

32B-4-504 Making false statements.

- (1)
 - (a) A person who makes a false material statement under oath or affirmation in an official proceeding before the commission or the department is guilty of a second degree felony.
 - (b) As used in Subsection (1)(a), "material" statement is as defined in Section 76-8-501.
- (2) A person is guilty of a class B misdemeanor if that person knowingly:
 - (a) makes a false statement under oath or affirmation in an official proceeding before the commission or the department;
 - (b) makes a false statement with a purpose to mislead a public servant in performing that public servant's official functions under this title;
 - (c) makes a false statement and the statement is required by this title to be sworn or affirmed before a notary or other person authorized to administer oaths;
 - (d) makes a false written statement on or pursuant to a record required by this title;
 - (e) creates a false impression in a record required by this title by omitting information necessary to prevent a statement in them from being misleading;
 - (f) makes a false written statement with intent to deceive a public servant in the performance of that public servant's official functions under this title; or
 - (g) submits or invites reliance on a record required under this title which that person knows to lack authenticity.
- (3) A person is not guilty under Subsection (2) if that person retracts the falsification before it becomes apparent that the falsification is or will be exposed.

Enacted by Chapter 276, 2010 General Session