

**FALSIFICATION OR ALTERATION OF
GOVERNMENT RECORD**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Katherine M. Bryson

This act modifies the Criminal Code by clarifying that falsification of a government record is a class B misdemeanor only if the offense does not constitute a fraud offense subject to a greater penalty.

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

AMENDS:

76-8-511, as enacted by Chapter 196, Laws of Utah 1973

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

Section 1. Section **76-8-511** is amended to read:

76-8-511. Falsification or alteration of government record -- Penalty.

A person is guilty of a class B misdemeanor if ~~[he]~~ under circumstances not amounting to an offense subject to a greater penalty under Title 76, Chapter 6, Part 5, Fraud, the person:

- (1) knowingly makes a false entry in or false alteration of anything belonging to, received, or kept by the government for information or record, or required by law to be kept for information of the government; ~~[or]~~
- (2) presents or uses anything knowing it to be false and with a purpose that it be taken as a genuine part of information or records referred to in Subsection (1); or
- (3) intentionally ~~[and unlawfully]~~ destroys, conceals, or otherwise impairs the verity or availability of ~~[any such thing]~~ the information or records, knowing that the destruction, concealment, or impairment is unlawful.