

1 **PENALTY FOR PROVIDING FALSE**
2 **INFORMATION TO STATE AGENCY**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Parley G. Hellewell**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Criminal Code by expanding certain penalties for providing false
10 information to also apply to false information provided to state or local government
11 agencies.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that knowingly giving false information to a state or local government
15 agency or personnel with the intent to imply that another person has committed an
16 offense or to induce a change in a person's licensing or certification status is a class
17 B misdemeanor;

18 ▶ provides that giving a false name, birth date, or address to a state or local
19 government agency or personnel during the course of the recipient's official duties is
20 a class C misdemeanor; and

21 ▶ provides that giving another person's name, birth date, or address to a state or local
22 government agency or personnel during the course of the recipient's official duties
23 and with the intent to mislead the recipient is a class A misdemeanor.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **76-8-506**, as last amended by Chapter 282, Laws of Utah 1998

31 **76-8-507**, as last amended by Chapter 42, Laws of Utah 2002

32

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

34 Section 1. Section **76-8-506** is amended to read:

35 **76-8-506. Providing false information to law enforcement officers, government**
36 **agencies, or specified professionals.**

37 A person is guilty of a class B misdemeanor if he:

38 (1) knowingly gives or causes to be given false information to any peace officer or any
39 state or local government agency or personnel with a purpose of inducing the ~~[officer]~~ recipient
40 of the information to believe that another has committed an offense; ~~[or]~~

41 (2) knowingly gives or causes to be given to any peace officer, any state or local
42 government agency or personnel, or to any person licensed in this state to practice social work,
43 psychology, or marriage and family therapy, information concerning the commission of an
44 offense, knowing that the offense did not occur or knowing that he has no information relating
45 to the offense or danger~~[-]; or~~

46 (3) knowingly gives or causes to be given false information to any state or local
47 government agency or personnel with a purpose of inducing a change in the person's licensing
48 or certification status or the licensing or certification status of another.

49 Section 2. Section **76-8-507** is amended to read:

50 **76-8-507. False personal information to peace officer or government agency.**

51 (1) A person commits a class C misdemeanor if, with intent of misleading a peace
52 officer or any state or local government agency or personnel as to the person's identity, birth
53 date, or place of residence, the person knowingly gives a false name, birth date, or address to ~~[a~~
54 ~~peace officer in]~~ the recipient of the information during the lawful discharge of the [peace
55 officer's] recipient's official duties.

56 (2) A person commits a class A misdemeanor if, with the intent of leading a peace
57 officer or any local government agency or personnel to believe that the person is another actual
58 person, he gives the name, birth date, or address of another person to ~~[a peace officer acting in]~~

59 the recipient of the information during the lawful discharge of the [~~peace officer's~~] recipient's
60 official duties.

Legislative Review Note
as of 1-17-05 8:56 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

It is estimated that the additional efforts required by the provisions of this bill can be absorbed within existing state and local government budgets.

Individual and Business Impact

Fines and penalties to those convicted under the provisions of this bill are increased. Fines are increased up to \$1,000 per offense. Persons convicted of crimes under the provisions of this bill could spend more time incarcerated reducing their ability to generate personal income.

Office of the Legislative Fiscal Analyst