

**Criminal Plea Withdrawal Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

House Sponsor: Jon Hawkins

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**LONG TITLE**

**General Description:**

This bill addresses the withdrawal of a plea.

**Highlighted Provisions:**

This bill:

- amends provisions related to the withdrawal of a plea in a criminal case; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**77-13-6**, as last amended by Laws of Utah 2008, Chapter 3

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

Section 1. Section **77-13-6** is amended to read:

**77-13-6 . Withdrawal of a plea.**

~~[(1) A plea of not guilty may be withdrawn at any time prior to conviction.]~~

~~[(2)(a) A plea of guilty or no contest may be withdrawn only upon leave of the court and a showing that it was not knowingly and voluntarily made.]~~

~~[(b) A request to withdraw a plea of guilty or no contest, except for a plea held in abeyance, shall be made by motion before sentence is announced. Sentence may not be announced unless the motion is denied. For a plea held in abeyance, a motion to withdraw the plea shall be made within 30 days of pleading guilty or no contest.]~~

~~[(c) Any challenge to a guilty plea not made within the time period specified in~~

Subsection (2)(b) shall be pursued under Title 78B, Chapter 9, Postconviction Remedies Act, and Rule 65C, Utah Rules of Civil Procedure.]

(1) A defendant may withdraw a plea of not guilty at any time before conviction.

(2) A defendant may only withdraw a plea of guilty or no contest upon:

(a) a leave of the court; and

(b) a showing that the defendant did not knowingly or voluntarily make the plea.

(3) A defendant shall make a motion to withdraw a plea of guilty or no contest in accordance with Rule 11 of the Utah Rules of Criminal Procedure.

Section 2. **Effective Date.**

This bill takes effect on May 7, 2025.