

76-10-1906 Reporting -- Criminal and civil penalties -- Enforcement.

- (1)
- (a) A person engaged in a trade or business, except a financial institution, who receives more than \$10,000 as described in Subsection (1)(b) shall complete and file with the State Bureau of Investigation the information required by 26 U.S.C. Sec. 6050I, concerning returns relating to currency received in trade or business.
 - (b) Subsection (1)(a) applies if the person described in Subsection (1) receives more than \$10,000 in domestic or foreign currency:
 - (i) in one transaction; or
 - (ii) through two or more related transactions during one business day.
 - (c) A person who knowingly and intentionally fails to comply with the reporting requirements of this Subsection (1) is:
 - (i) on a first conviction, guilty of a class C misdemeanor; and
 - (ii) on a second or subsequent conviction, guilty of a class A misdemeanor.
 - (d) A person is guilty of a third degree felony who knowingly and intentionally violates this Subsection (1) and the violation is committed either:
 - (i) in furtherance of the commission of any other violation of state law; or
 - (ii) as part of a pattern of illegal activity involving transactions exceeding \$100,000 in any 12-month period.
- (2)
- (a) The State Bureau of Investigation and the Office of the Attorney General:
 - (i) shall enforce compliance with Subsection (1); and
 - (ii) are custodians of and have access to all information and documents filed under Subsection (1).
 - (b) The information is confidential, except a law enforcement agency, county attorney, or district attorney, when establishing a clear need for the information for investigative purposes, shall have access to the information and shall maintain the information in a confidential manner except as otherwise provided by the Utah Rules of Criminal Procedure.

Amended by Chapter 268, 2008 General Session