FORGERY AMENDMENTS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Neal B. Hendrickson

This act modifies the Criminal Code regarding the offense of possession of a forged writing or forgery tools with intent to defraud, by removing the provisions for a lesser offense of a class A misdemeanor in specified circumstances, so that the offense is specified as a third degree felony in all circumstances.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

76-6-502, as last amended by Chapter 32, Laws of Utah 1974

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-6-502** is amended to read:

76-6-502. Possession of forged writing or device for writing.

Any person who, with intent to defraud, knowingly possesses any writing that is a forgery as defined in Section 76-6-501, or who with intent to defraud knowingly possesses any device for making any [~~such~~] writing that is a forgery as defined in Section 76-6-501, is guilty of a [~~felony of the~~] third degree[~~, except where the altering, making, completion, execution, issuance, transfer, publication, or utterance of such writing would constitute a class A misdemeanor, in which event the possession of the writing or device for making such a writing shall constitute a class A misdemeanor~~] felony.

Legislative Review Note
as of 1-5-01 12:16 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel