

THEFT BY EXTORTION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nelson T. Abbott

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill creates a civil cause of action for the offense of theft by extortion.

Highlighted Provisions:

This bill:

- ▶ creates a civil cause of action for the offense of theft by extortion; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-6-406, as enacted by Laws of Utah 1973, Chapter 196

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

Section 1. Section **76-6-406** is amended to read:

76-6-406. Theft by extortion.

(1) ~~[A person]~~ An actor is guilty of theft if ~~[he]~~ the actor obtains or exercises control over the property of another person by extortion and with a purpose to deprive ~~[him thereof]~~ the person of the person's property.



28 (2) As used in this section, extortion occurs when ~~[a person]~~ an actor threatens to:

29 (a) ~~[Cause]~~ cause physical harm in the future to the person threatened or to any other
30 person or to property at any time; ~~[or]~~

31 (b) ~~[Subject]~~ subject the person threatened or any other person to physical confinement
32 or restraint; ~~[or]~~

33 (c) ~~[Engage]~~ engage in other conduct constituting a crime; ~~[or]~~

34 (d) ~~[Accuse]~~ accuse any person of a crime or expose ~~[him]~~ any person to hatred,
35 contempt, or ridicule; ~~[or]~~

36 (e) ~~[Reveal]~~ reveal any information sought to be concealed by the person threatened;
37 ~~[or]~~

38 (f) ~~[Testify]~~ testify or provide information or withhold testimony or information with
39 respect to ~~[another's]~~ a person's legal claim or defense; ~~[or]~~

40 (g) ~~[Take]~~ take action as an official against anyone or anything, or withhold official
41 action, or cause such action or withholding; ~~[or]~~

42 (h) ~~[Bring]~~ bring about or continue a strike, boycott, or other similar collective action
43 to obtain property ~~[which]~~ that is not demanded or received for the benefit of the group ~~[which]~~
44 that the actor purports to represent; or

45 (i) ~~[Do]~~ do any other act which would not in itself substantially benefit ~~[him]~~ the actor
46 but which would harm substantially any other person with respect to that person's health,
47 safety, business, calling, career, financial condition, reputation, or personal relationships.

48 (3) (a) A person who is adversely impacted by the conduct prohibited in Subsection (1)
49 may bring a civil action for equitable relief and damages.

50 (b) In accordance with Section [78B-2-305](#), a person who brings an action under
51 Subsection (3)(a) shall commence the action within three years after the day on which the cause
52 of action arises.