

**DISRUPTION OF SCHOOL ACTIVITIES**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carol Spackman Moss**

Senate Sponsor: Ross I. Romero

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**LONG TITLE**

**General Description:**

This bill modifies the Criminal Code regarding disruption of a school.

**Highlighted Provisions:**

This bill:

- ▶ provides that it is a class A misdemeanor to enter onto school property in order to evade law enforcement;
- ▶ provides that not knowing the property is school property is not a defense; and
- ▶ requires that the defendant reimburse the school for the costs of responding to the defendant's presence on school property.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**76-8-1403**, Utah Code Annotated 1953

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

Section 1. Section **76-8-1403** is enacted to read:

**76-8-1403. Evading law enforcement on school property -- Penalty -- Restitution.**



28           (1) As used in this section, "school" means any public or private kindergarten,  
29 elementary, or secondary school through grade 12, including all buildings and property of the  
30 school.

31           (2) A person is guilty of a class A misdemeanor, evading law enforcement on school  
32 property, if the person enters at any time onto the property of any school when the person is in  
33 the act of fleeing or evading, or attempting to flee or evade, pursuit or apprehension by any  
34 peace officer.

35           (3) It is not a defense that the person did not know that the person had entered onto  
36 school property.

37           (4) As a part of the sentence for violation of this section, the court shall order the  
38 defendant to reimburse the school for costs incurred by the school in responding to the  
39 defendant's presence on the school property.

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**Legislative Review Note**  
**as of 1-30-08 6:46 PM**

**Office of Legislative Research and General Counsel**

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**H.B. 226 - Disruption of School Activities**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**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.

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