

Representative Ken Ivory proposes the following substitute bill:

PENALTY FOR FALSE STATEMENT DURING DRUG

ARREST

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies offenses related to giving false information to law enforcement officers.

Highlighted Provisions:

This bill:

- ▶ makes it a crime for an actor arrested for a crime to falsely claim the actor ingested drugs before the arrest; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-8-506, as last amended by Laws of Utah 2005, Chapter 92

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



26 Section 1. Section **76-8-506** is amended to read:

27 **76-8-506. Providing false information to law enforcement officers, government**
28 **agencies, or specified professionals.**

29 [~~A person~~] An actor is guilty of a class B misdemeanor if [~~he~~]:

30 (1) the actor knowingly gives or causes to be given false information to [~~any~~] a peace
31 officer or [~~any~~] a state or local government agency or personnel with a purpose of inducing the
32 recipient of the information to believe that another person has committed an offense;

33 (2) the actor knowingly gives or causes to be given to [~~any~~] a peace officer, [~~any~~] a
34 state or local government agency or personnel, or to [~~any person~~] an individual licensed in this
35 state to practice social work, psychology, or marriage and family therapy, information
36 concerning the commission of an offense, knowing that the offense did not occur or knowing
37 that [~~he~~] the actor has no information relating to the offense or danger; [~~or~~]

38 (3) the actor knowingly gives or causes to be given false information to [~~any~~] a state or
39 local government agency or personnel with a purpose of inducing a change in the [~~person's~~]
40 actor's licensing or certification status or the licensing or certification status of another
41 individual; or

42 (4) (a) at the time of the actor's arrest for an offense, the actor states to a law
43 enforcement officer that the actor ingested drugs before the actor's arrest;

44 (b) the law enforcement officer, based on the actor's statement described in Subsection
45 (4)(a), takes the actor to a health care facility for medical treatment; and

46 (c) a medical examination of the actor demonstrates that the actor's statement described
47 in Subsection (4)(a) was false.