		III V L OL	TIDICITE I		
<b>¢</b>	Appro	ved for Fil	ing: T.R.	Vaughn	<b>¢</b>
	<b>⊈</b>	01-10-08	12:00 PN	$I$ $\mathbb{L}$	

1	FALSE IMPERSONATION AND				
2	REPRESENTATION				
3	2008 GENERAL SESSION				
4	STATE OF UTAH				
5	Chief Sponsor: Gage Froerer				
6	Senate Sponsor: Jon J. Greiner				
7 8	LONG TITLE				
9	General Description:				
10	This bill makes amendments to the offense of "false wearing or use of military or				
11	organization medal or insignia" and makes the offense consistent with similar criminal				
12	provisions.				
13	Highlighted Provisions:				
14	This bill:				
15	<ul> <li>deletes the requirement that a society, order, or organization must exist for at least</li> </ul>				
16	ten years in the state before criminal provisions apply relating to the false wearing				
17	or use of a military medal, or the false use of a society's, order's, or organization's,				
18	name, titles, insignias, rituals, or ceremonies;				
19	<ul> <li>provides that the criminal provisions described in the preceding paragraph are only</li> </ul>				
20	violated if the person engages in the prohibited conduct with the intent to defraud or $\hat{\mathbf{H}} \rightarrow \underline{\mathbf{with the}}$				
20a	<u>intent to</u> ←Ĥ				
21	make a false representation;				
22	reduces the penalty for the criminal provisions described in this bill from a class B				
23	misdemeanor to a class C misdemeanor;				
24	<ul> <li>provides that the offense of "false representation of military award" supercedes the</li> </ul>				
25	offense described in this bill; and				
26	<ul> <li>makes technical changes.</li> </ul>				
27	Monies Appropriated in this Bill:				



	H.B. 272 01-10-08 12:00 PM					
28	None					
29	Other Special Clauses:					
30	None					
31	<b>Utah Code Sections Affected:</b>					
32	AMENDS:					
33	<b>76-8-514</b> , as enacted by Laws of Utah 1973, Chapter 196					
34		=				
35	Be it enacted by the Legislature of the state of Utah:					
36	Section 1. Section <b>76-8-514</b> is amended to read:					
37	76-8-514. False wearing or use of medal, name, title, insignia, ritual, or ceremony.					
38	(1) It is an offense for any person to wear or use any military medal awarded by the					
39	United States, [or the] this state [of Utah], or of any society, order, or organization [of ten					
40	years' standing in this state, unless], which the person not is entitled to wear or use [it, and it is					
41	unlawful], if the person wears or uses the military medal with the intent to defraud or $\hat{H} \rightarrow \underline{\text{with the}}$					
41a	<u>intent</u> ←Ĥ <u>to falsely</u>					
42	represent that the person or another person has been awarded a military medal.					
43	(2) It is an offense for any person to use the name of [the] a society, order, or					
44	organization, the titles of its officers, or its insignia, ritual, or ceremonies, [unless] which the					
45	person is <u>not</u> authorized [thereunto] to use by the society, order, or organization [or by the state					
46	of Utah or the United States], if the person uses the name, title, insignia, ritual, or ceremony					
47	with the intent to defraud or $\hat{\mathbf{H}} \rightarrow \underline{\mathbf{with}}$ the intent $\leftarrow \hat{\mathbf{H}}$ to falsely represent that the person or another	er				
47a	person was or is a					
48	member representative or officer of the society order or organization					

[(2)] (3) A violation of this section is a class [B] C misdemeanor.

(4) This section does not apply to a person who engages in conduct that constitutes an

- 2 -

Legislative Review Note as of 12-21-07 3:22 PM

offense under Section 76-9-706.

49

50

51

Office of Legislative Research and General Counsel

## H.B. 272 - False Impersonation and Representation

## **Fiscal Note**

2008 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 or businesses. Local Justice Courts may be impacted by a change in cases filed as a result of this bill.

1/22/2008, 11:47:36 AM, Lead Analyst: Syphus, G.

Office of the Legislative Fiscal Analyst