

BIGAMY OFFENSE AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Jerry W. Stevenson

LONG TITLE

General Description:

This bill modifies the Utah Criminal Code regarding bigamy.

Highlighted Provisions:

This bill:

- ▶ revises the definition of bigamy.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-7-101, as last amended by Laws of Utah 1997, Chapter 296

76-7-101.5, as enacted by Laws of Utah 2003, Chapter 6

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

Section 1. Section **76-7-101** is amended to read:

76-7-101. Bigamy -- Defense.

(1) A person is guilty of bigamy when, knowing [~~he~~] the person has a husband or wife or knowing the other person has a husband or wife, the person purports to marry [~~another~~] the other person [~~or~~] and cohabits with [~~another~~] the other person.



28 (2) Bigamy is a third degree felony [~~of the third degree~~].

29 (3) It [~~shall be~~] is a defense to bigamy that the accused reasonably believed [~~he~~] the
30 accused and the other person were legally eligible to remarry.

31 Section 2. Section **76-7-101.5** is amended to read:

32 **76-7-101.5. Child bigamy -- Penalty.**

33 (1) An actor 18 years of age or older is guilty of child bigamy when, knowing he or she
34 has a wife or husband, or knowing that a person under 18 years of age has a wife or husband,
35 the actor carries out the following with the person who is under 18 years of age:

36 (a) purports to marry the person who is under 18 years of age; [~~or~~] and

37 (b) cohabits with the person who is under 18 years of age.

38 (2) A violation of Subsection (1) is a second degree felony.

Legislative Review Note
Office of Legislative Research and General Counsel