

MUNICIPAL GOVERNMENT AUTHORITY

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill amends language related to municipal regulation and enforcement of certain activities.

Highlighted Provisions:

This bill:

- ▶ amends language related to municipal enforcement of wrongfully obtained property;
- ▶ amends language related to municipal regulation of alcoholic beverage or tobacco sales;
- ▶ amends language related to municipal enforcement of controlled substance provisions; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-8-47, as last amended by Laws of Utah 1981, Chapter 50

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



28 Section 1. Section **10-8-47** is amended to read:

29 **10-8-47. Intoxication -- Fights -- Disorderly conduct -- Assault and battery -- Petit**
 30 **larceny -- Riots and disorderly assemblies -- Firearms and fireworks -- False pretenses**
 31 **and embezzlement -- Sale of liquor, narcotics, or tobacco to minors -- Possession of**
 32 **controlled substances -- Treatment of alcoholics and narcotics or drug addicts.**

33 ~~[They]~~ A municipal legislative body may prevent intoxication, fighting, quarreling, dog
 34 fights, cockfights, prize fights, bullfights, and all disorderly conduct and provide against and
 35 punish the offenses of assault and battery and petit larceny; ~~[they]~~ the municipal legislative
 36 body may restrain riots, routs, noises, disturbances or disorderly assemblies in any street, house
 37 or place in the city; ~~[they]~~ the municipal legislative body may regulate and prevent the
 38 discharge of firearms, rockets, powder, fireworks or any other dangerous or combustible
 39 material; ~~[they]~~ the municipal legislative body may provide against and prevent the offense of
 40 obtaining money or property under false pretenses and the offense of embezzling money or
 41 property in all cases where the money or property embezzled or obtained under false pretenses
 42 does not exceed in value the sum of ~~[\$100]~~ ~~Ĥ→~~ [\$1,500] \$500 ~~←Ĥ~~ and may prohibit the sale,
 42a giving away, or
 43 furnishing of ~~[intoxicating liquors or]~~ narcotics, alcoholic beverages to a person younger than
 44 21 years of age, or ~~[of]~~ tobacco to any person ~~[under 21]~~ younger than 19 years of age; cities
 45 may, by ordinance, prohibit the possession of controlled substances as defined in the Utah
 46 Controlled Substances Act ~~Ĥ→~~ or any other endangering or impairing substance ~~←Ĥ~~, provided
 46a the conduct is not a ~~Ĥ→~~ ~~[f]~~ class A misdemeanor or ~~[f]~~ ~~←Ĥ~~ felony, and
 47 provide for treatment of alcoholics, narcotic addicts and other persons who are addicted to the
 48 use of drugs or intoxicants such that ~~[they]~~ a person substantially ~~[lack]~~ lacks the capacity to
 49 control ~~[their]~~ the person's use of the drugs or intoxicants, and judicial supervision may be
 50 imposed as a means of effecting their rehabilitation.

Legislative Review Note
 as of **2-16-12 2:43 PM**

Office of Legislative Research and General Counsel