

Effective 5/10/2016

76-3-206 Capital felony -- Penalties.

- (1) A person who has pled guilty to or been convicted of a capital felony shall be sentenced in accordance with this section and Section 76-3-207.
- (2)
 - (a) If the person described in Subsection (1) was 18 years of age or older at the time the offense was committed, the sentence shall be:
 - (i) death;
 - (ii) an indeterminate prison term of not less than 25 years and that may be for life; or
 - (iii) on or after April 27, 1992, life in prison without parole.
 - (b) Subsections (2)(a)(i) and (2)(a)(iii) do not apply if the person was younger than 18 years of age at the time the offense was committed and was sentenced on or after May 10, 2016.
- (3)
 - (a) The judgment of conviction and sentence of death is subject to automatic review by the Utah State Supreme Court within 60 days after certification by the sentencing court of the entire record unless time is extended an additional period not to exceed 30 days by the Utah State Supreme Court for good cause shown.
 - (b) The review by the Utah State Supreme Court has priority over all other cases and shall be heard in accordance with rules promulgated by the Utah State Supreme Court.

Amended by Chapter 277, 2016 General Session