

Part 1

Classification of Offenses

76-3-101 Sentencing in accordance with chapter.

- (1) A person adjudged guilty of an offense under this code shall be sentenced in accordance with the provisions of this chapter.
- (2) Penal laws enacted after the effective date of this code shall be classified for sentencing purposes in accordance with this chapter.

Enacted by Chapter 196, 1973 General Session

76-3-102 Designation of offenses.

Offenses are designated as felonies, misdemeanors, or infractions.

Enacted by Chapter 196, 1973 General Session

76-3-103 Felonies classified.

- (1) Felonies are classified into four categories:
 - (a) Capital felonies;
 - (b) Felonies of the first degree;
 - (c) Felonies of the second degree;
 - (d) Felonies of the third degree.
- (2) An offense designated as a felony either in this code or in another law, without specification as to punishment or category, is a felony of the third degree.

Enacted by Chapter 196, 1973 General Session

76-3-104 Misdemeanors classified.

- (1) Misdemeanors are classified into three categories:
 - (a) Class A misdemeanors;
 - (b) Class B misdemeanors;
 - (c) Class C misdemeanors.
- (2) An offense designated as a misdemeanor in this code without specification as to punishment or category is an infraction punishable in accordance with Section 76-3-205.
- (3) Except as provided in Subsection (4), an offense designated as a misdemeanor in a county or municipal ordinance without specification as to punishment or category is a class B misdemeanor.
- (4) After June 30, 2019, an offense designated as a misdemeanor in a county or municipal ordinance without specification as to punishment or category is an infraction punishable in accordance with Section 76-3-205.

Amended by Chapter 148, 2018 General Session

76-3-105 Infractions.

- (1) Infractions are not classified.

- (2) Any offense which is an infraction within this code is expressly designated and any offense defined outside this code which is not designated as a felony or misdemeanor and for which no penalty is specified is an infraction.

Enacted by Chapter 196, 1973 General Session