

**OBSTRUCTION OF NATURAL RESOURCE OR  
AGRICULTURAL PRODUCTION**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael E. Noel**

Senate Sponsor: Stephen H. Urquhart

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**LONG TITLE**

**General Description:**

This bill enacts a provision relating to obstruction of leasing property for natural resource or agricultural production.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ establishes a criminal penalty and mandatory fine for obstructing a competitive process to lease property for natural resource or agricultural production by placing a bid for a lease with no intent to pay for the lease.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**76-6-523**, Utah Code Annotated 1953

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

Section 1. Section **76-6-523** is enacted to read:



28            76-6-523. Obstruction of the leasing of real property for natural resource or  
29 agricultural production -- Criminal penalties.

30            (1) As used in this section:

31            (a) "Competitive process" includes public auction or other public competitive bidding  
32 process.

33            (b) "Natural resource or agricultural production" means:

34            (i) the extraction or production of oil, gas, hydrocarbons, or other minerals;

35            (ii) production for commercial purposes of crops, livestock, and livestock products,  
36 including grazing; or

37            (iii) activities similar in purpose to those listed in Subsections (1)(b)(i) and (ii).

38            (2) A person is guilty of obstruction of the leasing of real property for natural resource  
39 or agricultural production if the person:

40            (a) bids for a lease as part of a competitive process for the lease;

41            (b) does not intend to pay for the lease at the time the person makes the bid described  
42 in Subsection (2)(a); and

43            (c) does not pay the lessor in full for the lease as required by the lease agreement.

44            (3) The offense of obstruction of the leasing of real property for natural resource or  
45 agricultural production is:

46            (a) a third degree felony; and

47            (b) subject to a minimum mandatory fine of not less than \$7,500, which:

48            (i) may not be altered by the court; and

49            (ii) is in addition to any term of imprisonment the court may impose.

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Legislative Review Note  
as of 2-24-09 1:15 PM

Office of Legislative Research and General Counsel

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**H.B. 437 - Obstruction of Natural Resource or Agricultural Production**

**Fiscal Note**

2009 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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