

FORGERY LAW AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark B. Madsen

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Criminal Code's forgery statutes relating to the production of false identification and false financial transaction cards without lawful authority.

Highlighted Provisions:

This bill:

▶ provides a penalty of a second degree felony for a person guilty of producing ~~§~~ [; ~~possessing,]~~ ~~←§~~ or transferring false identification documents and false financial transaction cards who:

• knowingly and without lawful authority produces, attempts, or conspires to produce an identification document, authentication feature, or a false identification document that is or appears to be issued by or under the authority of a governmental entity;

• transfers an identification document, authentication feature, a false identification document, or false financial transaction card knowing that the document or feature was stolen or produced without lawful authority;

~~§~~ [—•— ~~possesses with intent to unlawfully use or transfer for another person's unlawful use one or more identification documents, false financial transaction cards, authentication features, or false identification documents;]~~ ~~←§~~

• produces, transfers, or possesses a document-making implement or authentication feature with the intent that the document- making implement or

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121 (ii) purports to be an act on behalf of another party with the authority of that other
122 party; or

123 (iii) purports to have been executed at a time or place or in a numbered sequence other
124 than was in fact the case, or to be a copy of an original when an original did not exist.

125 (3) It is not a defense to a charge of forgery under Subsection (2)(b)(ii) if an actor signs
126 his own name to the writing if the actor does not have authority to make, complete, execute,
127 authenticate, issue, transfer, publish, or utter the writing on behalf of the party for whom the
128 actor purports to act.

129 ~~[(4) Forgery is a third degree felony.]~~

130 (4) A person is guilty of producing ~~§~~ ~~→~~ ~~;~~ ~~possessing;~~ ~~←~~ ~~§~~ or transferring any false identification
131 document or false financial transaction card who:

132 (a) knowingly and without lawful authority produces, attempts, or conspires to produce
133 an identification document, authentication feature, a false identification document, or false
134 financial transaction card that is or appears to be issued by or under the authority of an issuing
135 authority;

136 (b) transfers an identification document, authentication feature, a false identification
137 document, or a false financial transaction card knowing that the document or feature was stolen
138 or produced without lawful authority;

139 ~~§~~ ~~→~~ ~~[(c) possesses with intent to unlawfully use or transfer for another person's unlawful use~~
140 ~~one or more identification documents or financial transaction cards, other than those issued~~
141 ~~lawfully for the use of the possessor, or authentication features, false identification documents,~~
142 ~~or false financial transaction cards;~~

143 ~~——~~ ~~(d)~~ (c) ~~←~~ ~~§~~ produces, transfers, or possesses a document-making implement or authentication
144 feature with the intent that the document-making implement or the authentication feature be
145 used in the production of a false identification document or false financial transaction card, or
146 another document-making implement or authentication feature; or

147 ~~§~~ ~~→~~ ~~[(e)]~~ (d) ~~←~~ ~~§~~ traffics in false or actual authentication features for use in false identification
148 documents or false financial transaction cards, document making implements, or means of
149 identification.

150 (5) A person who violates:

151 (a) Subsection (2) is guilty of a third degree felony; and