by an applicant, a recipient, or a provider of public assistance” • Removed embedded offenses and placed them in new Section 76-8-1203.1 and 76-8-1203.3 • Placed provision requiring a provider to disclose certain information to the state from repealed Section 76-8-1204 | Xref removed in 35A-3-603 and 35A-3-604 because acts no longer are in this section |
| 76-8-1203.1 Public assistance fraud by an applicant for public assistance | <ul style="list-style-type: none"> • New section • Contains embedded criminal offense from Section 76-8-1203 detailing how an individual commits fraud when applying for public assistance | Xref added in 35A-3-604, 76-10-1602 |
| 76-8-1203.3 Public assistance fraud by a recipient of public assistance | <ul style="list-style-type: none"> • New section • Contains embedded criminal offenses from Section 76-8-1203 and -1205 detailing how an individual commits fraud when a recipient of public assistance | Xref added in 35A-3-604, 76-10-1602 |
| 76-8-1203.5 Public assistance fraud by a provider | <ul style="list-style-type: none"> • New section • Contains embedded criminal offense from Section 76-8-1204 and -1205 detailing how a | Xref added in 35A-3-604, 76-10-1602 |

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| | provider of public assistance commits public assistance fraud | |
| 76-8-1203.7 Fraudulently misappropriating public assistance funds | <ul style="list-style-type: none"> • New section • Contains embedded criminal offense from Section 76-8-1205 detailing how an individual commits fraud when an administrator of public assistance or entrusted with public assistance | Xref added in 35A-3-604, 76-10-1602 |
| 76-8-1204. Disclosure by provider required -- Penalty. | <ul style="list-style-type: none"> • Repealed • Moved provider requirements to Section 76-8-1203 • Removed embedded offense and placed in new Section 76-8-1203.7. | Xref removed in 35A-3-603, -604, and 76-10-1602 |
| 76-8-1205. Public assistance fraud defined. | <ul style="list-style-type: none"> • Repealed • Placed numerous embedded offenses into new sections 76-8-1203.1, -1203.3, 1203.5, and 1203.7 | Xref removed in 35A-3-603, -604, 76-10-1602. Xref removed in 63G-12-402 and 76-9-1008 and replaced only with 76-8-1203.1 because these sections are talking only about applicant. |
| 76-8-1206. Penalties for public assistance fraud. | <ul style="list-style-type: none"> • Repealed • Placed penalty provisions and provision detailing how to determine the value of a benefit into new sections 76-8-1203.1, -1203.3, 1203.5, and 1203.7. • Placed provision regarding incidents of trafficking in SNAP benefits into only section 76-8-1203.3 because that is the only section that criminalizes trafficking of SNAP benefits | Xref removed in 63G-12-402 |
| 76-8-1207. Legal actions -- Evidence -- Value of benefits -- Repayment no defense to criminal action. | <ul style="list-style-type: none"> • New title: "Evidence in criminal actions for public assistance fraud" • Minor technical revisions • Placed repayment not being a defense and provision detailing how to determine value of | No xrefs in code |

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| | a benefit into new sections 76-8-1203.1, -1203.3, 1203.5, and 1203.7. | |
| Part 13: Unemployment Insurance Fraud | | |
| 76-8-1301: False statements regarding unemployment compensation -- Penalties. | <ul style="list-style-type: none"> • New title: "False statement to obtain or increase unemployment compensation." • Removed embedded offenses and put them into their own statutes: 76-8-1302, 76-8-1303, and 76-8-1304 • Minor technical changes | Xref removed in 35A-4-304(5)(b)(ii) and replaced with 76-8-1302 and 1303. Xref removed in 35A-4-305(3)(d)(ii) and replaced with 76-8-1304 because that is the section that encompasses existing 76-8-1301(4) which is referenced in 35A-4-305. |
| 76-8-1302: False statement to prevent or reduce unemployment compensation or liability. | <ul style="list-style-type: none"> • New statute • Previously found in 76-8-1301(2) | Xref added 35A-4-304(5)(b). The original citation here was to 76-8-1301(2)(a) and this is part of that former section Xref added to 35-4-305(12)(a) Xref added to 63G-12-402(6)(a)(ii)(B) Xref added to 76-10-1602(4) |
| 76-8-1303: Unlawful failure to comply with Employment Security Act requirement. | <ul style="list-style-type: none"> • New statute • Previously found in 76-8-1301(2) (in addition to offense now found in 76-8-1302) and in 76-8-1301(3) | Xref added to 35-4-305(12)(a) Xref added to 63G-12-402(6)(a)(ii)(B) Xref added to 76-10-1602(4) |
| 76-8-1304. Unlawful use or disclosure of employment information. | <ul style="list-style-type: none"> • New statute • Previously found in 76-8-1301(4) • Added definition for "employing unit" from 35A-4-202 to provide clarity | Xref placed into 35-4-305(3)(d)(ii) and 35-4-312(7)(b) because that is the section that encompasses existing 76-8-1301(4) which is referenced in 35-4-305(3)(d)(ii) and 35-4-312(7)(b) Xref added to 35-4-305(12)(a) Xref added to 63G-12-402(6)(a)(ii)(B) Xref added to 76-10-1602(4) |
| Part 14: Disruption of School Activities | | |
| 76-8-1401. Definitions. | Repealed and definitions incorporated into offenses | No xrefs in code |

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| 76-8-1402. Disruption of activities in or near school building -- Failure to leave -- Reentry -- Penalties. | <ul style="list-style-type: none"> • New title: "Disruption of activity in or near school building." • Added definitions from 76-8-1401 • Minor technical changes | No xrefs in code |
| 76-8-1403. Evading law enforcement by going onto school property -- Penalty -- Restitution. | <ul style="list-style-type: none"> • New title: "Unlawful evasion of law enforcement by entering school property." • Minor technical changes | No xrefs in code |

Changes of Note outside of Title 76, Chapter 8

| Reference | Change/No Change | Comments |
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| 53B-20-107 Powers of Chief Administrative officer to order individuals off an institution of higher education's property | New section Created to house education provisions found in for Sections 76-8-705, -707, -709, -716 | No need to xref this anywhere in the code as the sections it was created from were not reference anywhere |
| 76-3-203.5 Habitual Violent Offender | Technical edits Removed cross-reference to current (1)(c)(i)(LL) unlawful discharge of a firearm because that crime is a misdemeanor and not a felony, and this list must only be "offenses punishable as a felony" as required by (1)(c)(i) so it is nonsensical to leave a misdemeanor on the list | |
| 76-1-301 | Separated a reference to aggravated human trafficking and aggravated human smuggling because the two are now separate crimes created during the 2022 Criminal Code Recodification. Also added the section numbers for all the references to other crimes to make the entire section consistent as some of the references had section numbers while others did not. | No need to change xrefs as the single xref to this section in Section 53-10-115 is still correct |

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| <p>76-3-406. Crimes for which probation, suspension of sentence, lower category of offense, or hospitalization may not be granted.</p> | <p>Added reference to Section 76-5-404.1, sexual abuse of a child, to list of offenses</p> <p>Added “second degree felony” to the first subsection now that sexual abuse of a child is added to the list. This does not substantively change anything in the rest of the list because nothing else on the list is a second degree felony given the specific cross references to all the crimes</p> | <p>Inadvertent omission from 2022 recodification</p> |
| <p>76-6-513. Unlawful dealing of property by a fiduciary.</p> | <p>Deleted erroneous penalty provision that was created during 2023 Criminal Code Recodification</p> | <p>No xref changes needed, all xrefs just reference section number which did not change</p> |
| <p>77-36-1.1</p> | <p>Amended definition of “property damage offense” to include criminal mischief statute and changed references from “criminal mischief offense” to “property damage offense” to be consistent with definition.</p> | <p>Inadvertent error from 2023 recodification, which had carved out offense of property damage or destruction from criminal mischief statute (see 76-6-106 and 76-6-106.1). The revisions to this statute did not reflect that the elements in former 76-6-106 are now contained in two different statutes.</p> <p>No xref change needed no change to subsection numbers or section number</p> |