

76-8-308 Acceptance of bribe or bribery to prevent criminal prosecution -- Defense.

- (1) A person is guilty of a class A misdemeanor if he:
 - (a) solicits, accepts, or agrees to accept any benefit as consideration for his refraining from initiating or aiding in a criminal prosecution; or
 - (b) confers, offers, or agrees to confer any benefit upon another as consideration for the person refraining from initiating or aiding in a criminal prosecution.
- (2) It is an affirmative defense that the value of the benefit did not exceed an amount which the actor believed to be due as restitution or indemnification for the loss caused or to be caused by the offense.

Amended by Chapter 241, 1991 General Session