

INTERFERENCE WITH PUBLIC SERVANTS AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill clarifies the crimes of interference with public servants and the service of process.

Highlighted Provisions:

This bill:

- ▶ makes it a class A misdemeanor to interfere with the service of process issued by a court;
- ▶ clarifies "interference" with the service of process; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-8-301, as last amended by Laws of Utah 2016, Chapter 245

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

Section 1. Section **76-8-301** is amended to read:

76-8-301. Interference with public servant.



28 (1) An individual is guilty of interference with a public servant if the individual:

29 (a) uses force, violence, intimidation, or engages in any other unlawful act with a
30 purpose to interfere with a public servant performing or purporting to perform an official
31 function;

32 [~~(b) knowingly or intentionally interferes with the lawful service of process by a public~~
33 ~~servant; or]~~

34 (b) obstructs, hinders, conceals, or prevents the lawful service of any legal process,
35 civil or criminal, by any sheriff, constable, deputy sheriff, deputy constable, peace officer,
36 private investigator, or any other person authorized to serve legal process; or

37 (c) on property that is owned, operated, or controlled by the state or a political
38 subdivision of the state, willfully denies to a public servant lawful:

39 (i) freedom of movement;

40 (ii) use of the property or facilities; or

41 (iii) [~~ingress to or egress] entry into or exit~~ from the facilities.

42 (2) Interference with a public servant:

43 (a) under Subsection (1)(a) or (b) is a class B misdemeanor; ~~H~~→ [H] and [I]

44 ~~———— (b) under Subsection (1)(b) is a class A misdemeanor if the interference relates to an~~
45 ~~order issued by a court of this or another state; and~~

46 ~~———— [I] (b) [I-(e)] ←H~~ under Subsection (1)(c) is a class C misdemeanor.

47 (3) For purposes of this section, "public servant" does not include jurors.