

**Representative Lee B. Perry** proposes the following substitute bill:

**IDENTIFICATION REQUEST AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karen Mayne**

House Sponsor: Lee B. Perry

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**LONG TITLE**

**General Description:**

This bill relates to a peace officer's authority to stop and question a suspect of a crime.

**Highlighted Provisions:**

This bill:

- ▶ modifies the type of information a peace officer may request from a suspect the officer stops to question about a crime; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-8-301.5**, as enacted by Laws of Utah 2008, Chapter 293

**77-7-15**, as last amended by Laws of Utah 2018, Chapter 281

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

Section 1. Section **76-8-301.5** is amended to read:



26           **76-8-301.5. Failure to disclose identity.**

27           (1) A person is guilty of failure to disclose identity if during the period of time that the  
28 person is lawfully subjected to a stop as described in Section 77-7-15:

29           (a) a peace officer demands that the person disclose the person's name or date of birth;

30           (b) the demand described in Subsection (1)(a) is reasonably related to the  
31 circumstances justifying the stop;

32           (c) the disclosure of the person's name or date of birth by the person does not present a  
33 reasonable danger of self-incrimination in the commission of a crime; and

34           (d) the person fails to disclose the person's name or date of birth.

35           (2) Failure to disclose identity is a class B misdemeanor.

36           Section 2. Section 77-7-15 is amended to read:

37           **77-7-15. Authority of peace officer to stop and question suspect -- Grounds.**

38           A peace officer may stop any [~~person~~] individual in a public place when the officer has  
39 a reasonable suspicion to believe the [~~person~~] individual has committed or is in the act of  
40 committing or is attempting to commit a public offense and may demand the [~~person's~~]  
41 individual's name, address, date of birth, and an explanation of the [~~person's~~] individual's  
42 actions.