

76-6-405 Theft by deception.

- (1) As used in this section, "puffing" means an exaggerated commendation of wares or worth in a communication addressed to an individual, group, or the public.
- (2)
 - (a) A person commits theft if the person obtains or exercises control over property of another person:
 - (i) by deception; and
 - (ii) with a purpose to deprive the other person of property.
 - (b) The deception described in Subsection (2)(a)(i) and the deprivation described in Subsection (2)(a)(ii) may occur at separate times.
- (3) Theft by deception does not occur when there is only:
 - (a) falsity as to matters having no pecuniary significance; or
 - (b) puffing by statements unlikely to deceive an ordinary person in the group addressed.

Amended by Chapter 156, 2012 General Session