



Department of Criminal Justice

Sentencing Commission

ANNUAL OFFENSE REPORT

2026

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OVERVIEW

The 2026 legislative session created 44 substantive new offenses, removed 7 offenses, enhanced 2 offenses, reduced 7 offenses, expanded the elements of 5 offenses, and reduced the elements of 5 offenses.

These numbers are intended to reflect substantive changes to criminal charges and penalties. Technical changes, recodifications, duplicative entries, and entries identified as not new or merely moved are not counted. The below tables provide a breakdown of offense degrees for added offenses, removed offenses, enhanced offenses, reduced offenses, offenses with expanded elements, and offenses with reduced elements. Following the tables, a list of bills are provided for each category.

Table 1: Added Offenses

Classification	Count
First Degree Felonies	1
Second Degree Felonies	5
Third Degree Felonies	11
Class A Misdemeanors	10
Class B Misdemeanors	13
Class C Misdemeanors	2
Infractions	2
Total	44

Table 2: Removed Offenses

Classification	Count
Third Degree Felonies	1
Class A Misdemeanors	2
Class B Misdemeanors	2
Class C Misdemeanors	1
Infractions	1
Total	7

Table 3: Enhanced Offenses (new/current classification)

Classification	Count
Third Degree Felonies	2

Total	2
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Table 4: Reduced Offenses

Classification	Count
First Degree Felonies	3
Second Degree Felonies	1
Infractions	3
Total	7

Table 5: Expanded Offenses (elements)

Classification	Count
Second Degree Felonies	1
Third Degree Felonies	3
Class A Misdemeanors	1
Total	5

Table 6: Narrowed Offenses (elements)

Classification	Count
First Degree Felonies	3
Second Degree Felonies	1
Class C Misdemeanors	1
Total	5

2026 Bills Impacting Substantive Criminal Offenses

HB 24 - Criminal Penalty Amendments

- Reduced 41-6A-604(2A) - Speeding in a School Zone from Class C Misdemeanor to Infraction at lower speeds.
- Narrowed 41-6A-604(2B) narrowed so that the Class C Misdemeanor version applies only at higher speeds.
- Reduced 41-6A-1715 - Careless Driving from Class C Misdemeanor to Infraction.

HB 33 - Political Signs Amendments

- Created a Infraction for Improper Placement of Political Sign, 20A-17-102(2).

HB 57 - Motor Vehicle Division Amendments

- Removed a Infraction, 41-1A-229(3) - Improper Gross Weight Displayed.

HB 84 - Dangerous Weapon Amendments

- Created a Class C Misdemeanor for Openly Carrying Dangerous Weapon at Higher Education, 76-11-205.5.
- Removed a Class B Misdemeanor, 76-11-205.5(2)+(3A) - Unlawfully Carrying Dangerous Weapon at Higher Education.
- Removed a Class A Misdemeanor, 76-11-205.5(2)+(3B) - Unlawfully Carrying Dangerous Weapon at Higher Education - Firearm.

HB 103 - Underage Marriage Amendments

- Created a Third Degree Felony for Unlawfully Marrying a Minor, 76-7-105.
- Created a Third Degree Felony for Transporting a Minor Out of State for an Illegal Marriage, 76-7-109.
- Created a Third Degree Felony for Traveling Out of State to Marry a Minor, 76-7-110.

HB 111 - Wildlife Amendments

- Created a Class B Misdemeanor for Unlawful Activity by a Pilot, 23A-5-315.5(2)+(3A).
- Created a Class A Misdemeanor for Unlawful Activity by a Pilot - with Prior, 23A-5-315.5(2)+(3B).
- Created a Third Degree Felony for Unlawful Activity by a Pilot - with 2+PRIORS, 23A-5-315.5(2)+(3C).
- Created a Class B Misdemeanor for Improper Discharge of Dangerous Weapon - 300 Ft in WMA, 76-11-209(2B).

HB 113 - Emergency Reporting Abuse Amendments

- Created a Class B Misdemeanor for Emergency Reporting Abuse - 911 Inappropriate, 76-9-105.5(2D)+(3E).
- Created a Class A Misdemeanor for Emergency Reporting Abuse - 911 Inappropriate with 2+PRIOR, 76-9-105.5(2D)+(3F).
- Created a Third Degree Felony for Emergency Reporting Abuse - 911 Inappropriate + Death, 76-9-105.5(2D)+(3G).

HB 125 - Department of Natural Resources Related Modifications Amendments

- Created a Class B Misdemeanor for Boat Livery Requirements Violation, 23A-10-306.

HB 136 - Unlicensed Driver Amendments

- Created a Class B Misdemeanor for Driver License Violation - with Prior, 53-3-202(9C).

HB 205 - Substance Use Intervention Amendments

- Created a Class A Misdemeanor for Violation of Off-limits Order, 78B-7-1302.

HB 221 - Coercion Amendments

- Created a Second Degree Felony for Aiding or Encouraging Suicide, 76-5-211.

HB 260 - Unauthorized Practice of Law Amendments

- Created a Class A Misdemeanor for Unauthorized Practice of Law, 78A-9-103(2)+(8A).
- Created a Third Degree Felony for Unauthorized Practice of Law - False Rep / Damage / Prior, 78A-9-103(2)+(8B).

HB 265 - Non-nicotine Inhalation Product Amendments

- Created a Class C Misdemeanor for Sale of Cannabinoid Inhalation Product / Substance, 76-9-1120(2)+(3A).
- Created a Class B Misdemeanor for Sale of Cannabinoid Inhalation Product / Substance - with Prior, 76-9-1120(2)+(3B).

HB 289 - Child Sexual Abuse Material Amendments

- Created a Second Degree Felony for Apparent Child Sexual Abuse Material - Possess, 76-5B-207.
- Created a First Degree Felony for Apparent Child Sexual Abuse Material - Distribute / Produce, 76-5B-208(2)+(3A).
- Created a Second Degree Felony for Apparent Child Sexual Abuse Material - Dist/prod Actor <18, 76-5B-208(2)+(3B).
- Created a Second Degree Felony for Obscene Material Depicting Sex Abuse of Minor, 76-5B-209.

HB 301 - Drug Recodification

- Note: Most changes in this bill are recodification and are not counted.
- Enhanced 76-18-207(2)+(3BI) - CS - Possession of Schedule I/ii - 3RD+ Offense in 7 Yrs from Class B Misdemeanor to Third Degree Felony.

HB 331 - Criminal Offenses Modifications

- Created a Third Degree Felony for Unlawfully Advancing Foreign Organization / Government, 76-8-321.
- Created a Class A Misdemeanor for Concealing Identity While Committing Offense in Public, 76-9-115.
- Created a Third Degree Felony for Unlawful Deprivation of Religious Rights, 76-9-116.

HB 354 - Rescue Tracking Equipment Offense Amendments

- Created a Class B Misdemeanor for Destroy / Damage / Tamper with Rescue Tracking Equipment, 76-6-106.4.

HB 381 - Electric Mobility Device Amendments

- Created an Infraction for Electric Motorcycle / High Power Electric Device Violation, 41-6A-1511.

HB 423 - Hit and Run and DUI Offense Amendments

- Expanded Class A Misdemeanor for Leave Accident Scene - Property Damage - with Prior, 41-6A-401(2)+(8B), to include Prior DUI's for enhancement.
- Expanded Third Degree Felony for Leave Accident Scene - Property Damage + 2+/MA/FEL Prior(s), 41-6A-401(2)+(8C) to include Prior DUI's for enhancement.
- Enhanced Second Degree Felony for Leave Accident Scene - Death, 41-6A-301(2)+(8)(C)(iii) from Third Degree Felony to Second Degree Felony
- Reduced 41-6A-401.7 - Accident Duties Violation - Exchange Info / Provide Notice from Class C Misdemeanor to Infraction.

HB 447 - Tobacco Amendments

- Created a Class B Misdemeanor for Remote Retail Sale of Cigar or Pipe Tobacco Violation, 59-14-906.

HB 450 - Data Privacy Amendments

- Created a Class B Misdemeanor for Disclosing Info in Financial Statement Requiring Redaction, 20A-11-1002.

HB 454 - Public Assistance Fraud Amendments

- Created a Second Degree Felony for Public Assistance Fraud - by Facilitator - Value \$5000+, 76-8-1203.9(2)+(3A).
- Created a Third Degree Felony for Public Assistance Fraud - by Facilitator - Value \$1500-\$4999, 76-8-1203.9(2)+(3B).
- Created a Class A Misdemeanor for Public Assistance Fraud - by Facilitator - Value \$500-\$1499, 76-8-1203.9(2)+(3C).
- Created a Class B Misdemeanor for Public Assistance Fraud - by Facilitator - Value \$0-\$499, 76-8-1203.9(2)+(3D).

HB 531 - Scarification Amendments

- Created a Class B Misdemeanor for Unlawful Scarification of a Minor, 76-9-2004.

HB 575 - Fuel Tax and Supply Amendments

- Created a Class A Misdemeanor for Disclosure of Information from Refinery Production Report, 79-6-410.

HB 591 - Nuisance Amendments

- Removed a Class B Misdemeanor, 4-44-201 - Violation of Agriculture Nuisance Judgment/order.

SB 18 - Criminal Offense Modifications (Human Trafficking)

- Created a Third Degree Felony for Distribute Material Harmful to Minor - 18+YR to 16-17 +prior, 76-5C-205(2)+(3BIII).

SB 30 - Human Trafficking, Exploitation, and Smuggling Amendments

- This bill made substantial changes to human trafficking and related offenses, generally distinguishing offenses to a greater degree by the type of trafficking (labor vs. commercial sex, vulnerability of the victim, etc) and the

mens rea of the actor (recklessness vs. knowing/intentional. While this resulted in many changes to the code, the overall effect was to narrow the elements of the highest level offenses and create reduced penalties for conduct that is less culpable.

- Narrowed:
 - First Degree Felony Human Trafficking of a Vulnerable Adult, 76-5-311
 - First Degree Felony Human Trafficking for Commercial Sex, 76-5-308.1
 - First Degree Felony Human Trafficking of a Child for Labor, 76-5-308.5, and
 - Second Degree Felony Human Trafficking for Labor, 76-5-308
- Reduced:
 - First Degree Felony Human Trafficking of a Vulnerable Adult, 76-5-311
 - First Degree Felony Human Trafficking for Commercial Sex, 76-5-308.1
 - First Degree Felony Human Trafficking of a Child for Labor, 76-5-308.5, and
 - Second Degree Felony Human Trafficking for Labor, 76-5-308
- No offenses from this bill are counted as newly created for purposes of this report.

SB 72 - Obscene Animal Abuse Amendments

- Created a Third Degree Felony for Distributing Obscene Animal Abuse Material - Actor 18+ Yrs, 76-5C-215(2)+(3A).
- Created a Class A Misdemeanor for Distributing Obscene Animal Abuse Material - Actor 16-17 Yrs, 76-5C-215(2)+(3B).
- Created a Class B Misdemeanor for Distributing Obscene Animal Abuse Material - Actor <16 Yrs, 76-5C-215(2)+(3C).

SB 93 - Corrections Amendments

- Created a Third Degree Felony for Use Unmanned Aircraft - Remove Item from Correction Facility, 72-10-903(1C)+(2A).

SB 194 - Election Modifications

- Created a Class A Misdemeanor for Electronic Communication Abuse - Election/office, 20A-1-608.1+609(2A).
- Created a Third Degree Felony for Electronic Communication Abuse - Election/office - with Prior, 20A-1-608.1+609(2B).

SB 195 - Workforce Development

- Created a Class B Misdemeanor for Disclose/use/access DWS Personal Identifiable Info with O Auth, 53H-11-416(E).

SB 210 - Nicotine Amendments

- Removed a Class C Misdemeanor, 76-9-1116(2)+(3B) - Unlawful Sale of Tobacco/e-cig/nicotine Product - with Prior.

SB 218 - Constable Modifications

- Created a Class A Misdemeanor for Constable - Unlawful Conduct / Failure to Comply with Citation, 58-91-501.

NEW OFFENSES

First Degree Felonies

- 76-5B-208(2)+(3A) - Apparent Child Sexual Abuse Material - Distribute / Produce
- 76-5-310.2 - Aggravated Human Trafficking for Commercial Sexual Exploit

Second Degree Felonies

- 76-5-211 - Aiding or Encouraging Suicide
- 76-5B-207 - Apparent Child Sexual Abuse Material - Possess
- 76-5B-208(2)+(3B) - Apparent Child Sexual Abuse Material - Dist/prod Actor <18
- 76-5B-209 - Obscene Material Depicting Sex Abuse of Minor
- 76-8-1203.9(2)+(3A) - Public Assistance Fraud - by Facilitator - Value \$5000+

Third Degree Felonies

- 76-7-105 - Unlawfully Marrying a Minor
- 76-7-109 - Transporting a Minor Out of State for an Illegal Marriage
- 76-7-110 - Traveling Out of State to Marry a Minor
- 23A-5-315.5(2)+(3C) - Unlawful Activity by a Pilot - with 2+PRIORS
- 76-9-105.5(2D)+(3G) - Emergency Reporting Abuse - 911 Inappropriate + Death
- 78A-9-103(2)+(8B) - Unauthorized Practice of Law - False Rep / Damage / Prior
- 76-8-321 - Unlawfully Advancing Foreign Organization / Government
- 76-9-116 - Unlawful Deprivation of Religious Rights
- 41-6A-401(2)+(8C) - Leave Accident Scene - Property Damage + 2+/MA/FEL Prior(s)
- 76-8-1203.9(2)+(3B) - Public Assistance Fraud - by Facilitator - Value \$1500-\$4999
- 76-5C-205(2)+(3BIII) - Distribute Material Harmful to Minor - 18+YR to 16-17 +prior
- 76-5C-215(2)+(3A) - Distributing Obscene Animal Abuse Material - Actor 18+ Yrs
- 72-10-903(1C)+(2A) - Use Unmanned Aircraft - Remove Item from Correction Facility
- 20A-1-608.1+609(2B) - Electronic Communication Abuse - Election/office - with Prior

Class A Misdemeanors

- 23A-5-315.5(2)+(3B) - Unlawful Activity by a Pilot - with Prior
- 76-9-105.5(2D)+(3F) - Emergency Reporting Abuse - 911 Inappropriate with 2+PRIOR
- 78B-7-1302 - Violation of Off-limits Order
- 78A-9-103(2)+(8A) - Unauthorized Practice of Law
- 76-9-115 - Concealing Identity While Committing Offense in Public
- 41-6A-401(2)+(8B) - Leave Accident Scene - Property Damage - with Prior
- 76-8-1203.9(2)+(3C) - Public Assistance Fraud - by Facilitator - Value \$500-\$1499
- 79-6-410 - Disclosure of Information from Refinery Production Report
- 76-5C-215(2)+(3B) - Distributing Obscene Animal Abuse Material - Actor 16-17 Yrs
- 20A-1-608.1+609(2A) - Electronic Communication Abuse - Election/office
- 58-91-501 - Constable - Unlawful Conduct / Failure to Comply with Citation

Class B Misdemeanors

- 23A-5-315.5(2)+(3A) - Unlawful Activity by a Pilot

- 76-11-209(2B) - Improper Discharge of Dangerous Weapon - 300 Ft in WMA
- 76-9-105.5(2D)+(3E) - Emergency Reporting Abuse - 911 Inappropriate
- 23A-10-306 - Boat Livery Requirements Violation
- 53-3-202(9C) - Driver License Violation - with Prior
- 76-9-1120(2)+(3B) - Sale of Cannabinoid Inhalation Product / Substance - with Prior
- 76-6-106.4 - Destroy / Damage / Tamper with Rescue Tracking Equipment
- 59-14-906 - Remote Retail Sale of Cigar or Pipe Tobacco Violation
- 20A-11-1002 - Disclosing Info in Financial Statement Requiring Redaction
- 76-8-1203.9(2)+(3D) - Public Assistance Fraud - by Facilitator - Value \$0-\$499
- 76-9-2004 - Unlawful Scarification of a Minor
- 76-5C-215(2)+(3C) - Distributing Obscene Animal Abuse Material - Actor <16 Yrs
- 53H-11-416(E) - Disclose/use/access DWS Personal Identifiable Info with O Auth

Class C Misdemeanors

- 41-6A-604(2B) - Speeding in a School Zone - 30+ Mph
- 76-11-205.5 - Openly Carrying Dangerous Weapon at Higher Education
- 76-9-1120(2)+(3A) - Sale of Cannabinoid Inhalation Product / Substance

Infractions

- 20A-17-102(2) - Improper Placement of Political Sign
- 41-6A-1511 - Electric Motorcycle / High Power Electric Device Violation

REMOVED OFFENSES

Third Degree Felonies

- 41-6A-401.5 - Failure to Remain at Accident Involving Death

Class A Misdemeanors

- 76-11-205.5(2)+(3B) - Unlawfully Carrying Dangerous Weapon at Higher Education - Firearm
- 41-6A-401.3(2) - Failure to Remain at Accident Involving Injury

Class B Misdemeanors

- 76-11-205.5(2)+(3A) - Unlawfully Carrying Dangerous Weapon at Higher Education
- 4-44-201 - Violation of Agriculture Nuisance Judgment/Order

Class C Misdemeanors

- 76-9-1116(2)+(3B) - Unlawful Sale of Tobacco/e-cig/nicotine Product - with Prior

Infractions

- 41-1A-229(3) - Improper Gross Weight Displayed

ENHANCED OFFENSES

Third Degree Felonies

- 76-18-207(2)+(3BI) - CS - Possession of Schedule I/II - 3RD+ Offense in 7 Yrs (Class B Misdemeanor to Third Degree Felony)

REDUCED OFFENSES

Infractions

- 41-6A-604(2A) - Speeding in a School Zone (Class C Misdemeanor to Infraction)
- 41-6A-1715 - Careless Driving (Class C Misdemeanor to Infraction)
- 41-6A-401.7 - Accident Duties Violation - Exchange Info / Provide Notice (Class C Misdemeanor to Infraction)

This report was prepared from three main sources: the Administrative Office of the Courts' Statewide Master Offense Table for 2026, CCJJ's 2026 Legislative Session Bill Tracker, and the Utah legislature's website. The Sentencing Commission extends its thanks to these groups for their dedication in tracking legislative changes.