# 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