

**INSURANCE FRAUD AMENDMENTS**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: James A. Ferrin**

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to insurance fraud.

**Highlighted Provisions:**

This bill:

- ▶ modifies definitions;
- ▶ prohibits employing, using, or acting as a runner to engage in fraudulent acts;
- ▶ clarifies the treatment of certain funds as nonlapsing;
- ▶ provides for civil penalties;
- ▶ requires disclosure of fraudulent title insurance acts;
- ▶ addresses criminal conduct; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**31A-31-102**, as enacted by Chapter 243, Laws of Utah 1994

**31A-31-103**, as last amended by Chapter 252, Laws of Utah 2003

**31A-31-108**, as last amended by Chapter 252, Laws of Utah 2003

**76-6-521**, as last amended by Chapter 243, Laws of Utah 1994

**76-10-1602**, as last amended by Chapters 26 and 79, Laws of Utah 2003

**77-23a-8**, as last amended by Chapter 166, Laws of Utah 2002

ENACTS:

**31A-31-109**, Utah Code Annotated 1953

**31A-31-110**, Utah Code Annotated 1953

REPEALS:

**31A-23a-411**, as enacted by Chapter 298, Laws of Utah 2003

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

Section 1. Section **31A-31-102** is amended to read:

**31A-31-102. Definitions.**

As used in this chapter:

(1) "Authorized agency" means:

(a) the attorney general[;];

(b) the state fire marshal[;];

(c) any state law enforcement agency[;];

(d) any criminal investigative department or agency of the United States[;];

(e) a district attorney[;];

(f) the prosecuting attorney of any municipality or county[;];

(g) the department[;]; or

(h) the disciplinary section of an agency licensing a service provider [~~as defined by~~

~~Subsection (6)].~~

(2) "Financial loss" includes:

(a) out-of-pocket expenses[;];

(b) reasonable attorney fees[;];

(c) repair and replacement costs[;]; or

(d) claims payments.

(3) "Insurer" means any person[~~, firm, corporation, limited liability company, association,~~

or aggregation of persons;

(a) doing insurance business, as defined in Section 31A-1-301[;]; or

(b) subject to the supervision of the commissioner under [~~Title 31A,~~];

(i) this title; or

(ii) any equivalent insurance supervisory official of another state.

(4) "Knowingly" has the same meaning as in Subsection 76-2-103(2).

(5) "Person" means an individual, firm, company, corporation, association, limited liability company, partnership, organization, society, business trust, service provider, or any other legal entity.

(6) (a) "Runner" means a person who procures clients at the direction of, or in cooperation with a person who intends to:

(i) perform or obtain a service or benefit under a contract of insurance; or

(ii) assert a claim against an insured.

(b) "Runner" includes:

(i) a capper; or

(ii) a steerer.

~~(6)~~ (7) "Service provider" means:

(a) an individual licensed to practice law [~~or~~];

(b) an individual licensed or certified by the state under:

(i) [~~Title 31A, Insurance Code~~] this title;

(ii) Title 41, Chapter 3, Motor Vehicle Business Regulation Act;

(iii) Title 58, Occupations and Professions; or

(iv) Title 61, Securities Division - Real Estate Division;

~~(b)~~ (c) an individual [~~similarly~~] licensed in another jurisdiction in a manner similar to a license described in Subsection (7)(a) or (b);

~~(c)~~ (d) an individual practicing any nonmedical treatment rendered in accordance with a recognized religious method of healing; or

~~(d)~~ (e) a hospital, health care facility, or person whose services are compensated directly or indirectly by insurance.

~~(7)~~ (8) "Statement" includes any:

- (a) (i) notice[;];
- (ii) statement[;];
- (iii) proof of loss[;];
- (iv) bill of lading[;];
- (v) receipt for payment[;];
- (vi) invoice[;];
- (vii) account[;];
- (viii) estimate of property damage[;];
- (ix) bill for services[;];
- (x) diagnosis[;];
- (xi) prescription[;];
- (xii) hospital or doctor record[;];
- (xiii) x-ray[;];
- (xiv) test result[;]; or
- (xv) other evidence of loss, injury, or expense[~~including~~]; or
- (b) item listed in Subsection (8)(a) that is a computer-generated document.

Section 2. Section **31A-31-103** is amended to read:

**31A-31-103. Fraudulent insurance act.**

(1) A person commits a fraudulent insurance act if that person with intent to deceive or defraud:

(a) knowingly presents or causes to be presented to an insurer any oral or written statement or representation knowing that the statement or representation contains false, incomplete, or misleading information concerning any fact material to an application for the issuance or renewal of an insurance policy, certificate, or contract;

(b) knowingly presents or causes to be presented to an insurer any oral or written statement or representation:

(i) (A) as part of, or in support of, a claim for payment or other benefit pursuant to an insurance policy, certificate, or contract[;]; or

(B) in connection with any civil claim asserted for recovery of damages for personal or bodily injuries or property damage~~[-]; and~~

(ii) knowing that the statement or representation contains false, incomplete, or misleading information concerning any fact or thing material to the claim;

(c) knowingly accepts a benefit from the proceeds derived from a fraudulent insurance act;

(d) assists, abets, solicits, or conspires with another to commit a fraudulent insurance act;

(e) knowingly supplies false or fraudulent material information in any document or statement required by the department; ~~[or]~~

(f) knowingly fails to forward a premium to an insurer in violation of Section 31A-23a-411.1~~[-]; or~~

(g) knowingly employs, uses, or acts as a runner for the purpose of committing a fraudulent insurance act.

(2) A service provider commits a fraudulent insurance act if that service provider with intent to deceive or defraud:

(a) knowingly submits or causes to be submitted a bill or request for payment;

(i) containing charges or costs for an item or service that are substantially in excess of customary charges or costs for the item or service; or

(ii) containing itemized or delineated fees for what would customarily be considered a single procedure or service;

(b) knowingly furnishes or causes to be furnished an item or service to a person;

(i) substantially in excess of the needs of the person; or

(ii) of a quality that fails to meet professionally recognized standards;

(c) knowingly accepts a benefit from the proceeds derived from a fraudulent insurance act; or

(d) assists, abets, solicits, or conspires with another to commit a fraudulent insurance act.

(3) An insurer commits a fraudulent insurance act if that insurer with intent to deceive or defraud:

- (a) knowingly withholds information or provides false or misleading information with respect to an application, coverage, benefits, or claims under a policy or certificate;
- (b) assists, abets, solicits, or conspires with another to commit a fraudulent insurance act;
- (c) knowingly accepts a benefit from the proceeds derived from a fraudulent insurance act; or
- (d) knowingly supplies false or fraudulent material information in any document or statement required by the department.

(4) An insurer or service provider is not liable for any fraudulent insurance act committed by an employee without the authority of the insurer or service provider unless the insurer or service provider knew or should have known of the fraudulent insurance act.

Section 3. Section **31A-31-108** is amended to read:

**31A-31-108. Assessment of insurers.**

- (1) For purposes of this section:
  - (a) The commissioner shall by rule made in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, define:
    - (i) "annuity consideration";
    - (ii) "membership fees";
    - (iii) "other fees";
    - (iv) "deposit-type contract funds"; and
    - (v) "other considerations in Utah."
  - (b) "Utah consideration" means:
    - (i) the total premiums written for Utah risks;
    - (ii) annuity consideration;
    - (iii) membership fees collected by the insurer;
    - (iv) other fees collected by the insurer;
    - (v) deposit-type contract funds; and
    - (vi) other considerations in Utah.
  - (c) "Utah risks" means insurance coverage on the lives, health, or against the liability of

persons residing in Utah, or on property located in Utah, other than property temporarily in transit through Utah.

(2) To implement this chapter, Section 34A-2-110, and Section 76-6-521, the commissioner may assess each admitted insurer and each nonadmitted insurer transacting insurance under Chapter 15, Parts 1 and 2, an annual fee as follows:

(a) \$150 for an insurer if the sum of the Utah consideration for that insurer is less than or equal to \$1,000,000;

(b) \$400 for an insurer if the sum of the Utah consideration for that insurer is greater than \$1,000,000 but is less than or equal to \$2,500,000;

(c) \$700 for an insurer if the sum of the Utah consideration for that insurer is greater than \$2,500,000 but is less than or equal to \$5,000,000;

(d) \$1,350 for an insurer if the sum of the Utah consideration for that insurer is greater than \$5,000,000 but less than or equal to \$10,000,000;

(e) \$5,150 for an insurer if the sum of the Utah consideration for that insurer is greater than \$10,000,000 but less than \$50,000,000; and

(f) \$12,350 for an insurer if the sum of the Utah consideration for that insurer equals or exceeds \$50,000,000.

(3) (a) All money received by the state under this section shall be deposited in the General Fund as a ~~[nonlapsing]~~ dedicated credit of the ~~[Insurance]~~ department for the purpose of providing funds to pay for any costs and expenses incurred by the ~~[Insurance]~~ department in the administration, investigation, and enforcement of this chapter, Section 34A-2-110, and Section 76-6-521.

(b) All monies received by the department to pay for the costs and expenses incurred by the department in the administration, investigation, and enforcement of this chapter, Section 34A-2-110, and Section 76-6-521 shall be nonlapsing.

Section 4. Section **31A-31-109** is enacted to read:

**31A-31-109. Civil penalties.**

(1) In addition to other penalties provided by law, a person who violates this chapter:

(a) is subject to the following civil penalties:

(i) the person shall make full restitution; and

(ii) the person shall pay the costs of enforcement of this chapter for the case in which the person is found to have violated this chapter:

(A) as determined by the one or more authorized agencies involved; and

(B) including costs of:

(I) investigators;

(II) attorneys; and

(III) other public employees; and

(b) in the discretion of the court, may be required to pay to the state a civil penalty not to exceed three times that amount of value improperly sought or received from the fraudulent insurance act.

(2) (a) Monies paid under Subsection (1)(a)(i) shall be paid to the person damaged by the fraudulent insurance act.

(b) Monies paid under Subsection (1)(a)(ii) shall be paid to each applicable authorized agency in the following order:

(i) to the General Fund as a dedicated credit of the department for the costs of enforcement incurred by the department;

(ii) to the General Fund for the costs of enforcement incurred by a state agency other than the department;

(iii) to the applicable political subdivision for the costs of enforcement incurred by the political subdivision; and

(iv) to the applicable criminal investigative department or agency of the United States for the costs of enforcement incurred by the department or agency.

(c) Monies paid under Subsection (1)(b) shall be paid into the General Fund.

(d) Monies received by the department under this Subsection (2) are nonlapsing in accordance with Subsection 31A-31-108(3).

(3) (a) A civil penalty assessed under Subsection (1) shall be awarded by the court as part



of its judgment in both criminal and civil actions.

(b) A criminal action need not be brought against a person in order for that person to be civilly liable under this section.

Section 5. Section **31A-31-110** is enacted to read:

**31A-31-110. Mandatory reporting of fraudulent title insurance acts -- Failure to report -- Criminal penalties.**

(1) An auditor that is employed by a title insurer and that has knowledge that a fraudulent insurance act is being, will be, or has been committed related to title insurance shall report the fraudulent act to the commissioner in a writing that provides information in detail relating to:

(a) the fraudulent insurance act; and

(b) the perpetrator of the fraudulent insurance act.

(2) (a) Any auditor required to report a fraudulent insurance act under Subsection (1) who willfully fails to comply with Subsection (1) is guilty of a class B misdemeanor.

(b) An action for failure to comply with Subsection (1) shall be commenced within four years from the date on which the auditor employed by the title insurer:

(i) had knowledge of the fraudulent insurance act; and

(ii) willfully failed to report the fraudulent insurance act.

Section 6. Section **76-6-521** is amended to read:

**76-6-521. Fraudulent insurance act.**

(1) A person commits a fraudulent insurance act if that person with intent to defraud:

(a) presents or causes to be presented any oral or written statement or representation knowing that the statement or representation contains false or fraudulent information concerning any fact material to an application for the issuance or renewal of an insurance policy, certificate, or contract;

(b) presents, or causes to be presented, any oral or written statement or representation:

(i) (A) as part of or in support of a claim for payment or other benefit pursuant to an insurance policy, certificate, or contract[;]; or

(B) in connection with any civil claim asserted for recovery of damages for personal or

bodily injuries or property damage[-]; and

(ii) knowing that the statement or representation contains false or fraudulent information concerning any fact or thing material to the claim;

(c) knowingly accepts a benefit from proceeds derived from a fraudulent insurance act;

(d) intentionally, knowingly, or recklessly, devises a scheme or artifice to obtain fees for professional services, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions[-];

(e) knowingly employs, uses, or acts as a runner, as defined in Section 31A-31-102, for the purpose of committing a fraudulent insurance act;

(f) knowingly assists, abets, solicits, or conspires with another to commit a fraudulent insurance act; or

(g) knowingly supplies false or fraudulent material information in any document or statement required by the Department of Insurance.

(2) (a) A violation of Subsection (1)(a) is a class B misdemeanor.

(b) A violation of Subsections (1)(b) through (1)[~~(d)~~](g), is punishable as in the manner prescribed by Section 76-10-1801 for communication fraud for property of like value.

(3) A corporation or association is guilty of the offense of insurance fraud under the same conditions as those set forth in Section 76-2-204.

(4) The determination of the degree of any offense under Subsections (1)(b) through (1)[~~(d)~~](g) shall be measured by the total value of all property, money, or other things obtained or sought to be obtained by the fraudulent insurance act or acts described in Subsections (1)(b) through (1)[~~(d)~~](g).

Section 7. Section **76-10-1602** is amended to read:

**76-10-1602. Definitions.**

As used in this part:

(1) "Enterprise" means any individual, sole proprietorship, partnership, corporation, business trust, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity, and includes illicit as well as licit entities.

(2) "Pattern of unlawful activity" means engaging in conduct which constitutes the commission of at least three episodes of unlawful activity, which episodes are not isolated, but have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics. Taken together, the episodes shall demonstrate continuing unlawful conduct and be related either to each other or to the enterprise. At least one of the episodes comprising a pattern of unlawful activity shall have occurred after July 31, 1981. The most recent act constituting part of a pattern of unlawful activity as defined by this part shall have occurred within five years of the commission of the next preceding act alleged as part of the pattern.

(3) "Person" includes any individual or entity capable of holding a legal or beneficial interest in property, including state, county, and local governmental entities.

(4) "Unlawful activity" means to directly engage in conduct or to solicit, request, command, encourage, or intentionally aid another person to engage in conduct which would constitute any offense described by the following crimes or categories of crimes, or to attempt or conspire to engage in an act which would constitute any of those offenses, regardless of whether the act is in fact charged or indicted by any authority or is classified as a misdemeanor or a felony:

(a) any act prohibited by the criminal provisions of Title 13, Chapter 10, Unauthorized Recording Practices Act;

(b) any act prohibited by the criminal provisions of Title 19, Environmental Quality Code, Sections 19-1-101 through 19-7-109;

(c) taking, destroying, or possessing wildlife or parts of wildlife for the primary purpose of sale, trade, or other pecuniary gain, in violation of Title 23, Chapter 13, Wildlife Resources Code of Utah, or Section 23-20-4;

(d) false claims for medical benefits, kickbacks, and any other act prohibited by False Claims Act, Sections 26-20-1 through 26-20-12;

(e) any act prohibited by the criminal provisions of Title 32A, Chapter 12, Criminal Offenses;

(f) any act prohibited by the criminal provisions of Title 57, Chapter 11, Utah Uniform

Land Sales Practices Act;

(g) any act prohibited by the criminal provisions of Title 58, Chapter 37, Utah Controlled Substances Act, or Title 58, Chapter 37b, Imitation Controlled Substances Act, Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or Title 58, Chapter 37d, Clandestine Drug Lab Act;

(h) any act prohibited by the criminal provisions of Title 61, Chapter 1, Utah Uniform Securities Act;

(i) any act prohibited by the criminal provisions of Title 63, Chapter 56, Utah Procurement Code;

(j) assault or aggravated assault, Sections 76-5-102 and 76-5-103;

(k) a terroristic threat, Section 76-5-107;

(l) criminal homicide, Sections 76-5-201, 76-5-202, and 76-5-203;

(m) kidnapping or aggravated kidnapping, Sections 76-5-301 and 76-5-302;

(n) sexual exploitation of a minor, Section 76-5a-3;

(o) arson or aggravated arson, Sections 76-6-102 and 76-6-103;

(p) causing a catastrophe, Section 76-6-105;

(q) burglary or aggravated burglary, Sections 76-6-202 and 76-6-203;

(r) burglary of a vehicle, Section 76-6-204;

(s) manufacture or possession of an instrument for burglary or theft, Section 76-6-205;

(t) robbery or aggravated robbery, Sections 76-6-301 and 76-6-302;

(u) theft, Section 76-6-404;

(v) theft by deception, Section 76-6-405;

(w) theft by extortion, Section 76-6-406;

(x) receiving stolen property, Section 76-6-408;

(y) theft of services, Section 76-6-409;

(z) forgery, Section 76-6-501;

(aa) fraudulent use of a credit card, Sections 76-6-506.1, 76-6-506.2, and 76-6-506.4;

(bb) deceptive business practices, Section 76-6-507;

- (cc) bribery or receiving bribe by person in the business of selection, appraisal, or criticism of goods, Section 76-6-508;
- (dd) bribery of a labor official, Section 76-6-509;
- (ee) defrauding creditors, Section 76-6-511;
- (ff) acceptance of deposit by insolvent financial institution, Section 76-6-512;
- (gg) unlawful dealing with property by fiduciary, Section 76-6-513;
- (hh) bribery or threat to influence contest, Section 76-6-514;
- (ii) making a false credit report, Section 76-6-517;
- (jj) criminal simulation, Section 76-6-518;
- (kk) criminal usury, Section 76-6-520;
- (ll) [~~false or~~] fraudulent insurance [~~claim~~] act, Section 76-6-521;
- (mm) computer crimes, Section 76-6-703;
- (nn) identity fraud, Section 76-6-1102;
- (oo) sale of a child, Section 76-7-203;
- (pp) bribery to influence official or political actions, Section 76-8-103;
- (qq) threats to influence official or political action, Section 76-8-104;
- (rr) receiving bribe or bribery by public servant, Section 76-8-105;
- (ss) receiving bribe or bribery for endorsement of person as public servant, Section 76-8-106;
- (tt) official misconduct, Sections 76-8-201 and 76-8-202;
- (uu) obstruction of justice, Section 76-8-306;
- (vv) acceptance of bribe or bribery to prevent criminal prosecution, Section 76-8-308;
- (ww) false or inconsistent material statements, Section 76-8-502;
- (xx) false or inconsistent statements, Section 76-8-503;
- (yy) written false statements, Section 76-8-504;
- (zz) tampering with a witness, retaliation against a witness or informant, or bribery, Section 76-8-508;
- (aaa) extortion or bribery to dismiss criminal proceeding, Section 76-8-509;

- (bbb) public assistance fraud in violation of Section 76-8-1203, 76-8-1204, or 76-8-1205;
- (ccc) intentionally or knowingly causing one animal to fight with another, Subsection 76-9-301(1)(f);
- (ddd) possession, use, or removal of explosives, chemical, or incendiary devices or parts, Section 76-10-306;
- (eee) delivery to common carrier, mailing, or placement on premises of an incendiary device, Section 76-10-307;
- (fff) possession of a deadly weapon with intent to assault, Section 76-10-507;
- (ggg) unlawful marking of pistol or revolver, Section 76-10-521;
- (hhh) alteration of number or mark on pistol or revolver, Section 76-10-522;
- (iii) forging or counterfeiting trademarks, trade name, or trade device, Section 76-10-1002;
- (jjj) selling goods under counterfeited trademark, trade name, or trade devices, Section 76-10-1003;
- (kkk) sales in containers bearing registered trademark of substituted articles, Section 76-10-1004;
- (lll) selling or dealing with article bearing registered trademark or service mark with intent to defraud, Section 76-10-1006;
- (mmm) gambling, Section 76-10-1102;
- (nnn) gambling fraud, Section 76-10-1103;
- (ooo) gambling promotion, Section 76-10-1104;
- (ppp) possessing a gambling device or record, Section 76-10-1105;
- (qqq) confidence game, Section 76-10-1109;
- (rrr) distributing pornographic material, Section 76-10-1204;
- (sss) inducing acceptance of pornographic material, Section 76-10-1205;
- (ttt) dealing in harmful material to a minor, Section 76-10-1206;
- (uuu) distribution of pornographic films, Section 76-10-1222;
- (vvv) indecent public displays, Section 76-10-1228;

(www) prostitution, Section 76-10-1302;

(xxx) aiding prostitution, Section 76-10-1304;

(yyy) exploiting prostitution, Section 76-10-1305;

(zzz) aggravated exploitation of prostitution, Section 76-10-1306;

(aaaa) communications fraud, Section 76-10-1801;

(bbbb) any act prohibited by the criminal provisions of Title 76, Chapter 10, Part 19, Money Laundering and Currency Transaction Reporting Act;

(cccc) any act prohibited by the criminal provisions of the laws governing taxation in this state; and

(dddd) any act illegal under the laws of the United States and enumerated in Title 18, Section 1961 (1)(B), (C), and (D) of the United States Code.

Section 8. Section **77-23a-8** is amended to read:

**77-23a-8. Court order to authorize or approve interception -- Procedure.**

(1) The attorney general of the state, any assistant attorney general specially designated by the attorney general, any county attorney, district attorney, deputy county attorney, or deputy district attorney specially designated by the county attorney or by the district attorney, may authorize an application to a judge of competent jurisdiction for an order for an interception of wire, electronic, or oral communications by any law enforcement agency of the state, the federal government or of any political subdivision of the state that is responsible for investigating the type of offense for which the application is made.

(2) The judge may grant the order in conformity with the required procedures when the interception sought may provide or has provided evidence of the commission of:

(a) any act prohibited by the criminal provisions of Title 58, Chapter 37, Utah Controlled Substances Act; Title 58, Chapter 37c, Utah Controlled Substances Precursor Act; Title 58, Chapter 37d, Clandestine Drug Lab Act; punishable by a term of imprisonment of more than one year;

(b) any act prohibited by the criminal provisions of the Utah Uniform Securities Act and punishable by a term of imprisonment of more than one year, Title 61, Chapter 1;

(c) attempt, Section 76-4-101; conspiracy, Section 76-4-201; solicitation, Section 76-4-203; to commit any of the offenses enumerated above so long as the attempt, conspiracy or solicitation offense is punishable by a term of imprisonment of more than one year;

(d) terroristic threat offense punishable by a maximum term of imprisonment of more than one year, Section 76-5-107;

(e) aggravated murder, Section 76-5-202; murder, Section 76-5-203; manslaughter, Section 76-5-205;

(f) kidnapping, Section 76-5-301; child kidnapping, Section 76-5-301.1; aggravated kidnapping, Section 76-5-302;

(g) arson, Section 76-6-102; aggravated arson, Section 76-6-103;

(h) burglary, Section 76-6-202; aggravated burglary, Section 76-6-203;

(i) robbery, Section 76-6-301; aggravated robbery, Section 76-6-302;

(j) theft, Section 76-6-404; theft by deception, Section 76-6-405; theft by extortion, Section 76-6-406; when the theft, theft by deception or theft by extortion, is punishable by a maximum term of imprisonment of more than one year;

(k) receiving stolen property offense punishable by a maximum term of imprisonment of more than one year, Section 76-6-408;

(l) financial card transaction offenses punishable by a maximum term of imprisonment of more than one year, Section 76-6-506.1, 76-6-506.2, 76-6-506.3, 76-6-506.4, 76-6-506.5, or 76-6-506.6;

(m) bribery of a labor official, Section 76-6-509;

(n) bribery or threat to influence a publicly exhibited contest, Section 76-6-514;

(o) criminal simulation offenses punishable by a maximum term of imprisonment of more than one year, Section 76-6-518;

(p) criminal usury, Section 76-6-520;

(q) [~~false or~~] fraudulent insurance [~~claim~~] act offenses punishable by a maximum term of imprisonment of more than one year, Section 76-6-521;

(r) violations of the Computer Crimes Act punishable by a maximum term of



imprisonment of more than one year, Section 76-6-703;

(s) bribery to influence official or political actions, Section 76-8-103;

(t) misusing public moneys, Section 76-8-402;

(u) tampering with a witness, retaliation against a witness or informant, or bribery, communicating a threat, Section 76-8-508;

(v) tampering with a juror, retaliation against a juror, Section 76-8-508.5;

(w) extortion or bribery to dismiss criminal proceeding, Section 76-8-509;

(x) obstruction of justice, Section 76-8-306;

(y) destruction of property to interfere with preparation for defense or war, Section 76-8-802;

(z) attempts to commit crimes of sabotage, Section 76-8-804;

(aa) conspiracy to commit crimes of sabotage, Section 76-8-805;

(bb) advocating criminal syndicalism or sabotage, Section 76-8-902;

(cc) assembly for advocating criminal syndicalism or sabotage, Section 76-8-903;

(dd) riot punishable by a maximum term of imprisonment of more than one year, Section 76-9-101;

(ee) dog fighting, training dogs for fighting, dog fighting exhibitions punishable by a maximum term of imprisonment of more than one year, Section 76-9-301.1;

(ff) explosive, chemical, or incendiary device and parts, possession, use, or removal, Section 76-10-306;

(gg) explosive, chemical, or incendiary device, delivery to a common carrier or mailing, Section 76-10-307;

(hh) exploiting prostitution, Section 76-10-1305;

(ii) aggravated exploitation of prostitution, Section 76-10-1306;

(jj) bus hijacking, assault with intent to commit hijacking, dangerous weapon or firearm, Section 76-10-1504;

(kk) discharging firearms and hurling missiles, Section 76-10-1505;

(ll) violations of the Pattern of Unlawful Activity Act and the offenses listed under the

definition of unlawful activity in the act, including the offenses not punishable by a maximum term of imprisonment of more than one year when those offenses are investigated as predicates for the offenses prohibited by the act, Section 76-10-1602;

(mm) communications fraud, Section 76-10-1801;

(nn) money laundering, Sections 76-10-1903 and 76-10-1904; or

(oo) reporting by financial institutions when the offense is punishable by a maximum term of imprisonment of more than one year, Section 76-10-1906.

**Section 9. Repealer.**

This bill repeals:

**Section 31A-23a-411, Person's liability if premium received is not forwarded to the insurer.**