

1                   **OBSTRUCTING A WARRANT OR ORDER TO**  
2                   **SHOW CAUSE OF A PAROLEE OR**  
3                   **PROBATIONER**

4                   2007 GENERAL SESSION

5                   STATE OF UTAH

6                   **Chief Sponsor: Rebecca D. Lockhart**

7                   Senate Sponsor: Darin G. Peterson

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9                   **LONG TITLE**

10                  **General Description:**

11                  This bill modifies the Criminal Code regarding obstructing service of a Board of  
12                  Pardons and Parole warrant or an order to show cause regarding a probation or parole  
13                  violation.

14                  **Highlighted Provisions:**

15                  This bill:

- 16                  ▶ provides that a person is guilty of a third degree felony who:
  - 17                      • aids a parolee to evade service of a warrant issued by the Board of Pardons and
  - 18                      Parole for a parole violation; or
  - 19                      • aids a probationer to evade service of an order to show cause regarding a
  - 20                      violation of the probation agreement.

21                  **Monies Appropriated in this Bill:**

22                  None

23                  **Other Special Clauses:**

24                  None

25                  **Utah Code Sections Affected:**

26                  ENACTS:

27                  **76-8-306.5**, Utah Code Annotated 1953

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

30 Section 1. Section **76-8-306.5** is enacted to read:

31 **76-8-306.5. Obstructing service of a Board of Pardons' warrant or a probationer**  
32 **order to show cause.**

33 A person is guilty of a third degree felony who:

34 (1) knows that the Board of Pardons and Parole has issued a warrant for a parolee or  
35 that a court has issued an order to show cause regarding a defendant's violation of the terms of  
36 probation; and

37 (2) (a) harbors or conceals the parolee or probationer;

38 (b) provides the parolee or probationer with transportation, disguise, or other means or  
39 assistance to avoid discovery; or

40 (c) warns the parolee or probationer of his impending discovery.