

Effective 5/7/2025

Superseded 1/1/2027

76-5-107 Threat of violence.

- (1) Terms defined in Section 76-1-101.5 apply to this section.
- (2) An actor commits a threat of violence if the actor:
 - (a)
 - (i) threatens to commit an offense:
 - (A) under Title 76, Chapter 5, Part 4, Sexual Offenses, other than Section 76-5-417, 76-5-418, 76-5-419, or 76-5-420; or
 - (B) involving bodily injury, death, or substantial property damage; and
 - (ii) acts with intent to place an individual in fear:
 - (A) that the actor will imminently commit an offense under Title 76, Chapter 5, Part 4, Sexual Offenses, other than Section 76-5-417, 76-5-418, 76-5-419, or 76-5-420, against the individual; or
 - (B) of imminent serious bodily injury, substantial bodily injury, or death; or
 - (b) makes a threat, accompanied by a show of immediate force or violence, to do bodily injury to an individual.
- (3)
 - (a) A violation of Subsection (2) is a class B misdemeanor.
 - (b) An actor 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.
- (4) It is not a defense under this section that the actor did not attempt to or was incapable of carrying out the threat.
- (5) A threat under Subsection (2) may be express or implied.

Amended by Chapter 173, 2025 General Session