

28 Section 1. Section **76-3-204** is amended to read:

29 **76-3-204. Misdemeanor conviction -- Term of imprisonment.**

30 A person who has been convicted of a misdemeanor may be sentenced to imprisonment  
31 as follows:

- 32 (1) In the case of a class A misdemeanor, for a term not exceeding [~~one year~~] 364 days;
- 33 (2) In the case of a class B misdemeanor, for a term not exceeding six months;
- 34 (3) In the case of a class C misdemeanor, for a term not exceeding 90 days.

35 Section 2. Section **76-3-208** is amended to read:

36 **76-3-208. Imprisonment -- Custodial authorities.**

37 (1) Persons sentenced to imprisonment shall be committed to the following custodial  
38 authorities:

- 39 (a) felony commitments shall be to the Utah State Prison;
- 40 (b) (i) notwithstanding Section 76-3-204, class A misdemeanor commitments shall be  
41 to the jail, or other facility designated by the town, city, or county where the defendant was  
42 convicted, unless the defendant is also serving a felony commitment at the Utah State Prison at  
43 the commencement of the class A misdemeanor conviction, in which case, the class A  
44 misdemeanor commitment shall be to the Utah State Prison for an indeterminate term not to  
45 exceed one year ~~Ĥ~~→ **with a credit for one day** ←~~Ĥ~~ ; and
- 46 (ii) the court may not order the imprisonment of a defendant to the Utah State Prison  
47 for a fixed term or other term that is inconsistent with this section and Section 77-18-4; and
- 48 (c) all other misdemeanor commitments shall be to the jail or other facility designated  
49 by the town, city or county where the defendant was convicted.

50 (2) Custodial authorities may place a prisoner in a facility other than the one to which  
51 the prisoner was committed when:

- 52 (a) it does not have space to accommodate the prisoner; or
- 53 (b) the security of the institution or inmate requires it.