OVERVIEW

2021 legislative session added 33 offenses and two (2) offenses were removed.

Added were:
- 1 first degree felonies;
- 2 second degree felonies;
- 9 third degree felonies;
- 7 class A misdemeanors;
- 11 class B misdemeanors;
- 0 class C misdemeanors; and
- 3 infractions.

Total offenses:
- 109 first degree felonies;
- 209 second degree felonies;
- 411 third degree felonies;
- 396 class A misdemeanors;
- 814 class B misdemeanors;
- 112 class C misdemeanors;
- 287 infractions.

HB 22  Criminalizes knowingly give false information, with the intent to mislead, to a medical examiner or designee

HB59S01  Criminalizes the misuse of an intimate image during a criminal action

HB69S01  Makes it an infraction to operate a motor vehicle with an object hanging or mounted that obstructs the operators view

HB136S02  Criminalizes making a signature gatherer per signature or per verified signature, when gathering signatures for an initiative or referendum qualifying for the ballot.

HB192S03  Criminalizes a health care worker to use their own gamete during reproductive treatment without the patient’s consent

HB193S01  Criminalizes knowingly or intentionally distribute a counterfeit image and an aggravated offense if that image if the counterfeit image is of a child

HB199S01  Criminalizes an operator of an automated recycling kiosk to not keep a data base of certain information for an individual conducting a transaction

HB218S03  Criminalizes failing to report a violation of a vulnerable adult protective order
and intimidating a child who is the subject/witness of a report

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB236</td>
<td>Criminalizes a landfill/transfer station operator to knowingly/intentionally provide or submit false information regarding waste tires</td>
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<tr>
<td>HB239S02</td>
<td>Criminalizes impersonating a person online</td>
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<tr>
<td>HB291S01</td>
<td>Criminalizes engaging in targeted residential picketing or to publish/post/disseminate/disclose an individual’s address with the intent to cause targeted residential picketing</td>
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<tr>
<td>SB76</td>
<td>Criminalizes knowingly or intentionally access the controlled substance database without express authorization</td>
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<td>SB78S02</td>
<td>Makes it an infraction for a company/facility to repair a windshield that has an advanced driver assistance technology without making certain disclosures and informing customer about repairs or recalibrations. It also makes it an infraction for a company to violate any provision of the motor vehicle glass repair requirements statute</td>
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**New Offenses**

- First Degree Felony - none
- Second Degree Felony
  - 76-5-205(7)(d) Aggravated knowing or intentional distribution of a counterfeit image - 2nd or subsequent offense
- Third Degree Felony
  - 19-6-822(8) Knowingly or intentionally providing or submitting false information regarding waste tires
  - 76-5b-203.5(2) Display intimate image during criminal action - 2nd or subsequent offense
  - 76-5b-203.5(2) Duplicating intimate image during criminal action - 2nd or subsequent offense
  - 76-5b-203.5(2) Copying intimate image during criminal action - 2nd or subsequent offense
  - 76-5b-203.5(2) Sharing intimate image during criminal action - 2nd or subsequent offense
  - 76-5b-205(7)(b) Knowing or intentional unlawful distribution of a counterfeit image - 2nd or subsequent offense
  - 76-5b-205(7)(c) Aggravated knowing or intentional unlawful distribution of a counterfeit image
  - 76-07-402(2) Health care provider using own gamete without permission
  - 76-9-203(3)(b) Online impersonation - 2nd or subsequent offense
- Class A Misdemeanor
  - 58-37f-301(9) Knowingly or intentionally accessing controlled substance database without express authorization
  - 76-5b-203.5(2) Display intimate image during criminal action - 1st offense
  - 76-5b-203.5(2) Duplicating intimate image during criminal action - 1st offense
  - 76-5b-203.5(2) Copying intimate image during criminal action - 1st offense
• 76-5b-203.5(2) Sharing intimate image during criminal action - 1st offense
• 76-5b-205(7)(a) Knowing or intentional unlawful distribution of a counterfeit image - 1st offense
• 76-9-203(3)(a) Online impersonation

Class B Misdemeanor
• 13-32a-104.6(2) Automated recycling kiosk operators database violation
• 20A-7-104 Signature gatherers rate of pay violation
• 26-4-10 False information with intent to mislead medical examiner
• 62A-3-305(9)(a) Willful failure to report suspected abuse, neglect, or exploitation of a vulnerable adult protective order
• 62A-4a-411(3) Intimidate child subject/witness of report
• 76-9-109(5) Targeted residential picketing
• 76-9-109(6) Publishing individual’s address with intent to cause residential picketing
• 76-9-109(6) Posting individual’s address with intent to cause residential picketing
• 76-9-109(6) Disseminating individual’s address with intent to cause residential picketing
• 76-9-109(6) Disclosing individual’s address with intent to cause residential picketing

Class C Misdemeanor - none

Infraction
• 41-6a-1645(7)(a) Advanced driver assistance repair/calibration/disclosure violations
• 41-6a-1646(4)(a) Motor vehicle glass repair violations
• 41-6a-1635(9) Operating motor vehicle with object/device hanging which obstructs view

Enhanced Offenses

• First Degree Felony
  • 76-5-309(3)(b) Aggravated human smuggling (previously second degree felony)
• Second Degree Felony
  • 76-5-309(2) Human smuggling (previously third degree felony)

Expanded Offense - none

Reduced Offenses

• Class A Misdemeanor
  • 76-9-201(4)(b)(ii) Electronic communication harassment - 2nd or subsequent offense (previously third degree felony)

Repealed Offenses

• Third Degree Felony
  • 76-9-201(4)(a)(ii)(B) Electronic communication harassment against a minor - prior violation
• Class A Misdemeanor
  • 76-9-201(4)(b)(i) Electronic communication harassment against a minor - 1st offense