

BURGLARY MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Cheryl K. Acton

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill modifies the offense of burglary to add intent to commit stalking as a qualifying offense.

Highlighted Provisions:

This bill:

- ▶ amends the offense of burglary to add intent to commit stalking as a qualifying offense; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-6-202, as last amended by Laws of Utah 2023, Chapter 111

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

Section 1. Section **76-6-202** is amended to read:

76-6-202. Burglary.

(1) Terms defined in Sections **76-1-101.5** and **76-6-101** apply to this section.



28 (2) An actor commits burglary if the actor enters or remains unlawfully in a building or
29 any portion of a building with intent to commit:

30 (a) a felony;

31 (b) theft;

32 (c) an assault on any person;

33 (d) stalking, in violation of Section 76-5-106.5;

34 [~~(d)~~] (e) lewdness, in violation of Section 76-9-702;

35 [~~(e)~~] (f) sexual battery, in violation of Section 76-9-702.1;

36 [~~(f)~~] (g) lewdness involving a child, in violation of Section 76-9-702.5; or

37 [~~(g)~~] (h) voyeurism, in violation of Section 76-9-702.7.

38 (3) (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a third
39 degree felony.

40 (b) A violation of Subsection (2) is a second degree felony if the violation is committed
41 in a dwelling.

42 (4) A violation of this section is a separate offense from any of the offenses listed in
43 Subsections (2)(a) through [~~(g)~~] (h), and which may be committed by the actor while in the
44 building.

45 Section 2. **Effective date.**

46 This bill takes effect on May 1, 2024.