

- 31 (b) an entity that is approved as a nonprofit organization under Section 501(c) of the
32 Internal Revenue Code; or
- 33 (c) any other entity or organization if prior approval is obtained from the court.
- 34 (2) When a defendant is sentenced to pay a fine for an infraction, class C or class B
35 misdemeanor, the court shall consider allowing the defendant to complete compensatory
36 service in lieu of the payment of the fine or account receivable, exclusive of any victim
37 restitution imposed.
- 38 (3) A defendant who intends to forfeit bail or who is ordered to pay a fine by the court for
39 an infraction, class C or class B misdemeanor, shall be informed by the court of the
40 opportunity to perform compensatory service in lieu of the fine or bail amount.
- 41 (4) The court shall credit timely completed compensatory service reported in accordance
42 with Subsection (5) against the fine or bail amount at the rate of [~~\$10~~] \$15 per hour and
43 shall allow the defendant a reasonable amount of time to complete the service.
- 44 (5)(a) The court shall provide the defendant with instructions that inform the
45 organization:
- 46 (i) about the requirements in Subsection (5)(b); and
- 47 (ii) that making a written false statement to the court about the defendant's
48 compensatory service is punishable as a class B misdemeanor pursuant to Section
49 76-8-504.
- 50 (b) The defendant shall report compensatory service hours to the court in a letter that:
- 51 (i) is on the organization's official letterhead and includes contact information for the
52 organization's representative;
- 53 (ii) specifies the number of hours for which the defendant provided service;
- 54 (iii) contains a brief description of what the service involved; and
- 55 (iv) is signed by an authorized representative of the organization; or
- 56 (v) is in a form otherwise acceptable to the court.
- 57 (6) The court may refuse to accept compensatory service:
- 58 (a) completed prior to the date of sentencing;
- 59 (b) that has been submitted to another court for credit; or
- 60 (c) completed at an agency or organization or is a type of service that is specifically
61 prohibited by the court.
- 62 (7) In addition to any other provision of this section, a court may order that the unpaid
63 amount of the criminal accounts receivable, that is not the principal amount owed for
64 restitution, be reduced in the amount of the cost of any treatment or course if:

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

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

73 **77-32b-105 . Petition for remittance or modification of a criminal accounts**
 74 **receivable before termination of a sentence.**

75 (1) At any time before a defendant's sentence terminates, the defendant may petition the
 76 sentencing court to:

- 77 (a) correct an error in a criminal accounts receivable;
 78 (b) modify the payment schedule for the defendant's criminal accounts receivable in
 79 accordance with this section if the defendant is not under the jurisdiction of the
 80 board; or
 81 (c) remit, in whole or in part, an unpaid amount of the defendant's criminal accounts
 82 receivable that is not the principal amount owed for restitution in accordance with
 83 this section.

84 (2) If a defendant files a petition under Subsection (1), and it appears to the satisfaction of
 85 the sentencing court that payment of an unpaid amount of a criminal accounts receivable
 86 will impose manifest hardship on the defendant, or the defendant's family, the court may:

- 87 (a) if the criminal accounts receivable is not delinquent or in default, remit, in whole or
 88 in part, the unpaid amount of the criminal accounts receivable that is not the principal
 89 amount owed for restitution; or
 90 (b) regardless of whether the criminal accounts receivable is delinquent or in default:
 91 (i) require the defendant to pay the criminal accounts receivable, or a specified
 92 amount of the criminal accounts receivable, by a certain date;
 93 (ii) modify the payment schedule for the criminal accounts receivable in accordance
 94 with the factors described in Subsection 77-32b-103(3)(b) if the defendant has
 95 demonstrated that the criminal accounts receivable will impose a manifest
 96 hardship due to changed circumstances or new evidence that justifies modifying
 97 the payment schedule; or
 98 (iii)(A) allow the defendant to satisfy an unpaid amount of the criminal accounts

99 receivable, that is not the principal amount owed for restitution, with proof of
100 compensatory service completed by the defendant at a rate of credit not less
101 than [~~\$10~~] \$15 for each hour of compensatory service[-] ; and
102 (B) allow the defendant to reduce the unpaid amount of the criminal accounts
103 receivable, that is not the principal amount owed for restitution, in the amount
104 of the cost of any treatment or course if:
105 (I) the treatment or course was ordered by the court as part of the case;
106 (II) the defendant has completed the court's requirements related to the
107 treatment or course; and
108 (III) the defendant provides proof that the defendant completed the court's
109 requirements and paid the cost of the treatment or course.

110 (3)(a) If a defendant is under the jurisdiction of the board, the defendant may petition the
111 board, at any time before the defendant's sentence terminates, to modify the payment
112 schedule for the defendant's criminal accounts receivable.

113 (b) If a defendant files a petition under Subsection (3)(a), the board may modify the
114 payment schedule for the criminal accounts receivable in accordance with the factors
115 described in Subsection 77-32b-103(3)(b) if the defendant has demonstrated that the
116 criminal accounts receivable will impose a manifest hardship to the defendant, or the
117 defendant's family, due to changed circumstances or new evidence that justifies
118 modifying the payment schedule.

119 Section 3. **Effective Date.**

120 This bill takes effect on May 7, 2025.