

## Court Fine Amendments

## 2025 GENERAL SESSION

STATE OF UTAH

## **Chief Sponsor: Grant Amjad Miller**

Senate Sponsor: Todd Weiler

## LONG TITLE

### **General Description:**

This bill modifies provisions related to compensatory service and credits toward criminal fines.

## **Highlighted Provisions:**

This bill:

- permits a judge to order that the cost of any court-ordered treatment or course be credited toward payment of criminal fines if the treatment or course is completed; and
- permits credit for the cost of a court-ordered treatment or course to also be issued by means of a judge's order on a petition for remittance.

## **Money Appropriated in this Bill:**

None

## Other Special Clauses:

None

## Utah Code Sections Affected:

## AMENDS:

**76-3-301.7**, as enacted by Laws of Utah 2018, Chapter 214

77-32b-105, as enacted by Laws of Utah 2021, Chapter 260

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

Section 1. Section **76-3-301.7** is amended to read:

## **76-3-301.7 . Compensatory service -- Credit for cost of court-ordered treatment**

(1) As used in this section, "compensatory service" means service or unpaid work performed by a person, in lieu of the payment of a criminal fine, for:

- (a) a state or local government agency;

29 (b) an entity that is approved as a nonprofit organization under Section 501(c) of the  
30 Internal Revenue Code; or  
31 (c) any other entity or organization if prior approval is obtained from the court.

32 (2) When a defendant is sentenced to pay a fine for an infraction, class C or class B  
33 misdemeanor, the court shall consider allowing the defendant to complete compensatory  
34 service in lieu of the payment of the fine or account receivable, exclusive of any victim  
35 restitution imposed.

36 (3) A defendant who intends to forfeit bail or who is ordered to pay a fine by the court for  
37 an infraction, class C or class B misdemeanor, shall be informed by the court of the  
38 opportunity to perform compensatory service in lieu of the fine or bail amount.

39 (4) The court shall credit timely completed compensatory service reported in accordance  
40 with Subsection (5) against the fine or bail amount at the rate of \$10 per hour and shall  
41 allow the defendant a reasonable amount of time to complete the service.

42 (5)(a) The court shall provide the defendant with instructions that inform the  
43 organization:  
44 (i) about the requirements in Subsection (5)(b); and  
45 (ii) that making a written false statement to the court about the defendant's  
46 compensatory service is punishable as a class B misdemeanor pursuant to Section  
47 76-8-504.

48 (b) The defendant shall report compensatory service hours to the court in a letter that:  
49 (i) is on the organization's official letterhead and includes contact information for the  
50 organization's representative;  
51 (ii) specifies the number of hours for which the defendant provided service;  
52 (iii) contains a brief description of what the service involved; and  
53 (iv) is signed by an authorized representative of the organization; or  
54 (v) is in a form otherwise acceptable to the court.

55 (6) The court may refuse to accept compensatory service:  
56 (a) completed prior to the date of sentencing;  
57 (b) that has been submitted to another court for credit; or  
58 (c) completed at an agency or organization or is a type of service that is specifically  
59 prohibited by the court.

60 (7) In addition to any other provision of this section, a court may order that the unpaid  
61 amount of the criminal accounts receivable, that is not the principal or interest amount  
62 owed for restitution, be reduced in the amount of the cost of any treatment or course if:

63 (a) the treatment or course was ordered by the court as part of the case;  
64 (b) the defendant has completed the court's requirements related to the treatment or  
65 course;  
66 (c) the defendant provides proof that the defendant completed the court's requirements  
67 and paid the cost of the treatment or course; and  
68 (d) the court finds that payment of an unpaid amount of a criminal accounts receivable  
69 will impose manifest hardship on the defendant or the defendant's family.

70 Section 2. Section **77-32b-105** is amended to read:

71 **77-32b-105 . Petition for remittance or modification of a criminal accounts**  
72 **receivable before termination of a sentence.**

73 (1) At any time before a defendant's sentence terminates, the defendant may petition the  
74 sentencing court to:  
75 (a) correct an error in a criminal accounts receivable;  
76 (b) modify the payment schedule for the defendant's criminal accounts receivable in  
77 accordance with this section if the defendant is not under the jurisdiction of the  
78 board; or  
79 (c) remit, in whole or in part, an unpaid amount of the defendant's criminal accounts  
80 receivable that is not the principal or interest amount owed for restitution in  
81 accordance with this section.

82 (2) If a defendant files a petition under Subsection (1), and it appears to the satisfaction of  
83 the sentencing court that payment of an unpaid amount of a criminal accounts receivable  
84 will impose manifest hardship on the defendant, or the defendant's family, the court may:  
85 (a) if the criminal accounts receivable is not delinquent or in default, remit, in whole or  
86 in part, the unpaid amount of the criminal accounts receivable that is not the principal  
87 or interest amount owed for restitution; or  
88 (b) regardless of whether the criminal accounts receivable is delinquent or in default:  
89 (i) require the defendant to pay the criminal accounts receivable, or a specified  
90 amount of the criminal accounts receivable, by a certain date;  
91 (ii) modify the payment schedule for the criminal accounts receivable in accordance  
92 with the factors described in Subsection 77-32b-103(3)(b) if the defendant has  
93 demonstrated that the criminal accounts receivable will impose a manifest  
94 hardship due to changed circumstances or new evidence that justifies modifying  
95 the payment schedule; or  
96 (iii)(A) allow the defendant to satisfy an unpaid amount of the criminal accounts

97 receivable, that is not the principal or interest amount owed for restitution, with  
98 proof of compensatory service completed by the defendant at a rate of credit  
99 not less than \$10 for each hour of compensatory service[.] ; and  
100 (B) allow the defendant to reduce the unpaid amount of the criminal accounts  
101 receivable, that is not the principal or interest amount owed for restitution, in  
102 the amount of the cost of any treatment or course if:  
103 (I) the treatment or course was ordered by the court as part of the case;  
104 (II) the defendant has completed the court's requirements related to the  
105 treatment or course; and  
106 (III) the defendant provides proof that the defendant completed the court's  
107 requirements and paid the cost of the treatment or course.

108 (3)(a) If a defendant is under the jurisdiction of the board, the defendant may petition the  
109 board, at any time before the defendant's sentence terminates, to modify the payment  
110 schedule for the defendant's criminal accounts receivable.  
111 (b) If a defendant files a petition under Subsection (3)(a), the board may modify the  
112 payment schedule for the criminal accounts receivable in accordance with the factors  
113 described in Subsection 77-32b-103(3)(b) if the defendant has demonstrated that the  
114 criminal accounts receivable will impose a manifest hardship to the defendant, or the  
115 defendant's family, due to changed circumstances or new evidence that justifies  
116 modifying the payment schedule.

117 **Section 3. Effective Date.**

118 This bill takes effect on May 7, 2025.