

**Senator Daniel McCay** proposes the following substitute bill:

**FINES AND FEES AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

House Sponsor: Marc K. Roberts

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to fines.

**Highlighted Provisions:**

This bill:

- ▶ clarifies when a fine for an individual may apply; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**76-3-301 (Effective 07/01/19)**, as last amended by Laws of Utah 2018, Chapter 234

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

Section 1. Section **76-3-301 (Effective 07/01/19)** is amended to read:

**76-3-301 (Effective 07/01/19). Fines of individuals.**

(1) An individual convicted of an offense may be sentenced to pay a fine, not



26 exceeding:

27 (a) \$10,000 for a felony conviction of the first degree or second degree;

28 (b) \$5,000 for a felony conviction of the third degree;

29 (c) \$2,500 for a class A misdemeanor conviction;

30 (d) \$1,000 for a class B misdemeanor conviction;

31 (e) \$750 for a class C misdemeanor conviction or infraction conviction; and

32 (f) any greater amounts specifically authorized by statute.

33 (2) (a) An individual convicted of a misdemeanor or infraction and sentenced to pay a  
34 fine may not be charged by a court:

35 (i) notwithstanding Section 15-1-4, interest on the judgment that in the aggregate is  
36 more than 25% of the initial fine; or

37 (ii) ~~[by a court]~~ that issues an order to show cause under Section 78B-6-317 for failure  
38 to pay the fine, interest that is more than 25% of the initial fine.

39 (b) An individual convicted of an infraction and sentenced to pay a fine may not be  
40 charged:

41 (i) by the Office of State Debt Collection, late fees and interest that in the aggregate are  
42 more than 25% of the initial fine; or

43 (ii) by a third-party debt ~~[collector, late fees and interest in the aggregate that are more~~  
44 ~~than 25% of the initial fine]~~ contractor of the Office of State Debt Collection, additional fees.

45 (3) Subsection (2) does not apply to ~~[an offense]~~ a case that includes:

46 (a) victim restitution; or

47 (b) a felony conviction, even if that felony conviction is later reduced.

48 (4) This section does not apply to a corporation, association, partnership, government,  
49 or governmental instrumentality.

50 Section 2. **Effective date.**

51 This bill takes effect July 1, 2019.