

**Representative Ken Ivory** proposes the following substitute bill:

**PENALTY FOR FALSE STATEMENT DURING DRUG**

**ARREST**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ken Ivory**

Senate Sponsor: Derrin R. Owens

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**LONG TITLE**

**General Description:**

This bill modifies offenses related to giving false information to law enforcement officers.

**Highlighted Provisions:**

This bill:

- ▶ makes it a crime for an actor arrested for a crime to falsely claim the actor ingested drugs before the arrest; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-8-506**, as last amended by Laws of Utah 2005, Chapter 92

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

**1st Sub. H.B. 254**



26 Section 1. Section **76-8-506** is amended to read:

27 **76-8-506. Providing false information to law enforcement officers, government**  
28 **agencies, or specified professionals.**

29 [~~A person~~] An actor is guilty of a class B misdemeanor if [~~he~~]:

30 (1) the actor knowingly gives or causes to be given false information to [~~any~~] a peace  
31 officer or [~~any~~] a state or local government agency or personnel with a purpose of inducing the  
32 recipient of the information to believe that another person has committed an offense;

33 (2) the actor knowingly gives or causes to be given to [~~any~~] a peace officer, [~~any~~] a  
34 state or local government agency or personnel, or to [~~any person~~] an individual licensed in this  
35 state to practice social work, psychology, or marriage and family therapy, information  
36 concerning the commission of an offense, knowing that the offense did not occur or knowing  
37 that [~~he~~] the actor has no information relating to the offense or danger; [~~or~~]

38 (3) the actor knowingly gives or causes to be given false information to [~~any~~] a state or  
39 local government agency or personnel with a purpose of inducing a change in the [~~person's~~]  
40 actor's licensing or certification status or the licensing or certification status of another  
41 individual; or

42 (4) (a) at the time of the actor's arrest for an offense, the actor states to a law  
43 enforcement officer that the actor ingested drugs before the actor's arrest;

44 (b) the law enforcement officer, based on the actor's statement described in Subsection  
45 (4)(a), takes the actor to a health care facility for medical treatment; and

46 (c) a medical examination of the actor demonstrates that the actor's statement described  
47 in Subsection (4)(a) was false.