26	
27	Be it enacted by the Legislature of the state of Utah:
28	Section 1. Section 17-22-30 is amended to read:
29	17-22-30. Prohibition on providing copy of booking photograph Statement
30	required Criminal liability for false statement Remedy for failure to remove or
31	delete.
32	(1) As used in this section:
33	(a) "Booking photograph" means a photograph or image of an individual that is
34	generated:
35	(i) for identification purposes; and
36	(ii) when the individual is booked into a county jail.
37	(b) "Publish-for-pay publication" or "publish-for-pay website" means a publication or
38	website that requires the payment of a fee or other consideration in order to remove or delete a
39	booking photograph from the publication or website.
40	(2) (a) A sheriff may not provide a copy of a booking photograph in any format to a
41	person requesting a copy of the booking photograph if:
42	[(a)] (i) the booking photograph will be placed in a publish-for-pay publication or
43	posted to a publish-for-pay website; or
44	[(b)] (ii) the booking photograph is a protected record under Subsection
45	63G-2-305(81).
46	(b) (i) A sheriff shall display a copy of a booking photograph to a person requesting to
47	view the booking photograph if the person making the request:
48	(A) (I) is an alleged victim of a crime that resulted in the creation of the booking
49	photograph; and
50	(II) \$→ subject to Utah Rules of Evidence, Rule 617, ←\$ the prosecuting agency with
50a	jurisdiction consents; or
51	(B) if an alleged victim is deceased or incapacitated, is an immediate family member,
52	guardian, or conservator of an alleged victim of the crime that resulted in the creation of the
53	booking photograph.
54	(ii) A person entitled to view a booking photograph under Subsection (2)(b)(i) is not
55	permitted to:
56	(A) retain the booking photograph:

- 2 -