



MASTER OFFENSE LIST REPORT 2021

Utah Sentencing Commission

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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 Criminals 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

HB236	Criminalizes a landfill/transfer station operator to knowingly/intentionally provide or submit false information regarding waste tires
HB239S02	Criminalizes impersonating a person online
HB291S01	Criminalizes engaging in targeted residential picketing or to publish/post/disseminate/disclose an individual's address with the intent to cause targeted residential picketing
SB76	Criminalizes knowingly or intentionally access the controlled substance database without express authorization
SB78S02	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

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