

**Effective 5/3/2023**

**77-38-302 Definitions.**

As used in this part:

- (1) "Convicted person" means a person who has been convicted of a crime.
- (2) "Conviction" means an adjudication by a federal or state court resulting from a trial or plea, including a plea of no contest, nolo contendere, a finding of not guilty due to insanity, or not guilty but having a mental condition regardless of whether the sentence was imposed or suspended.
- (3) "Fund" means the Crime Victim Reparations Fund created in Section 63M-7-526.
- (4) "Memorabilia" means any tangible property of a convicted person or a representative or assignee of a convicted person, the value of which is enhanced by the notoriety gained from the criminal activity for which the person was convicted.
- (5) "Notoriety of crimes contract" means a contract or other agreement with a convicted person, or a representative or assignee of a convicted person, with respect to:
  - (a) the reenactment of a crime in any manner including a movie, book, magazine article, Internet website, recording, phonograph record, radio or television presentation, or live entertainment of any kind;
  - (b) the expression of the convicted person's thoughts, feelings, opinions, or emotions regarding a crime involving or causing personal injury, death, or property loss as a direct result of the crime; or
  - (c) the payment or exchange of any money or other consideration or the proceeds or profits that directly or indirectly result from the notoriety of the crime.
- (6) "Office" means the Utah Office for Victims of Crime.
- (7) "Profit" means any income or benefit:
  - (a) over and above the fair market value of tangible property that is received upon the sale or transfer of memorabilia; or
  - (b) any money, negotiable instruments, securities, or other consideration received or contracted for gain which is traceable to a notoriety of crimes contract.

Amended by Chapter 184, 2023 General Session