
Statutes Related to Criminal Penalties and Administrative Rules

The Office of Legislative Research and General Counsel formatted this document for the purpose of the Business and Labor Interim Committee's October 17 discussion of this issue. These excerpts of statute were referred to the Business and Labor Interim Committee by the Administrative Rules Review Committee in a July 31, 2007 letter. *The italicized language was highlighted in the list provided by the Administrative Rules Review Committee of statutes that it found grant "the authority to determine what conduct carries a misdemeanor, and in some cases a felony penalty" to an agency that is within the Business and Labor Interim Committee's oversight.*

Insurance Code

31A-2-308. Enforcement penalties and procedures.

. . . . (9)(a) **A person is guilty of a class B misdemeanor if that person:**

(i) **intentionally violates:**

(A) **an insurance** statute or **rule** of this state; or

(B) an order issued under Subsection 31A-2-201(4);

(ii) **intentionally permits a person** over whom that person has authority **to violate:**

(A) **an insurance** statute or **rule** of this state; or

(B) an order issued under Subsection 31A-2-201(4); **or**

(iii) **intentionally aids any person in violating:**

(A) **an insurance statute or rule of this state;** or

(B) an order issued under Subsection 31A-2-201(4). . . .

Employment of Minors

34-23-402. Violation -- Criminal penalty.

. . . . (2) **It is a class B misdemeanor for a person**, whether individually or as an officer, agent, or employee of any person, firm, or corporation to:

(h) **willfully violate any rule** or order issued under this chapter. . . .

Utah Occupational Safety and Health Act

34A-6-307. Civil and criminal penalties.

. . . . (5) Criminal penalties under this chapter are as follows:

(a) **Any employer who willfully violates any** standard, code, **rule**, or order issued under Section 34A-6-202, or any rule made under this chapter, **is guilty of a class A misdemeanor** if the violation caused the death of an employee. If the violation causes the death of more than one employee, each death is considered a separate offense. . . .

Utah Uniform Securities Act

61-1-21. Penalties for violations.

(1) **A person is guilty of a third degree felony** who willfully violates any provision of this chapter except Sections 61-1-1 and 61-1-16, or **who willfully violates any rule** or order under this chapter, or who willfully violates Section 61-1-16 knowing the statement made to be false or misleading in any material respect. . . .

(3) No person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order. . . .