

28 **76-6-102. Arson.**

29 (1) A person is guilty of arson if under circumstances not amounting to aggravated
30 arson, by means of fire or explosives, the person unlawfully and intentionally damages:

31 (a) any property with intention of defrauding an insurer; or

32 (b) the property of another.

33 (2) A violation of Subsection (1)(a) is a second degree felony.

34 (3) A violation of Subsection (1)(b) is:

35 (a) a second degree felony if:

36 (i) the damage caused is or exceeds \$5,000 in value; or

37 (ii) as a § PROXIMATE § result of the fire or explosion, any person not a participant in the
37a offense

38 suffers serious bodily injury as defined in Section 76-1-601;

39 (b) a third degree felony if:

40 (i) the damage caused is or exceeds \$1,000 but is less than \$5,000 in value;

41 (ii) as a § PROXIMATE § result of the fire or explosion, any person not a participant in the
41a offense

42 suffers substantial bodily injury as defined in Section 76-1-601; or

43 (iii) the fire or explosion endangers human life;

44 (c) a class A misdemeanor if the damage caused is or exceeds \$300 but is less than
45 \$1,000 in value; and

46 (d) a class B misdemeanor if the damage caused is less than \$300.

Legislative Review Note
as of 12-19-03 3:55 PM

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

Office of Legislative Research and General Counsel

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst