

**Representative Ken Ivory** proposes the following substitute bill:

**EXTRADITION TOLLING AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ken Ivory**

Senate Sponsor: Wayne A. Harper

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**LONG TITLE**

**General Description:**

This bill concerns extradition tolling for a defendant subject to criminal charges in this state.

**Highlighted Provisions:**

This bill:

- ▶ concerns extradition tolling for a defendant subject to criminal charges in this state;
- and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**77-30-19**, as enacted by Laws of Utah 1980, Chapter 15

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

Section 1. Section **77-30-19** is amended to read:



26           **77-30-19. Procedure if prosecution pending in this state.**

27           (1) If a criminal prosecution has been instituted against [~~such person~~] a defendant  
28 under the laws of this state and is still pending, the governor[~~, in his discretion,~~] may either  
29 surrender [~~him~~] the defendant on demand of the executive authority of another state or hold  
30 [~~him until he~~] the defendant until the defendant has been tried and [~~discharged or~~] either  
31 convicted and [~~punished~~] sentenced, acquitted, or otherwise discharged in this state.

32           (2) Unless tolling is contrary to state or federal law, the period of time for extradition  
33 shall be tolled when local charges are pending in this state.