

**CRIMINAL SUSPECT PHOTOGRAPHS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Daniel W. Thatcher

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**LONG TITLE**

**General Description:**

This bill enacts a provision relating to photographs of criminal suspects.

**Highlighted Provisions:**

This bill:

▶ prohibits county sheriffs from providing a copy of a booking photograph to a person if the photograph will be placed in a publication or posted on a website that requires a payment in order to remove the photograph;

▶ requires a person requesting a copy of a booking photograph to sign a statement that the photograph will not be placed in a publication or on a website that requires payment in order to remove the photograph; and

▶ provides a criminal penalty for a false statement.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**17-22-30**, Utah Code Annotated 1953

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



28 Section 1. Section 17-22-30 is enacted to read:

29 **17-22-30. Prohibition on providing copy of booking photograph -- Statement**  
30 **required -- Criminal liability for false statement.**

31 (1) As used in this section, "booking photograph" means a photograph or image of an  
32 individual that is generated:

33 (a) for identification purposes; and

34 (b) when the individual is booked into a county jail.

35 (2) A sheriff may not provide a copy of a booking photograph in any format to a person  
36 requesting a copy of the booking photograph if:

37 (a) the booking photograph will be placed in a publication or posted to a website; and

38 (b) removal of the booking photograph from the publication or website requires the  
39 payment of a fee or other consideration.

40 (3) (a) A person who requests a copy of a booking photograph from a sheriff shall, at  
41 the time of making the request, submit a statement signed by the person affirming that the  
42 booking photograph will not be placed in a publication or posted to a website that requires the  
43 payment of a fee or other consideration in order to remove or delete the booking photograph  
44 from the publication or website.

45 (b) A person who submits a false statement under Subsection (3)(a) is subject to  
46 criminal liability as provided in Section 76-8-504.

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Legislative Review Note  
as of 2-22-13 6:58 AM

Office of Legislative Research and General Counsel