

Criminal Justice Revisions

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor:

LONG TITLE**General Description:**

This bill creates certain requirements for criminal justice agencies and entities working with criminal justice agencies.

Highlighted Provisions:

This bill:

- defines terms;
- adds county attorney offices in counties of the second and third class to the statute requiring certain prosecutorial data collection and reporting regarding time spent on criminal cases;
- requires a county jail to:
 - collect biometric and other personal information for individuals brought to the county jail for processing or booking into custody regardless of whether the county jail retains custody of the individual; and
 - to the extent possible, connect an individual in custody with the individual's state identification number and use the state identification number in association with any records regarding the individual;
- amends the membership of the Public Safety Data Management Task Force;
- requires the State Commission on Criminal and Juvenile Justice (the commission) to include certain DUI crash data in an annual DUI report;
- requires the Department of Public Safety's Criminal Investigations and Technical Services Division to collect certain DUI crash data and provide the data to the commission;
- establishes law enforcement agency requirements concerning:
 - the collection and reporting of certain DUI crash data;
 - the sharing of information with the Department of Public Safety's statewide criminal intelligence system;
 - the collection and reporting of certain lost, stolen, and untraceable firearms; and
 - the collection and reporting of the disposition of firearms in the custody of a law

- 31 enforcement agency;
- 32 ▸ requires the commission to receive, compile, and publish law enforcement agency data
- 33 concerning firearms;
- 34 ▸ requires law enforcement agencies to supply certain law enforcement officers with a
- 35 portable biometric capture device;
- 36 ▸ provides that the public safety data portal is the repository for statutorily required data
- 37 concerning:
- 38 • certain DUI crash data;
- 39 • law enforcement agency reporting requirements for certain firearms data; and
- 40 • prosecutorial data collection regarding prosecutions of false sexual assault accusations;
- 41 ▸ imposes certain requirements for software service vendors if the software service is for
- 42 use by a criminal justice agency and collects and stores data required by statute to be
- 43 reported to the commission;
- 44 ▸ requires all prosecutorial agencies in the state to submit data to the commission
- 45 concerning prosecutions brought against individuals based on false sexual assault
- 46 accusations;
- 47 ▸ exempts certain reporting requirements from law enforcement grant eligibility
- 48 requirements;
- 49 ▸ modifies pretrial release data reporting requirements from the Administrative Office of
- 50 the Courts;
- 51 ▸ requires the Department of Corrections to conduct a risk assessment for every individual
- 52 convicted of a sex offense that would require the individual to register on the Sex,
- 53 Kidnap, and Child Abuse Offender Registry;
- 54 ▸ requires the Department of Corrections, until January 1, 2030, to submit the results of risk
- 55 assessments for sex offenders to the commission; and
- 56 ▸ makes technical and conforming changes.

57 **Money Appropriated in this Bill:**

58 None

59 **Other Special Clauses:**

60 This bill provides a special effective date.

61 **Utah Code Sections Affected:**

62 AMENDS:

63 **17-18a-203.5 (Effective 07/01/25)**, as enacted by Laws of Utah 2024, Chapter 538

64 **17-22-5.5 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 419

65 **36-29-111 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 506
 66 **41-6a-511 (Effective 07/01/25)**, as last amended by Laws of Utah 2011, Chapter 51
 67 **63A-16-1002 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 467
 68 **63I-2-277 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Third Special
 69 Session, Chapter 5
 70 **63M-7-204 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 345
 71 **63M-7-218 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 345
 72 **77-20-103 (Effective 07/01/25)**, as renumbered and amended by Laws of Utah 2021,
 73 Second Special Session, Chapter 4

74 ENACTS:

75 **17-22-35 (Effective 05/07/25)**, Utah Code Annotated 1953
 76 **53-10-118 (Effective 07/01/25)**, Utah Code Annotated 1953
 77 **53-25-104 (Effective 05/07/25)**, Utah Code Annotated 1953
 78 **53-25-105 (Effective 05/07/25)**, Utah Code Annotated 1953
 79 **53-25-502 (Effective 07/01/25)**, Utah Code Annotated 1953
 80 **53-25-601 (Effective 05/07/25)**, Utah Code Annotated 1953
 81 **53-25-602 (Effective 05/07/25)**, Utah Code Annotated 1953
 82 **63A-16-1004 (Effective 07/01/25)**, Utah Code Annotated 1953
 83 **63M-7-216.1 (Effective 05/07/25)**, Utah Code Annotated 1953
 84 **77-41-115 (Effective 05/07/25)**, Utah Code Annotated 1953

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

87 Section 1. Section **17-18a-203.5** is amended to read:

88 **17-18a-203.5 (Effective 07/01/25). District attorney and county attorney data**
 89 **collection for counties of the first, second, and third class -- Report.**

90 (1) In this section, "prosecution personnel" means:

- 91 (a) investigators;
- 92 (b) prosecutors;
- 93 (c) support staff; or
- 94 (d) other individuals paid for [~~their~~] the individuals' work on the case.

95 (2) The district attorney in a county of the first class, and the county attorney in a county of
 96 the second or third class, shall:

- 97 (a) track the time spent by prosecution personnel on each criminal case, calculated in
 98 quarter of an hour increments, by the offense classification; and

- 99 (b) provide a written report to the Law Enforcement and Criminal Justice Interim
 100 Committee by November 1, annually.
- 101 (3) The annual report required in Subsection (2)(b) shall include the following information,
 102 organized by the offense classification, for the cases that were active during the
 103 reporting period:
- 104 (a) the total number of hours, calculated in quarter of an hour increments, worked on the
 105 cases by prosecution personnel;
- 106 (b) the average amount of taxpayer dollars spent per case, as calculated by the hours
 107 worked and the salary of the prosecution personnel who worked on the case;
- 108 (c) the cumulative total hours worked and the number of cases, categorized by the
 109 following:
- 110 (i) cases that were dismissed prior to the filing of charges;
- 111 (ii) cases that were dismissed after charges were filed;
- 112 (iii) cases in which a plea agreement was reached by the parties prior to the
 113 preliminary hearing;
- 114 (iv) cases that were dismissed by the court after the preliminary hearing;
- 115 (v) cases in which a plea agreement was reached by the parties after the preliminary
 116 hearing;
- 117 (vi) cases that resulted in a court ruling in favor of the state; and
- 118 (vii) cases that resulted in a court ruling in favor of the defense;
- 119 (d) the average number of days between:
- 120 (i) the filing of criminal charges; and
- 121 (ii)(A) the delivery of discovery information, including witness statements;
- 122 (B) the preliminary hearing; or
- 123 (C) the first day of trial; and
- 124 (e) the average number of attorneys assigned to each case.

125 Section 2. Section **17-22-5.5** is amended to read:

126 **17-22-5.5 (Effective 07/01/25). Sheriff's classification of jail facilities --**

127 **Maximum operating capacity of jail facilities -- Transfer or release of prisoners --**

128 **Limitation -- Records regarding release.**

- 129 (1)(a) Except as provided in Subsection (4), a county sheriff shall determine:
- 130 (i) subject to Subsection (1)(b), the classification of each jail facility or section of a
 131 jail facility under the sheriff's control;
- 132 (ii) the nature of each program conducted at a jail facility under the sheriff's control;

- 133 and
- 134 (iii) the internal operation of a jail facility under the sheriff's control.
- 135 (b) A classification under Subsection (1)(a)(i) of a jail facility may not violate any
- 136 applicable zoning ordinance or conditional use permit of the county or municipality.
- 137 (2) Except as provided in Subsection (4), each county sheriff shall:
- 138 (a) with the approval of the county legislative body, establish a maximum operating
- 139 capacity for each jail facility under the sheriff's control, based on facility design and
- 140 staffing; and
- 141 (b) upon a jail facility reaching the jail facility's maximum operating capacity:
- 142 (i) transfer prisoners to another appropriate facility:
- 143 (A) under the sheriff's control; or
- 144 (B) available to the sheriff by contract;
- 145 (ii) release prisoners:
- 146 (A) to a supervised release program, according to release criteria established by
- 147 the sheriff; or
- 148 (B) to another alternative incarceration program developed by the sheriff; or
- 149 (iii) admit prisoners in accordance with law and a uniform admissions policy
- 150 imposed equally upon all entities using the county jail.
- 151 (3)(a) The sheriff shall keep records of the release status and the type of release program
- 152 or alternative incarceration program for any prisoner released under Subsection
- 153 (2)(b)(ii).
- 154 (b) The sheriff shall make these records available upon request to the Department of
- 155 Corrections, the Judiciary, and the Commission on Criminal and Juvenile Justice.
- 156 (4) This section may not be construed to authorize a sheriff to modify provisions of a
- 157 contract with the Department of Corrections to house in a county jail an individual
- 158 sentenced to the Department of Corrections.
- 159 (5) Regardless of whether a jail facility has reached the jail facility's maximum operating
- 160 capacity under Subsection (2), a sheriff may release an individual from a jail facility in
- 161 accordance with Section 17-22-35 and Section 77-20-203 or 77-20-204.
- 162 (6) The sheriff of a county of the first class is encouraged to open and operate all sections
- 163 of a jail facility within the county that is not being used to full capacity.

164 Section 3. Section **17-22-35** is enacted to read:

165 **17-22-35 (Effective 05/07/25). County jail requirements concerning state**

166 **identification numbers and biometric and other personal information.**

- 167 (1) As used in this section, "state identification number" means the number issued by the
168 Bureau of Criminal Identification within the Department of Public Safety that
169 corresponds to a certain individual.
- 170 (2) If an individual is brought to a county jail for processing or booking into custody, the
171 county jail shall, regardless of whether the county jail retains custody of the individual
172 or releases the individual due to capacity issues or another reason:
- 173 (a) collect the individual's biometric and other personal information required by law; and
174 (b)(i) to the extent possible, connect the individual with the individual's state
175 identification number; and
- 176 (ii) if identified, use the individual's state identification number in association with
177 any records created or accessed by the county jail concerning the individual.

178 Section 4. Section **36-29-111** is amended to read:

179 **36-29-111 (Effective 07/01/25). Public Safety Data Management Task Force.**

- 180 (1) As used in this section:
- 181 (a) "Cohabitant abuse protective order" means an order issued with or without notice to
182 the respondent in accordance with Title 78B, Chapter 7, Part 6, Cohabitant Abuse
183 Protective Orders.
- 184 (b) "Lethality assessment" means an evidence-based assessment that is intended to
185 identify a victim of domestic violence who is at a high risk of being killed by the
186 perpetrator.
- 187 (c) "Task force" means the Public Safety Data Management Task Force created in this
188 section.
- 189 (d) "Victim" means an individual who is a victim of domestic violence, as defined in
190 Section 77-36-1.
- 191 (2) There is created the Public Safety Data Management Task Force consisting of the
192 following members:
- 193 (a) three members of the Senate appointed by the president of the Senate, no more than
194 two of whom may be from the same political party;
- 195 (b) three members of the House of Representatives appointed by the speaker of the
196 House of Representatives, no more than two of whom may be from the same political
197 party; and
- 198 (c) representatives from the following organizations as requested by the executive
199 director of the State Commission on Criminal and Juvenile Justice:
- 200 (i) the State Commission on Criminal and Juvenile Justice;

- 201 (ii) the Judicial Council;
- 202 (iii) the Statewide Association of Prosecutors;
- 203 (iv) the Department of Corrections;
- 204 (v) the Department of Public Safety;
- 205 (vi) the Utah Association of Counties;
- 206 (vii) the Utah Chiefs of Police Association;
- 207 (viii) the Utah Sheriffs Association;
- 208 (ix) the Board of Pardons and Parole;
- 209 (x) the Department of Health and Human Services; and
- 210 [~~(xi) the Utah Division of Indian Affairs; and~~]
- 211 [~~(xii)~~] (xi) any other organizations or groups as recommended by the executive
- 212 director of the Commission on Criminal and Juvenile Justice.
- 213 (3)(a) The president of the Senate shall designate a member of the Senate appointed
- 214 under Subsection (2)(a) as a cochair of the task force.
- 215 (b) The speaker of the House of Representatives shall designate a member of the House
- 216 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.
- 217 (4)(a) A majority of the members of the task force present at a meeting constitutes a
- 218 quorum.
- 219 (b) The action of a majority of a quorum constitutes an action of the task force.
- 220 (5)(a) Salaries and expenses of the members of the task force who are legislators shall be
- 221 paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter
- 222 3, Legislator Compensation.
- 223 (b) A member of the task force who is not a legislator:
- 224 (i) may not receive compensation for the member's work associated with the task
- 225 force; and
- 226 (ii) may receive per diem and reimbursement for travel expenses incurred as a
- 227 member of the task force at the rates established by the Division of Finance under
- 228 Sections 63A-3-106 and 63A-3-107.
- 229 (6) The State Commission on Criminal and Juvenile Justice shall provide staff support to
- 230 the task force.
- 231 (7) The task force shall review the state's current criminal justice data collection
- 232 requirements and make recommendations regarding:
- 233 (a) possible ways to connect the various records systems used throughout the state so
- 234 that data can be shared between criminal justice agencies and with policymakers;

- 235 (b) ways to automate the collection, storage, and dissemination of the data;
- 236 (c) standardizing the format of data collection and retention;
- 237 (d) the collection of domestic violence data in the state; and
- 238 (e) the collection of data not already required related to criminal justice.
- 239 (8) On or before November 30 of each year, the task force shall provide a report to the Law
- 240 Enforcement and Criminal Justice Interim Committee and the Legislative Management
- 241 Committee that includes:
- 242 (a) recommendations in accordance with Subsection (7)(a);
- 243 (b) information on:
- 244 (i) lethality assessments conducted in the state, including:
- 245 (A) the type of lethality assessments used by law enforcement agencies and other
- 246 organizations that provide domestic violence services; and
- 247 (B) training and protocols implemented by law enforcement agencies and the
- 248 organizations described in Subsection (8)(b)(i)(A) regarding the use of lethality
- 249 assessments;
- 250 (ii) the data collection efforts implemented by law enforcement agencies and the
- 251 organizations described in Subsection (8)(b)(i)(A);
- 252 (iii) the number of cohabitant abuse protective orders that, in the immediately
- 253 preceding calendar year, were:
- 254 (A) issued;
- 255 (B) amended or dismissed before the date of expiration; or
- 256 (C) dismissed under Section 78B-7-605; and
- 257 (iv) the prevalence of domestic violence in the state and the prevalence of the
- 258 following in domestic violence cases:
- 259 (A) stalking;
- 260 (B) strangulation;
- 261 (C) violence in the presence of a child; and
- 262 (D) threats of suicide or homicide;
- 263 (c) a review of and feedback on:
- 264 (i) lethality assessment training and protocols implemented by law enforcement
- 265 agencies and the organizations described in Subsection (8)(b)(i)(A); and
- 266 (ii) the collection of domestic violence data in the state, including:
- 267 (A) the coordination between state, local, and not-for-profit agencies to collect
- 268 data from lethality assessments and on the prevalence of domestic violence,

- 269 including the number of voluntary commitments of firearms under Section
270 53-5c-201;
- 271 (B) efforts to standardize the format for collecting domestic violence and lethality
272 assessment data from state, local, and not-for-profit agencies within federal
273 confidentiality requirements; and
- 274 (C) the need for any additional data collection requirements or efforts; and
275 (d) any proposed legislation.

276 Section 5. Section **41-6a-511** is amended to read:

277 **41-6a-511 (Effective 07/01/25). Courts to collect and maintain data.**

- 278 (1) The state courts shall collect and maintain data necessary to allow sentencing and
279 enhancement decisions to be made in accordance with this part.
- 280 (2)(a) Each justice court shall transmit dispositions electronically to the Department of
281 Public Safety in accordance with the requirement for recertification established by
282 the Judicial Council.
- 283 (b) Immediately upon filling the requirements under Subsection (2)(a), a justice court
284 shall collect and report the same DUI related data elements collected and maintained
285 by the state courts under Subsection (1).
- 286 (3) The department shall maintain an electronic data base for DUI related records and data
287 including the data elements received or collected from the courts under this section.
- 288 (4)(a) The Commission on Criminal and Juvenile Justice shall prepare an annual report
289 of DUI related data including the following:
- 290 (i) the data collected by the courts under Subsections (1) and (2); [~~and~~]
291 (ii) the DUI crash data collected from law enforcement agencies under Section
292 53-10-118 by the Department of Public Safety's Criminal Investigations and
293 Technical Services Division; and
294 [~~(ii)~~] (iii) any measures for which data are available to evaluate the profile and
295 impacts of DUI recidivism and to evaluate the DUI related processes of:
296 (A) law enforcement;
297 (B) adjudication;
298 (C) sanctions;
299 (D) driver license control; and
300 (E) alcohol education, assessment, and treatment.
- 301 (b) The report shall be provided in writing to the Judiciary and Transportation Interim
302 Committees no later than the last day of October following the end of the fiscal year

303 for which the report is prepared.

304 Section 6. Section **53-10-118** is enacted to read:

305 **53-10-118 (Effective 07/01/25). Collection of DUI crash data.**

306 (1)(a) The division shall collect from every law enforcement agency the following data
 307 concerning a crash that appears to be connected with a driving under the influence
 308 offense:

309 (i) whether the impaired driver was injured or killed;

310 (ii) whether any other individual was injured or killed;

311 (iii) whether there was damage to real or personal property; and

312 (iv) the following results or findings regarding the driver's impairment:

313 (A) blood or breath alcohol concentration readings;

314 (B) blood, chemical, or similar tests detecting alcohol or other drugs in an
 315 individual; and

316 (C) field sobriety test results.

317 (b) In accordance with Section 53-25-104, a law enforcement agency shall provide the
 318 information described in Subsection (1)(a) in the form and manner requested by the
 319 division.

320 (2) The division shall provide the information collected under Subsection (1) to the
 321 Commission on Criminal and Juvenile Justice for use in the annual report described in
 322 Section 41-6a-511.

323 Section 7. Section **53-25-104** is enacted to read:

324 **Part 1. Disclosure and General Reporting Requirements**

325 **53-25-104 (Effective 05/07/25). DUI crash data reporting requirements.**

326 Beginning on January 1, 2026, a law enforcement agency shall collect and provide to the
 327 department's Criminal Investigations and Technical Services Division the DUI crash data
 328 described in Section 53-10-118.

329 Section 8. Section **53-25-105** is enacted to read:

330 **53-25-105 (Effective 05/07/25). Sharing information with statewide criminal**
 331 **intelligence system.**

332 Beginning on July 1, 2025, a law enforcement agency shall:

333 (1) share information from the law enforcement agency's record management system with
 334 the department's statewide criminal intelligence system as described in Subsection
 335 53-10-302(8); and

336 (2) coordinate with the department to enter into a memorandum of understanding or related

338 agreement that may be necessary for the sharing of the information described in
339 Subsection (1).

340 Section 9. Section **53-25-502** is enacted to read:

341 **Part 5. Firearm Reporting Requirements**

342 **53-25-502 (Effective 07/01/25). Law enforcement agency reporting requirements**
343 **for certain firearm data.**

344 (1) As used in this section:

345 (a) "Antique firearm" means the same as that term is defined in Section 76-10-501.

346 (b) "Commission" means the State Commission on Criminal and Juvenile Justice created
347 in Section 63M-7-201.

348 (c) "Firearm" means the same as that term is defined in Section 76-10-501.

349 (d)(i) "Untraceable firearm" means a firearm:

350 (A) that was manufactured, assembled, or otherwise created in a manner such that
351 a serial number or other legally required identifying number or marking is not
352 affixed to the firearm;

353 (B) that is made of plastic, fiberglass, or another material that would not be
354 detectable by a detection device commonly used at an airport or other public
355 building for security screening; or

356 (C) on which the identifying serial number or other legally required identifying
357 number or marking has been removed or altered such that the firearm's
358 provenance cannot be traced.

359 (ii) "Untraceable firearm" does not include an antique firearm.

360 (2)(a) Beginning on July 1, 2027, a law enforcement agency shall collect and annually,
361 on or before April 30, report to the commission the following data for the previous
362 calendar year:

363 (i) the number of criminal offenses reported to, or investigated by, the law
364 enforcement agency in which the law enforcement agency determined that a lost,
365 stolen, or untraceable firearm was used in the commission of the criminal offense,
366 categorized by the type of offense; and

367 (ii) the number of firearms, separated by each category described in Subsections
368 (2)(a)(ii)(A) through (E), in the custody of the law enforcement agency that were:

369 (A) returned to the property owner;

370 (B) destroyed;

371 (C) retained in evidence or other storage;

- 372 (D) transferred to another governmental entity; or
 373 (E) submitted to a non-governmental entity for sale or disposal under Section
 374 77-11a-403.
- 375 (b) A law enforcement agency shall compile the data described in Subsection (2)(a) for
 376 each calendar year in the standardized format developed by the commission under
 377 Subsection (3).
- 378 (c) The reporting requirements under Subsection (2)(a)(i) do not apply to a criminal
 379 offense or investigation for an offense under Title 23A, Wildlife Resources Act, that
 380 involves a firearm.
- 381 (3) The commission shall:
- 382 (a) develop a standardized format for reporting the data described in Subsection (2);
 383 (b) compile the data submitted under Subsection (2); and
 384 (c) annually on or before August 1, publish a report of the data described in Subsection
 385 (2) on the commission's website.
- 386 (4) This section does not apply to:
- 387 (a) the Department of Corrections; or
 388 (b) a law enforcement agency created under Section 41-3-104.
- 389 Section 10. Section **53-25-601** is enacted to read:

Part 6. Law Enforcement Equipment Requirements

53-25-601 (Effective 05/07/25). Definitions.

As used in this part:

- 393 (1)(a) "Biometric data" means data generated by automatic measurements of an
 394 individual's unique biological characteristics.
- 395 (b) "Biometric data" includes data described in Subsection (1)(a) that is generated by
 396 automatic measurements of an individual's fingerprint, voiceprint, eye retinas, irises,
 397 or any other unique biological pattern or characteristic that is used to identify a
 398 specific individual.
- 399 (c) "Biometric data" does not include:
- 400 (i) a physical or digital photograph;
 401 (ii) a video or audio recording; or
 402 (iii) data generated from an item described in Subsection (1)(c)(i) or (ii).
- 403 (2) "Portable biometric capture device" means a device or electronic application that:
- 404 (a) is able to accurately capture at least one form of an individual's biometric data;
 405 (b) can be carried by a law enforcement officer, either on the law enforcement officer's

406 person or in the law enforcement officer's vehicle; and
407 (c) is capable of transmitting or allowing for the transfer of captured biometric data into
408 a law enforcement database so that the captured biometric data can be used to
409 identify an individual based on the individual's existing biometric data in the law
410 enforcement database.

411 Section 11. Section **53-25-602** is enacted to read:

412 **53-25-602 (Effective 05/07/25). Portable biometric capture method requirement.**

413 Beginning January 1, 2027, a law enforcement agency shall ensure that every law
414 enforcement officer who is on duty outside of the law enforcement agency's facility is supplied
415 with a portable biometric capture device.

416 Section 12. Section **63A-16-1002** is amended to read:

417 **63A-16-1002 (Effective 07/01/25). Public safety portal.**

418 (1) The commission shall oversee the creation and management of a public safety portal for
419 information and data required to be reported to the commission and accessible to all
420 criminal justice agencies in the state.

421 (2) The division shall assist with the development and management of the public safety
422 portal.

423 (3) The division, in collaboration with the commission, shall create:

424 (a) master standards and formats for information submitted to the public safety portal;

425 (b) a gateway, bridge, website, or other method for reporting entities to provide the
426 information;

427 (c) a master data management index or system to assist in the retrieval of information
428 from the public safety portal;

429 (d) a protocol for accessing information in the public safety portal that complies with
430 state privacy regulations; and

431 (e) a protocol for real-time audit capability of all data accessed from the public safety
432 portal by participating data source, data use entities, and regulators.

433 (4) The public safety portal shall be the repository for the statutorily required data described
434 in:

435 (a) Section 13-53-111, recidivism reporting requirements;

436 (b) Section 17-22-32, county jail reporting requirements;

437 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;

438 (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;

439 (e) Section 41-6a-511, courts to collect and maintain data;

- 440 (f) Section 53-10-118, collection of DUI crash data;
 441 [~~(f)~~] (g) Section 53-25-301, reporting requirements for reverse-location warrants;
 442 [~~(g)~~] (h) Section 53-25-202, sexual assault offense reporting requirements for law
 443 enforcement agencies;
 444 [~~(h)~~] (i) Section 53E-3-516, school disciplinary and law enforcement action report;
 445 [~~(i)~~] (j) Section 53-25-501, reporting requirements for seized firearms;
 446 (k) Section 53-25-502, law enforcement agency reporting requirements for certain
 447 firearm data;
 448 [~~(j)~~] (l) Section 63M-7-214, law enforcement agency grant reporting;
 449 [~~(k)~~] (m) Section 63M-7-216, prosecutorial data collection;
 450 (n) Section 63M-7-216.1, prosecutorial data collection regarding prosecutions of false
 451 sexual assault accusations;
 452 [~~(l)~~] (o) Section 63M-7-220, domestic violence data collection;
 453 [~~(m)~~] (p) Section 64-13-21, supervision of sentenced offenders placed in community;
 454 [~~(n)~~] (q) Section 64-13-25, standards for programs;
 455 [~~(o)~~] (r) Section 64-13-45, department reporting requirements;
 456 [~~(p)~~] (s) Section 64-13e-104, county correctional facility reimbursement program for
 457 state probationary inmates and state parole inmates;
 458 [~~(q)~~] (t) Section 77-7-8.5, use of tactical groups;
 459 [~~(r)~~] (u) Section 77-11b-404, forfeiture reporting requirements;
 460 [~~(s)~~] (v) Section 77-20-103, release data requirements;
 461 [~~(t)~~] (w) Section 77-22-2.5, court orders for criminal investigations;
 462 [~~(u)~~] (x) Section 78A-2-109.5, court data collection on criminal cases;
 463 [~~(v)~~] (y) Section 80-6-104, data collection on offenses committed by minors; and
 464 [~~(w)~~] (z) any other statutes [~~which~~] that require the collection of specific data and the
 465 reporting of that data to the commission.
- 466 (5) Before October 1, 2025, the commission shall report all data collected to the Law
 467 Enforcement and Criminal Justice Interim Committee.
- 468 (6) The commission may:
- 469 (a) enter into contracts with private or governmental entities to assist entities in
 470 complying with the data reporting requirements of Subsection (4); and
- 471 (b) adopt, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
 472 Act, rules to administer this section, including establishing requirements and
 473 procedures for collecting the data described in Subsection (4).

474 Section 13. Section **63A-16-1004** is enacted to read:

475 **63A-16-1004 (Effective 07/01/25). Software service required to be compatible**
 476 **with public safety portal.**

477 (1) A vendor that operates a software service described in Subsection (2) shall:

- 478 (a) establish an automated connection to the commission's public safety portal; and
 479 (b) ensure that the connection described in Subsection (1)(a) is operational within one
 480 year of the criminal justice agency's system that uses the software service becoming
 481 active.

482 (2) A software service is subject to Subsection (1) if the software service:

- 483 (a) is for use by a criminal justice agency within the state's criminal justice system; and
 484 (b) collects and stores data required by statute to be reported to the commission.

485 Section 14. Section **63I-2-277** is amended to read:

486 **63I-2-277 (Effective 07/01/25). Repeal dates: Title 77.**

487 (1) Subsection 77-23f-102(2)(a)(ii), regarding a notice for certain reverse-location search
 489 warrant applications, is repealed January 1, 2033.

490 (2) Subsection 77-23f-103(2)(a)(ii), regarding a notice for certain reverse-location search
 491 warrant applications, is repealed January 1, 2033.

492 (3) Subsection 77-41-115(2), regarding the requirement for the Department of Corrections
 493 to submit the results of risk assessments for sex offenders to the State Commission on
 494 Criminal and Juvenile Justice, is repealed January 1, 2030.

495 Section 15. Section **63M-7-204** is amended to read:

496 **63M-7-204 (Effective 05/07/25). Duties of commission.**

497 (1) The commission shall:

- 498 (a) promote the commission's purposes as enumerated in Section 63M-7-201;
 499 (b) promote the communication and coordination of all criminal and juvenile justice
 500 agencies;
 501 (c) study, evaluate, and report on the status of crime in the state and on the effectiveness
 502 of criminal justice policies, procedures, and programs that are directed toward the
 503 reduction of crime in the state;
 504 (d) study, evaluate, and report on programs initiated by state and local agencies to
 505 address reducing recidivism, including changes in penalties and sentencing
 506 guidelines intended to reduce recidivism, costs savings associated with the reduction
 507 in the number of inmates, and evaluation of expenses and resources needed to meet
 508 goals regarding the use of treatment as an alternative to incarceration, as resources

- 509 allow;
- 510 (e) study, evaluate, and report on policies, procedures, and programs of other
511 jurisdictions which have effectively reduced crime;
- 512 (f) identify and promote the implementation of specific policies and programs the
513 commission determines will significantly reduce crime in Utah;
- 514 (g) provide analysis and recommendations on all criminal and juvenile justice
515 legislation, state budget, and facility requests, including program and fiscal impact on
516 all components of the criminal and juvenile justice system;
- 517 (h) provide analysis, accountability, recommendations, and supervision for state and
518 federal criminal justice grant money;
- 519 (i) provide public information on the criminal and juvenile justice system and give
520 technical assistance to agencies or local units of government on methods to promote
521 public awareness;
- 522 (j) promote research and program evaluation as an integral part of the criminal and
523 juvenile justice system;
- 524 (k) provide a comprehensive criminal justice plan annually;
- 525 (l) review agency forecasts regarding future demands on the criminal and juvenile
526 justice systems, including specific projections for secure bed space;
- 527 (m) promote the development of criminal and juvenile justice information systems that
528 are consistent with common standards for data storage and are capable of
529 appropriately sharing information with other criminal justice information systems by:
- 530 (i) developing and maintaining common data standards for use by all state criminal
531 justice agencies;
- 532 (ii) annually performing audits of criminal history record information maintained by
533 state criminal justice agencies to assess their accuracy, completeness, and
534 adherence to standards;
- 535 (iii) defining and developing state and local programs and projects associated with
536 the improvement of information management for law enforcement and the
537 administration of justice; and
- 538 (iv) establishing general policies concerning criminal and juvenile justice information
539 systems and making rules as necessary to carry out the duties under Subsection
540 (1)(k) and this Subsection (1)(m);
- 541 (n) allocate and administer grants, from money made available, for approved education
542 programs to help prevent the sexual exploitation of children;

- 543 (o) allocate and administer grants for law enforcement operations and programs related
544 to reducing illegal drug activity and related criminal activity;
- 545 (p) request, receive, and evaluate data and recommendations collected and reported by
546 agencies and contractors related to policies recommended by the commission
547 regarding recidivism reduction, including the data described in Section 13-53-111
548 and Subsection 26B-5-102(2)(l);
- 549 (q) establish and administer a performance incentive grant program that allocates funds
550 appropriated by the Legislature to programs and practices implemented by counties
551 that reduce recidivism and reduce the number of offenders per capita who are
552 incarcerated;
- 553 (r) oversee or designate an entity to oversee the implementation of juvenile justice
554 reforms;
- 555 (s) make rules and administer the juvenile holding room standards and juvenile jail
556 standards to align with the Juvenile Justice and Delinquency Prevention Act
557 requirements pursuant to 42 U.S.C. Sec. 5633;
- 558 (t) allocate and administer grants, from money made available, for pilot qualifying
559 education programs;
- 560 (u) request, receive, and evaluate the aggregate data collected from prosecutorial
561 agencies and the Administrative Office of the Courts, in accordance with Sections
562 63M-7-216, 63M-7-216.1, and 78A-2-109.5;
- 563 (v) report annually to the Law Enforcement and Criminal Justice Interim Committee on
564 the progress made on each of the following goals of the Justice Reinvestment
565 Initiative:
- 566 (i) ensuring oversight and accountability;
- 567 (ii) supporting local corrections systems;
- 568 (iii) improving and expanding reentry and treatment services; and
- 569 (iv) strengthening probation and parole supervision;
- 570 (w) compile a report of findings based on the data and recommendations provided under
571 Section 13-53-111 and Subsection 26B-5-102(2)(n) that:
- 572 (i) separates the data provided under Section 13-53-111 by each residential,
573 vocational and life skills program; and
- 574 (ii) separates the data provided under Subsection 26B-5-102(2)(n) by each mental
575 health or substance use treatment program;
- 576 (x) publish the report described in Subsection (1)(w) on the commission's website and

- 577 annually provide the report to the Judiciary Interim Committee, the Health and
578 Human Services Interim Committee, the Law Enforcement and Criminal Justice
579 Interim Committee, and the related appropriations subcommittees;
- 580 (y) receive, compile, and publish on the commission's website the data provided under:
581 (i) Section 53-25-202;
582 (ii) Section 53-25-301; and
583 (iii) Section 53-25-401;
- 584 (z) review, research, advise, and make recommendations to the three branches of
585 government regarding evidence-based sex offense management policies and
586 practices, including supervision standards, treatment standards, and the sex offender
587 registry;
- 588 (aa) receive and evaluate a referral from the Department of Public Safety received under
589 Section 53-21-104.3 involving a denial of mental health resources to an eligible
590 individual, including, if appropriate in the commission's discretion, deny the relevant
591 entity from receiving any grant of state funds under Section 63M-7-218 for a
592 specified period of time; and
- 593 (bb) accept public comment.
- 594 (2)(a) The commission may designate an entity to perform the duties described in this
595 part.
- 596 (b) If the commission designates an entity under Subsection (2)(a), the commission shall
597 ensure that the membership of the designated entity includes representation from
598 relevant stakeholder groups from the parts of the justice system implicated in the
599 policy area.
- 600 (3) in fulfilling the commission's duties under Subsection (1), the commission may seek
601 input and request assistance from groups with knowledge and expertise in criminal
602 justice, including other boards and commissions affiliated or housed within the
603 commission.

604 Section 16. Section **63M-7-216.1** is enacted to read:

605 **63M-7-216.1 (Effective 05/07/25). Prosecutorial data collection regarding**
606 **prosecutions of false sexual assault accusations.**

607 (1) Beginning January 1, 2026, all prosecutorial agencies within the state shall collect and
608 submit the following data to the commission:

- 609 (a) the number of prosecutions during the previous calendar year in which charges were
610 brought against an individual based on the individual's false accusation of:

- 611 (i) rape in violation of Section 76-5-402;
 612 (ii) object rape in violation of Section 76-5-402.2;
 613 (iii) forcible sodomy in violation of Section 76-5-403;
 614 (iv) forcible sexual abuse in violation of Section 76-5-404; or
 615 (v) aggravated sexual assault in violation of Section 76-5-405; and
 616 (b) the disposition of each prosecution described in Subsection (1)(a).
 617 (2) The information required by Subsection (1) shall be submitted to the commission in the
 618 form and manner selected by the commission.

619 Section 17. Section **63M-7-218** is amended to read:

620 **63M-7-218 (Effective 07/01/25). State grant requirements.**

- 621 (1) Except as provided in Subsection (2), the commission may not award a grant of state
 622 funds to an entity subject to, and not in compliance with, the reporting requirements in
 623 Subsection 63A-16-1002(4).
 624 (2)(a) The commission may award a grant to an entity under Section 63A-16-1003 even
 625 if the entity is not in compliance with the reporting requirements described in
 626 Subsection 63A-16-1002(4).
 627 (b) Subsection (1) does not apply to the law enforcement reporting requirements for
 628 certain firearm data described in Section 53-25-502.
 629 (3) Beginning July 1, 2025, the commission may not award any grant of state funds to an
 630 entity subject to the requirements under Sections 53-21-102 and 53-21-104.3, if the
 631 commission has determined under Subsection 63M-7-204(1)(aa) that the entity is
 632 currently not eligible to receive state grant funds under this section.

633 Section 18. Section **77-20-103** is amended to read:

634 **77-20-103 (Effective 07/01/25). Release data requirements.**

- 635 (1) The Administrative Office of the Courts shall submit the following data on cases
 636 involving individuals for whom the Administrative Office of the Courts has a state
 637 identification number broken down by judicial district to the Commission on Criminal
 638 and Juvenile Justice before July 1 of each year:
 639 (a) for the preceding calendar year:
 640 (i) the number of individuals charged with a criminal offense who failed to appear at
 641 a required court proceeding while on pretrial release under each of the following
 642 categories of release, separated by each type of release:
 643 (A) the individual's own recognizance;
 644 (B) a financial condition; and

- 645 (C) a release condition other than a financial condition;
- 646 (ii) the number of offenses that carry a potential penalty of incarceration an
647 individual committed while on pretrial release under each of the following
648 categories of release, separated by each type of release:
- 649 (A) the individual's own recognizance;
- 650 (B) a financial condition; and
- 651 (C) a release condition other than a financial condition; and
- 652 (iii) the total amount of fees and fines, including bond forfeiture, collected by the
653 court from an individual for the individual's failure to comply with a condition of
654 release under each of the following categories of release, separated by each type
655 of release:
- 656 (A) an individual's own recognizance;
- 657 (B) a financial condition; and
- 658 (C) a release condition other than a financial condition; and
- 659 (b) at the end of the preceding calendar year:
- 660 (i) the total number of outstanding warrants of arrest for individuals who were
661 released from law enforcement custody on pretrial release under each of the
662 following categories of release, separated by each type of release:
- 663 (A) the individual's own recognizance;
- 664 (B) a financial condition; and
- 665 (C) a release condition other than a financial condition;
- 666 (ii) for each of the categories described in Subsection (1)(b)(i), the average length of
667 time that the outstanding warrants had been outstanding; and
- 668 (iii) for each of the categories described in Subsection (1)(b)(i), the number of
669 outstanding warrants for arrest for crimes of each of the following categories:
- 670 (A) a first degree felony;
- 671 (B) a second degree felony;
- 672 (C) a third degree felony;
- 673 (D) a class A misdemeanor;
- 674 (E) a class B misdemeanor; and
- 675 (F) a class C misdemeanor.
- 676 (2) The data described in Subsection (1) shall include cases involving pretrial release by a
677 temporary pretrial status order and a pretrial release order.
- 678 (3) Each county jail shall submit the following data, based on the preceding calendar year,

- 679 to the Commission of Criminal and Juvenile Justice before July 1 of each year:
- 680 (a) the number of individuals released upon payment of monetary bail before appearing
- 681 before a court;
- 682 (b) the number of individuals released on the individual's own recognizance before
- 683 appearing before a court; and
- 684 (c) the amount of monetary bail, any fees, and any other money paid by or on behalf of
- 685 individuals collected by the county jail.

686 ~~[(3)]~~ (4) The Commission on Criminal and Juvenile Justice shall compile the data collected

687 under this section and shall submit the compiled data in an electronic report to the Law

688 Enforcement and Criminal Justice Interim Committee before November 1 of each year.

689 Section 19. Section **77-41-115** is enacted to read:

690 **77-41-115 (Effective 05/07/25). Sex offender risk assessment -- Department of**

691 **Corrections responsibilities.**

692 The Department of Corrections shall:

- 693 (1) for a sex offender convicted after May 7, 2025, of an offense committed in this state
- 694 described in Subsection 77-41-102(19)(a), conduct a risk assessment to ascertain the risk
- 695 that the individual may commit another offense described in Subsection
- 696 77-41-102(19)(a); and
- 697 (2) 30 days after the day on which a calendar quarterly period ends, submit the results of
- 698 any risk assessments completed under Subsection (1) during the preceding quarter to the
- 699 State Commission on Criminal and Juvenile Justice.

700 Section 20. **Effective Date.**

- 701 (1) Except as provided in Subsection (2), this bill takes effect July 1, 2025.
- 702 (2) The actions affecting the following sections take effect on May 7, 2025:
- 703 (a) Section 77-41-115 (Effective 05/07/25);
- 704 (b) Section 53-25-602 (Effective 05/07/25);
- 705 (c) Section 53-25-104 (Effective 05/07/25);
- 706 (d) Section 63M-7-204 (Effective 05/07/25);
- 707 (e) Section 17-22-35 (Effective 05/07/25);
- 708 (f) Section 53-25-105 (Effective 05/07/25);
- 709 (g) Section 63M-7-216.1 (Effective 05/07/25); and
- 710 (h) Section 53-25-601 (Effective 05/07/25).