

**76-6-1204 Classification of offense.**

- (1) Notwithstanding any other administrative, civil, or criminal penalties, a person who violates Section 76-6-1203 is guilty of a:
  - (a) class A misdemeanor when the value is or exceeds \$500 but is less than \$1,500;
  - (b) third degree felony when the value is or exceeds \$1,500 but is less than \$5,000;
  - (c) second degree felony when the value is or exceeds \$5,000; and
  - (d) second degree felony when the object or purpose of the commission of an act of mortgage fraud is the obtaining of sensitive personal identifying information, regardless of the value.
- (2) The determination of the degree of any offense under Subsection (1) is measured by the total value of all property, money, or things obtained or sought to be obtained by a violation of Section 76-6-1203, except as provided in Subsection (1)(d).
- (3) Each residential or commercial property transaction offense under this part constitutes a separate violation.

Amended by Chapter 193, 2010 General Session