

**CRIME OF CLAIMING MILITARY AWARD BY
NONRECIPIENT**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill makes it a crime for a person to intentionally make a false representation that the person has been awarded a decoration, medal, or badge of the armed forces of the United States.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ makes it a class B misdemeanor for a person to intentionally make a false representation that the person has been awarded a service medal;
- ▶ makes it a class A misdemeanor for a person to intentionally make a false representation that the person has been awarded a distinguished service medal;
- ▶ makes it a class B misdemeanor to wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof, unless authorized by federal law; and
- ▶ makes it a class A misdemeanor to wear, ship, or make a distinguished service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a distinguished service medal or a colorable imitation thereof, unless authorized by federal law.



28 **Monies Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **76-9-706**, Utah Code Annotated 1953



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

37 Section 1. Section **76-9-706** is enacted to read:

38 **76-9-706. False representation of military award.**

39 (1) As used in this section:

40 (a) "Distinguished service medal" means:

41 (i) a congressional medal of honor, as defined in 18 U.S.C. 704(c)(2);

42 (ii) a distinguished service cross, as defined in 10 U.S.C 3742;

43 (iii) a Navy cross, as defined in 10 U.S.C. 6242;

44 (iv) an Air Force cross, as defined in 10 U.S.C. 8742;

45 (v) a silver star, as defined in 10 U.S.C. 3746, 6244, or 8746;

46 (vi) a bronze star, as defined in 10 U.S.C. 1133; or

47 (vii) a purple heart, as defined in 10 U.S.C. 1129.

48 (b) "Service medal" means, other than a distinguished service medal:

49 (i) any decoration or medal authorized by the Congress of the United States for the
50 armed forces of the United States;

51 (ii) any service medal or badge awarded to members of the armed forces of the United
52 States;

53 (iii) any ribbon, button, or rosette for a decoration, medal, or badge described in
54 Subsection (1)(a)(i) or (ii); or

55 (iv) an imitation of a ribbon, button, or rosette described in Subsection (1)(a)(i), (ii), or
56 (iii).

57 (2) Any person who intentionally makes a false representation, verbally or in writing,
58 that the person has been awarded a service medal is guilty of a class B misdemeanor.

59 (3) Any person who intentionally makes a false representation, verbally or in writing,
60 that the person has been awarded a distinguished service medal is guilty of a class A
61 misdemeanor.

62 (4) Any person who knowingly wears, purchases, attempts to purchase, solicits for
63 purchase, mails, ships, imports, exports, produces blank certificates of receipt for,
64 manufactures, sells, attempts to sell, advertises for sale, trades, barter, or exchanges for
65 anything of value a service medal, or any colorable imitation thereof, except when authorized
66 by federal law, or under regulations made pursuant to federal law, is guilty of a class B
67 misdemeanor.

68 (5) Any person who knowingly wears, purchases, attempts to purchase, solicits for
69 purchase, mails, ships, imports, exports, produces blank certificates of receipt for,
70 manufactures, sells, attempts to sell, advertises for sale, trades, barter, or exchanges for
71 anything of value a distinguished service medal, or any colorable imitation thereof, except
72 when authorized by federal law, or under regulations made pursuant to federal law, is guilty of
73 a class A misdemeanor.

Legislative Review Note
as of 2-5-07 2:03 PM

Office of Legislative Research and General Counsel

H.B. 463 - Crime of Claiming Military Award by Nonreipient

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
