

MUNICIPAL GOVERNMENT AUTHORITY

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Stephen G. Handy

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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

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

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

**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]~~ \$500 and may prohibit the sale, 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 or any other endangering or impairing substance, provided the  
47 conduct is not a class A misdemeanor or felony, and provide for treatment of alcoholics,  
48 narcotic addicts and other persons who are addicted to the use of drugs or intoxicants such that  
49 ~~[they]~~ a person substantially ~~[lack]~~ lacks the capacity to control ~~[their]~~ the person's use of the  
50 drugs or intoxicants, and judicial supervision may be imposed as a means of effecting their  
51 rehabilitation.