

Effective 7/1/2025

76-6-415 Metal or catalytic converter theft.

- (1)
 - (a) As used in this section:
 - (i) "Catalytic converter" means the same as that term is defined in Section 76-6-1402.
 - (ii) "Ferrous metal" means the same as that term is defined in Section 76-6-1402.
 - (iii)
 - (A) "Metal" means nonferrous metal, ferrous metal, or regulated metal.
 - (B) "Metal" includes suspect metal items.
 - (C) "Metal" does not include jewelry.
 - (iv) "Nonferrous metal" means the same as that term is defined in Section 76-6-1402.
 - (v) "Regulated metal" means the same as that term is defined in Section 76-6-1402.
 - (vi) "Suspect metal items" means the same as that term is defined in Section 76-6-1402.
 - (b) Terms defined in Sections 76-1-101.5 and 76-6-401 apply to this section.
- (2) An actor commits metal or catalytic converter theft if the actor obtains or exercises unauthorized control over another person's metal or catalytic converter with a purpose to deprive the person of the person's metal or catalytic converter.
- (3) A violation of Subsection (2) is:
 - (a) a second degree felony if:
 - (i) the value of the metal is or exceeds \$5,000; or
 - (ii) the metal is stolen from the person of another;
 - (b) a third degree felony if:
 - (i) the value of the property is or exceeds \$1,500 but is less than \$5,000;
 - (ii) the property is:
 - (A) a catalytic converter; or
 - (B) 25 pounds or more of a suspect metal item if the value is less than \$5,000 and the suspect metal item is made of or contains aluminum or copper and is not a lead battery;
 - (iii) the value of the metal is or exceeds \$500 and the actor has been twice before convicted of any of the following offenses, if each prior offense was committed within 10 years before the date of the current conviction or the date of the offense upon which the current conviction is based and at least one of those convictions is for a class A misdemeanor:
 - (A) any theft, any robbery, or any burglary with intent to commit theft;
 - (B) any offense under Part 5, Fraud; or
 - (C) any attempt to commit any offense under Subsection (3)(b)(iii)(A) or (B);
 - (iv)
 - (A) the value of the metal is or exceeds \$500 but is less than \$1,500;
 - (B) the theft occurs on a property where the actor has committed any theft within the past five years; and
 - (C) the actor has received written notice from the merchant prohibiting the actor from entering the property pursuant to Subsection 78B-3-108(4); or
 - (v) the actor has been previously convicted of a felony violation of any of the offenses listed in Subsections (3)(b)(iii)(A) through (3)(b)(iii)(C), if the prior offense was committed within 10 years before the date of the current conviction or the date of the offense upon which the current conviction is based;
 - (c) a class A misdemeanor if:
 - (i) the value of the metal stolen is or exceeds \$500 but is less than \$1,500;
 - (ii)
 - (A) the value of the metal is less than \$500;

- (B) the theft occurs on a property where the actor has committed any theft within the past five years; and
- (C) the actor has received written notice from the merchant prohibiting the actor from entering the property pursuant to Subsection 78B-3-108(4); or
- (iii) the actor has been twice before convicted of any of the offenses listed in Subsections (3)(b)(iii)(A) through (3)(b)(iii)(C), if each prior offense was committed within 10 years before the date of the current conviction or the date of the offense upon which the current conviction is based; or
- (d) a class B misdemeanor if the value of the metal stolen is less than \$500 and the theft is not an offense under Subsection (3)(c).

Enacted by Chapter 434, 2025 General Session