

**JAIL RELEASE AMENDMENTS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Jack A. Seitz**

AN ACT RELATING TO THE CRIMINAL CODE; PROVIDING TERMS FOR INMATES' WORK RELEASE FROM JAILS AND ~~h [SPECIFIED] h~~ DETENTION FACILITIES.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**76-3-403.5**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-3-403.5** is enacted to read:

**76-3-403.5. Work release from county jail or detention facility.**

~~h [(1)] h~~ When an inmate is committed for incarceration in a county jail or in a detention facility

~~h [other than a Department of Corrections' correctional facility] h~~ , the custodial authority may in its discretion allow the inmate to work outside of the jail or facility as part of a jail or facility supervised work detail if the inmate's incarceration:

~~h [(a)] (1) h~~ is for a misdemeanor offense, and the sentencing judge has not entered an order to the

contrary; h [or]

~~[(b)] (2) h~~ is part of a probation agreement for a felony offense, and the sentencing district judge

has not entered an order to the contrary h [;] ; OR

**(3) IS IN A COUNTY FACILITY PURSUANT TO A CONTRACT WITH THE DEPARTMENT OF CORRECTIONS. h**

~~h [(2) As used in this section, "correctional facility" means a correctional facility operated by the Department of Corrections to house offenders, and includes both secure or nonsecure facilities.] h~~

**Legislative Review Note**  
**as of 1-17-00 2:34 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**