

76-5-107.3 Threat of terrorism -- Penalty.

- (1) A person commits a threat of terrorism if the person threatens to commit any offense involving bodily injury, death, or substantial property damage, and:
 - (a)
 - (i) threatens the use of a weapon of mass destruction, as defined in Section 76-10-401; or
 - (ii) threatens the use of a hoax weapon of mass destruction, as defined in Section 76-10-401;or
 - (b) acts with intent to:
 - (i) intimidate or coerce a civilian population or to influence or affect the conduct of a government or a unit of government;
 - (ii) prevent or interrupt the occupation of a building or a portion of the building, a place to which the public has access, or a facility or vehicle of public transportation operated by a common carrier; or
 - (iii) cause an official or volunteer agency organized to deal with emergencies to take action due to the person's conduct posing a serious and substantial risk to the general public.
- (2)
 - (a) A violation of Subsection (1)(a) or (1)(b)(i) is a second degree felony.
 - (b) A violation of Subsection (1)(b)(ii) is a third degree felony.
 - (c) A violation of Subsection (1)(b)(iii) is a class B misdemeanor.
- (3) It is not a defense under this section that the person did not attempt to carry out or was incapable of carrying out the threat.
- (4) A threat under this section may be express or implied.
- (5) A person who commits an offense under this section is subject to punishment for that offense, in addition to any other offense committed, including the carrying out of the threatened act.
- (6) In addition to any other penalty authorized by law, a court shall order any person convicted of any violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses and losses incurred in responding to the violation, unless the court states on the record the reasons why the reimbursement would be inappropriate.

Amended by Chapter 39, 2013 General Session