Enrolled Copy	H.B. :	244
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1	DISRUPTION OF SCHOOL ACTIVITIES		
2	2009 GENERAL SESSION		
3	STATE OF UTAH		
4	Chief Sponsor: Carol Spackman Moss		
5	Senate Sponsor: Jon J. Greiner		
6			
7	LONG TITLE		
8	General Description:		
9	This bill modifies the Criminal Code regarding disruption of a school.		
10	Highlighted Provisions:		
11	This bill:		
12	<ul> <li>provides a definition of school property, which includes certain areas where school</li> </ul>		
13	programs or activities are being conducted;		
14	<ul> <li>provides that it is a class A misdemeanor to enter onto school property in order to</li> </ul>		
15	evade law enforcement;		
16	<ul><li>provides that not knowing the property is school property is not a defense;</li></ul>		
17	<ul> <li>requires that the defendant reimburse the school for the costs of responding to the</li> </ul>		
18	defendant's presence on school property; and		
19	<ul> <li>provides that this offense is a separate offense from other offenses that involve</li> </ul>		
20	failure to stop for an officer.		
21	Monies Appropriated in this Bill:		
22	None		
23	Other Special Clauses:		
24	None		
25	<b>Utah Code Sections Affected:</b>		
26	ENACTS:		
27	<b>76-8-1403</b> , Utah Code Annotated 1953		
28			

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

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30	Section 1. Section <b>76-8-1403</b> is enacted to read:	
31	76-8-1403. Evading law enforcement by going on to school proper	ty Penalty
32	Restitution.	
33	(1) As used in this section:	
34	(a) "School" means any public or private kindergarten, elementary, or	secondary
35	school through grade 12, including all buildings and property of the school.	
36	(b) "School property" means real property:	
37	(i) that is owned or occupied by a public or private school; or	
38	(ii) (A) that is temporarily occupied by students for a school-related ac	tivity or
39	program; and	
40	(B) regarding which, during the time the activity or program is being of	onducted, the

main use of the real property is allocated to participants in the activity or program.

on school property, if the person enters onto school property when:

activity or program on school property; and

defendant's presence on the school property.

property is a separate offense from a violation of:

or apprehension by any peace officer.

school property.

enforcement officer.

(2) A person is guilty of the class A misdemeanor of evading law enforcement while

(a) students are attending the school or students are participating in any school-related

(b) the person is in the act of fleeing or evading, or attempting to flee or evade, pursuit

(3) It is not a defense that the person did not know that the person had entered onto

(4) As a part of the sentence for violation of this section, the court shall order the

(5) The offense under this section of evading law enforcement while on school

(b) Section 76-8-305.5, regarding failure to stop at the command of a law

(a) Section 41-6a-210, regarding failure to respond to an officer's signal to stop; or

defendant to reimburse the school for costs incurred by the school in responding to the

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