



MASTER OFFENSE LIST REPORT 2023

Utah Sentencing Commission

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OVERVIEW

The 2023 legislative session added sixteen offenses, enhanced two offenses, expanded one offense, reduced or narrowed three offenses, and removed no offenses.

Added offenses:

- 1 first degree felony;
- 2 second degree felonies;
- 4 third degree felonies;
- 6 class A misdemeanors;
- 1 class B misdemeanor;
- No Class C Misdemeanors;
- 2 infraction.

Total offenses (approximate):

- 45 first degree felonies;
- 218 second degree felonies;
- 421 third degree felonies;
- 459 class A misdemeanors;
- 804 class B misdemeanors;
- 112 class C misdemeanors;
- 290 infractions.

2023 Bills Impacting Offense List

HB 99

Enhanced sex offense prohibited area violations from a Class A Misdemeanor to a 3rd Degree Felony for second and subsequent offenses.

HB 108

Created a new Class A Misdemeanor for possessing a child sex doll, and a new 3rd Degree Felony for purchasing/distributing child sex doll(s) (76-10-1326).

HB 143

Created new 2nd and 3rd Degree Felony offenses for parental kidnapping (76-5-301.2(3)(a) and (b)).

HB 247

Created a new Class A Misdemeanor for tampering with certain records related to alcoholic beverage control processes (32B-4-505(3)).

HB 313

Expanded Third Degree Felony Theft to include 25+ lbs of certain suspect metals.

HB 324

Created a new Class A Misdemeanor for violating workplace protective orders (78B-7-1107).

HB 339	Enhanced vandalism of public lands from a Class B Misdemeanor to a Class A Misdemeanor for 2 nd offenses (76-6-107.5(3)(b)).
HB 347	Created a new 3 rd Degree Felony for taking away / concealing / removing / destroying a ballot drop box or its contents (20A-1-604(1)(b)(iv)).
HB 370	Created a series of new offenses for damaging critical infrastructure, including a new First Degree Felony for intentional conduct (76-6-106.3(3)(a)); a new Second Degree Felony for Reckless conduct (76-6-106.3(3)(b)); a new Class A Misdemeanor for impersonating a utility officer/employee; and a new 3 rd Degree Felony for impersonating a utility officer/employee with intent to sabotage (76-8-515(3)(b)).
HB 467	Created a new Class B Misdemeanor for unlawfully prescribing an abortion-related drug (76-7-332).
SB 27	Created new Infractions for Unlawfully Passing a Snowplow (41-6a-718) and Failure to Reduce Speed / Make Space for Stationary Vehicle on the Roadway (41-6a-904(4)).
SB 246	Created a new Class A Misdemeanor offense for unlawfully obtaining/using an accident report (41-6a-404(8)).
SB 274	Created a new Class A Misdemeanor offense for lawyer referral consultant violations (13-63-402).

New Offenses

- **First Degree Felony**
 - 76-6-106.3(3)(a) - Destroying/Tampering with Critical Infrastructure Facility - Intentional or Knowing (HB 370)
- **Second Degree Felonies**
 - 76-6-106.3(3)(b) - Destroying/Tampering with Critical Infrastructure Facility - Recklessly (HB 370)
 - 76-5-301.2(3)(b) - Parental Kidnapping - Removing Child From State (HB 143)
- **Third Degree Felonies**
 - 76-8-515(3)(b) - Impersonate Utility Officer / Employee with Intent to Sabotage (HB 370)
 - 20A-1-604(1)(b)(iv) - Take / Carry Away / Conceal / Remove / Destroy Ballot Drop Box or Contents (HB 437)
 - 76-5-301(3)(a) - Parental Kidnapping (HB 143)
 - 76-10-1237(3) - Distributing or Purchasing a Child Sex Doll (HB 108)

- **Class A Misdemeanors**
 - 13-63-402 - Lawyer Referral Consultant Violation (SB 274)
 - 41-6a-404(8) - Unlawfully Using/Obtaining Accident Report (SB 246)
 - 76-10-1236 - Possession of a Child Sex Doll (HB 108)
 - 76-8-515(3)(a) - Impersonating Utility Officer/Employee at Critical Infrastructure Facility (HB 370)
 - 78B-7-1107(3) - Violation of a Workplace Protective Order (HB 324)
 - 32B-4-505(3) - Alcoholic Beverage Control Obstruction - Removing Record (HB 247)
- **Class B Misdemeanor**
 - 76-7-332(3) - Unlawfully Prescribing Abortion-Related Drug (HB 467)
- **Class C Misdemeanor**
 - None
- **Infractions**
 - 41-6a-718 - Unlawfully Passing a Snowplow (SB 27)
 - 41-6a-904(4) - Fail to reduce Speed / make Space - Stationary Vehicle (SB 27)

Enhanced Offenses

- Third Degree Felony
 - 77-27-21.7(4)(b) - Enhanced sex offense location restriction violations from a Class A Misdemeanor to a Third Degree Felony for second and subsequent offenses (HB 99)
- Class A Misdemeanor
 - 76-6-107.5(3)(b) - Enhanced vandalism of public lands from a Class B Misdemeanor to a Class A Misdemeanor for second and subsequent violations. (HB 339)

Expanded Offense

- Third Degree Felony
 - 76-6-412(1)(b)(ii) - Expands Third Degree Felony Theft to include theft of 25+ lbs of suspect metals (HB 313)

Reduced / Narrowed Offenses

- Class B Misdemeanor
 - 65A-8-211 - Reduced penalty for burning during closed fire season from Class B Misdemeanor to Class C Misdemeanor (HB 261)
- Firearm Restriction Reductions
 - 76-10-503, Eliminated restrictions for domestic violence convictions that have been expunged, pardoned, or otherwise set aside. (HB 120)
 - 76-10-503 - Restriction period for non-violent felonies reduced to seven years. (HB 507)

Repealed Offenses - None