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OFFENSE REDUCTION MODIFICATIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: _____

LONG TITLE

General Description:

This bill reduces penalties in the Utah Code.

Highlighted Provisions:

This bill:

- ▶ reduces to an infraction certain class B misdemeanor offenses in the Utah Code; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-23-111, as renumbered and amended by Laws of Utah 2017, Chapter 345

4-37-601, as enacted by Laws of Utah 1994, Chapter 153

10-3-605, as last amended by Laws of Utah 1979, Chapter 28

13-13-7, as last amended by Laws of Utah 1991, Chapter 241

13-19-3, as last amended by Laws of Utah 1991, Chapter 241

13-22-4, as last amended by Laws of Utah 1994, Chapter 185

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



28 Section 1. Section **4-23-111** is amended to read:

29 **4-23-111. Holding a raccoon or coyote in captivity prohibited -- Penalty.**

30 (1) No ~~[person]~~ individual may hold in captivity a raccoon or coyote, except as
31 provided by rules of the Agricultural and Wildlife Damage Prevention Board.

32 (2) The Division of Wildlife Resources, with the cooperation of the department and the
33 Department of Health, shall enforce this section.

34 (3) Any violation of this section is ~~[a class B misdemeanor]~~ an infraction.

35 Section 2. Section **4-37-601** is amended to read:

36 **4-37-601. Enforcement and penalties.**

37 (1) Any violation of this chapter is ~~[a class B misdemeanor]~~ an infraction and may be
38 grounds for revocation of the certificate of registration or denial of any future certificate of
39 registration as determined by the department.

40 (2) A violation of any rule made under this chapter may be grounds for revocation of
41 the certificate of registration or denial for future certificates of registration as determined by the
42 department.

43 Section 3. Section **10-3-605** is amended to read:

44 **10-3-605. Penalty.**

45 Any person who ~~[shall violate]~~ violates any of the provisions of Section **10-3-603** or
46 **10-3-604** without just cause ~~[shall be]~~ is guilty of ~~[a class B misdemeanor]~~ an infraction.

47 Section 4. Section **13-13-7** is amended to read:

48 **13-13-7. Violation an infraction.**

49 It is unlawful for any person to willfully violate any provision of this chapter. ~~[Any~~
50 ~~such]~~ A violation of this chapter is ~~[a class B misdemeanor]~~ an infraction.

51 Section 5. Section **13-19-3** is amended to read:

52 **13-19-3. Violation an infraction.**

53 Notwithstanding the provisions of Section **76-6-606**, a violation of this ~~[section is a~~
54 ~~class B misdemeanor]~~ chapter is an infraction.

55 Section 6. Section **13-22-4** is amended to read:

56 **13-22-4. Violation an infraction -- Damages.**

57 (1) A person who willfully violates any provision of this chapter, either by failing to
58 comply with any requirement or by doing any act prohibited in the chapter, is guilty of ~~[a class~~

59 ~~B-misdemeanor]~~ an infraction. Each day the violation is committed or permitted to continue
60 constitutes a separate punishable offense.

61 (2) Nothing in this section precludes any person damaged as a result of a charitable
62 solicitation from maintaining a civil action for damages or injunctive relief.

63 (3) The division may maintain an action for damages or injunctive relief on behalf of
64 itself or any other person to enforce compliance with this chapter.

Legislative Review Note
Office of Legislative Research and General Counsel