



## UTAH

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>UTAH CODE ANN. § 76-5-401 Unlawful sexual activity with a minor Class B misdemeanor if offender is less than four years older than minor victim Otherwise, third degree felony</p> <p>UTAH CODE ANN. § 76-5-401.1 Sexual abuse of a minor Applies if offender is seven or more years older than victim Class A misdemeanor</p> <p>UTAH CODE ANN. § 76-5-401.2 Unlawful sexual conduct with a 16 or 17 year old Applies if offender is ten or more years older than victim Class A misdemeanor if the offender touches the anus, buttocks, or any part of the genitals of the minor, or touches the breast of a female victim, or otherwise takes indecent liberties with the victim, or causes the victim to take indecent liberties with the offender or another person, with the intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person regardless of the sex of any participant</p>	<p>UTAH CODE ANN. § 76-1-301 No time limitations for prosecution of the following offenses:</p> <ul style="list-style-type: none"> <li>• Rape</li> <li>• Rape of a child</li> <li>• Object rape</li> <li>• Object rape of a child</li> <li>• Forcible sodomy</li> <li>• Sodomy on a child</li> <li>• Sexual abuse of a child</li> <li>• Aggravated sexual abuse of a child</li> <li>• Aggravated Sexual assault</li> </ul> <p>UTAH CODE ANN. § 76-1-302 Time limitations for prosecution of offenses</p> <p>(1) (a) For all felonies, within four years after commission of the offense</p> <p>(1) (a)(i) for forcible sexual abuse, within eight years after commission of the offense, provided that the offense was reported to a law enforcement agency within four years after commission of the offense</p> <p>(1)(a)(ii) for incest, within eight years after the offense is committed, provided that the offense was reported to a law enforcement</p>	<p>UTAH CODE ANN. § 76-1-302 Time limitations for prosecution of offenses</p> <p>(2) (a) For the following offenses, prosecution may be commenced at any time if the identity of the person who committed the offense is unknown but DNA evidence is collected that would identify the person at a later date:</p> <ul style="list-style-type: none"> <li>• Rape (§ 76-5-402)</li> <li>• Rape of a child (§ 76-5-402.1)</li> <li>• Object rape (§ 76-5-402.2)</li> <li>• Object rape of a child (§ 76-5-402.3)</li> <li>• Forcible sodomy (§ 76-5-403 (2))</li> <li>• Sodomy on a child (§ 76-5-403.1)</li> <li>• Forcible sexual abuse (§ 76-5-404)</li> <li>• Aggravated sexual abuse of a child and sexual abuse of a child (§ 76-5-404.1)</li> <li>• Aggravated sexual assault (§ 76-5-405)</li> </ul> <p>(2) (b) The above provision does not apply if the statute of limitations on an offense has run as of May 5, 2003, and no charges have been filed</p> <p>((3) If the statute of limitations would have run but for the provisions of Subsection (2) and</p>

Information compiled by RAINN and last updated December 2009. For more information, visit [rainn.org](http://rainn.org). © RAINN 2009.

©2009. For reprint permission, please contact RAINN at [info@rainn.org](mailto:info@rainn.org). Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<p>Third degree felony if a violation of any other subsection of this statute.</p> <p>UTAH CODE ANN. § 76-5-402 Rape First degree felony</p> <p>UTAH CODE ANN. § 76-5-402.1 Rape of a child under 14 First degree felony</p> <p>UTAH CODE ANN. § 76-5-402.2 Object rape First degree felony</p> <p>UTAH CODE ANN. § 76-5-402.3 Object rape of a child First degree felony</p> <p>UTAH CODE ANN. § 76-5-403 Sodomy; forcible sodomy Sodomy, class B misdemeanor, if offender engages in any sexual act with a victim 14 or older involving the genitals of one person and mouth or anus of another person Forcible sodomy, first degree felony, if offender engages in any sexual act with a victim 14 or older involving the genitals of one person and mouth or anus of another person without victim's consent</p> <p>UTAH CODE ANN. § 76-5-403.1 Sodomy on a child First degree felony</p>	<p>agency within four years after commission of the offense</p> <p>(1) (b) For all misdemeanors, within two years after commission of the offense</p>	<p>identification of a perpetrator is made through DNA, a prosecution shall be commenced within one year of the discovery of the identity of the perpetrator.</p>
---	---	---

Information compiled by RAINN and last updated December 2009. For more information, visit [rainn.org](http://rainn.org). © RAINN 2009.

©2009. For reprint permission, please contact RAINN at [info@rainn.org](mailto:info@rainn.org). Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<p>UTAH CODE ANN. § 76-5-404 Forcible sexual abuse          First degree felony if the offender caused serious bodily harm to the victim          Otherwise, second degree felony</p> <p>UTAH CODE ANN. § 76-5-404.1 Sexual abuse of a child; aggravated sexual abuse of a child          Sexual abuse of a child, second degree felony, if sexual contact occurs between offender and a victim under 14 that does not amount to rape of a child, object rape of a child, sodomy upon a child, or an attempt to commit any of these offenses</p> <p>Aggravated sexual abuse of a child, first degree felony, if offender commits sexual abuse of a child, and:</p> <ul style="list-style-type: none"> <li>• Offense was committed by the use of a dangerous weapon or by force, duress, violence, intimidation, coercion, menace, or during the course of a kidnapping</li> <li>• Offender cause bodily injury or severe psychological injury to victim</li> <li>• Offender was a stranger to victim, or made friends with victim for the purpose of committing the offense</li> <li>• Offender used, showed, or displayed pornography, or cause victim to be photographed in a lewd condition during the course of the offense</li> <li>• Offender was previously convicted of any felony, or of a misdemeanor involving a sexual offense</li> </ul>		
---	--	--

Information compiled by RAINN and last updated December 2009. For more information, visit [rainn.org](http://rainn.org). © RAINN 2009.

©2009. For reprint permission, please contact RAINN at [info@rainn.org](mailto:info@rainn.org). Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<ul style="list-style-type: none"> <li>• Offender committed the same sexual act upon two or more victims at the same time</li> <li>• Offender committed more than five separate offenses against the person at the same time, or during the same course of conduct as the instant offense</li> <li>• Offender occupied a position of special trust in relation to victim</li> <li>• Offender encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by victim with any other person</li> <li>• Offender cause penetration of genitals or anal opening of victim by any part of the human body other than genitals or mouth</li> </ul> <p>UTAH CODE ANN. § 76-5-405 Aggravated sexual assault First degree felony</p> <p>UTAH CODE ANN. § 76-5-412 Custodial sexual relations; custodial sexual misconduct Custodial sexual relations, third degree felony, if offender, who is a correctional officer, law enforcement officer, or an employee or private contractor of the Department of Corrections or a county jail, causes any sexual penetration between offender and victim, who is a prisoner or under any correctional supervision Custodial sexual relations is a second degree felony if victim is under 18 Custodial sexual misconduct, class A misdemeanor, if offender, who is a correctional</p>		
---	--	--

Information compiled by RAINN and last updated December 2009. For more information, visit [rainn.org](http://rainn.org). © RAINN 2009.

©2009. For reprint permission, please contact RAINN at [info@rainn.org](mailto:info@rainn.org). Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<p>or law enforcement officer, causes any sexual touching between offender and victim, who is a prisoner or under any correctional supervision Custodial sexual misconduct is a third degree felony if victim is under 18</p> <p>UTAH CODE ANN. § 76-5-413 Custodial sexual relations or misconduct with youth receiving state services Custodial sexual relations with a youth receiving state services, third degree felony, if offender, who is a person employed by the Department of Human Services, causes any sexual penetration between offender and victim, who is in the custody of the Department Custodial sexual relations is a second degree felony if victim is under 18; otherwise, it is a third degree felony Custodial sexual misconduct, class A misdemeanor, if offender, who is a person employed by the Department of Human Services, causes any sexual touching between offender and victim, who is in the custody of the Department Custodial sexual misconduct is a third degree felony if victim is under 18</p> <p>UTAH CODE ANN. § 76-7-102 Incest Third degree felony</p>		
---	--	--

Information compiled by RAINN and last updated December 2009. For more information, visit [rainn.org](http://rainn.org). © RAINN 2009.

©2009. For reprint permission, please contact RAINN at [info@rainn.org](mailto:info@rainn.org). Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.