

Effective 5/12/2015

77-1-3 Definitions.

For the purpose of this act:

- (1) "Criminal action" means the proceedings by which a person is charged, accused, and brought to trial for a public offense.
- (2) "Indictment" means an accusation in writing presented by a grand jury to the district court charging a person with a public offense.
- (3) "Information" means an accusation, in writing, charging a person with a public offense which is presented, signed, and filed in the office of the clerk where the prosecution is commenced pursuant to Section 77-2-1.1.
- (4) "Magistrate" means a justice or judge of a court of record or not of record or a commissioner of such a court appointed in accordance with Section 78A-5-107, except that the authority of a court commissioner to act as a magistrate shall be limited by rule of the judicial council. The judicial council rules shall not exceed constitutional limitations upon the delegation of judicial authority.
- (5) "Risk and needs assessment" means an actuarial tool validated on offenders that determines:
 - (a) an individual's risk of reoffending; and
 - (b) the criminal risk factors that, when addressed, reduce the individual's risk of reoffending.

Amended by Chapter 412, 2015 General Session