

Representative Jeff Alexander proposes the following substitute bill:

1 **PENALTIES FOR PROVIDING FALSE OR**
2 **MISLEADING INFORMATION IN COURT**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Jeff Alexander**

7 **LONG TITLE**

8 **General Description:**

9 This bill provides a class B misdemeanor penalty for individuals providing false or
10 misleading information to an officer of the court.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ provides a class B misdemeanor penalty for persons, not under oath or affirmation,
14 intentionally or knowingly providing false or misleading statements to officers of
15 the court; and

16 ▶ includes a definition of "officer of the court."

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **76-8-504.6**, Utah Code Annotated 1953

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



26 Section 1. Section **76-8-504.6** is enacted to read:

27 **76-8-504.6. False or misleading information.**

28 (1) A person is guilty of a class B misdemeanor if the person, not under oath or
 29 affirmation, intentionally or knowingly gives ~~H~~ ~~[or causes to be given]~~ ~~h~~ false or misleading
 29a ~~H~~ **MATERIAL** ~~h~~
 30 information to an officer of the court for the purpose of influencing a ~~H~~ ~~[sentencing decision]~~
 30a **CRIMINAL PROCEEDING** ~~h~~ .

31 (2) For the purposes of this section "officer of the court" means:

32 (a) prosecutor;

33 (b) judge;

34 (c) court clerk;

35 ~~H~~ ~~[(d) attorney;~~

36 ~~(e) guardian ad litem;]~~ ~~h~~

37 ~~H~~ ~~[(f) (d) h~~ interpreter;

38 ~~H~~ ~~[(g) (e) h~~ ~~bailiff;]~~ ~~h~~

39 ~~H~~ ~~[(h) H~~ ~~[(f) (e) h h~~ presentence investigator;

40 ~~H~~ ~~[(i) H~~ ~~[(g) (f) h h~~ probation officer;

41 ~~H~~ ~~[(j) H~~ ~~[(h) (g) h h~~ parole officer; and

42 ~~H~~ ~~[(k) H~~ ~~[(i) (h) h h~~ any other person reasonably believed to be gathering

42a ~~H~~ ~~[sentencing] h~~ information for

42a ~~H~~ ~~[the~~

43 ~~court]~~ **A CRIMINAL PROCEEDING** ~~h~~ .

43a ~~H~~ **(3) THIS SECTION DOES NOT APPLY UNDER CIRCUMSTANCES AMOUNTING TO 76-8-306**

43b **OR ANY OTHER PROVISION OF THIS CODE CARRYING A GREATER PENALTY.** ~~h~~