

- 28 (a) a felony;
 - 29 (b) theft;
 - 30 (c) an assault on any person;
 - 31 (d) lewdness, a violation of Subsection 76-9-702(1);
 - 32 (e) sexual battery, a violation of Subsection 76-9-702(3);
 - 33 (f) lewdness involving a child, in violation of Section 76-9-702.5; or
 - 34 (g) voyeurism [~~against a child~~] under [~~Subsection~~] Section 76-9-702.7[(~~2~~) or (~~5~~)].
- 35 (2) Burglary is a third degree felony [~~of the third degree~~] unless it was committed in a
36 dwelling, in which event it is a second ~~°~~ **°** degree ~~←°~~ felony [~~of the second degree~~].
- 37 (3) A violation of this section is a separate offense from any of the offenses listed in
38 Subsections (1)(a) through (g), and which may be committed by the actor while [~~he is~~] in the
39 building.

Legislative Review Note
as of 1-17-11 11:59 AM

Office of Legislative Research and General Counsel