

Corrections Modifications
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Derrin R. Owens

LONG TITLE

General Description:

This bill amends provisions related to corrections.

Highlighted Provisions:

This bill:

- amends which individuals in the custody of the Department of Corrections (the department) may petition to have a sex designation change on a birth certificate;
- includes individuals on parole on the list of individuals to whom a government entity is not required to respond regarding certain records requests;
- clarifies that the department may independently investigate criminal allegations against:
 - individuals in the custody of the department; and
 - subject to certain limitations, employees of the department;
- amends the prison telephone surcharge account to allow revenue generated from offenders using department tablets and other electronic devices to be placed in the account;
- amends provisions regarding the substances administered by the department when carrying out a judgment of death by lethal intravenous injection; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-8-111, as last amended by Laws of Utah 2024, Chapter 296

63G-2-201, as last amended by Laws of Utah 2023, Chapters 173, 516

64-13-6, as last amended by Laws of Utah 2024, Chapters 144, 208

64-13-42, as last amended by Laws of Utah 2024, Chapter 144

77-19-10, as last amended by Laws of Utah 2021, Chapter 260

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

Section 1. Section **26B-8-111** is amended to read:

26B-8-111 . Birth certificate name or sex designation change -- Registration of court order and amendment of birth certificate.

(1) An individual may obtain a court order in accordance with Title 42, Names, to change the name on the individual's birth certificate.

(2)(a) A court may grant a petition ordering a sex designation change on a birth certificate if the court determines by clear and convincing evidence that the individual seeking the sex designation change:

- (i) is not involved in any kind of lawsuit;
- (ii) is not ~~[on probation or parole]~~ an offender as defined in Section 64-13-1;
- (iii) is not seeking the amendment:
 - (A) to commit a crime;
 - (B) to interfere with the rights of others;
 - (C) to avoid creditors;
 - (D) to influence the sentence, fine, or conditions of imprisonment in a criminal case;
 - (E) to commit fraud on the public; or
 - (F) for any other fraudulent purpose;
- (iv) has transitioned from the sex designation of the biological sex at birth to the sex sought in the petition;
- (v) has outwardly expressed as the sex sought in the petition in a consistent and uniform manner for at least six months; and
- (vi) suffers from clinically significant distress or impairment due to the current sex designation on the birth certificate.

(b) The court shall consider the following when making the determination described in Subsection (2)(a)(iv):

- (i) evidence of medical history, care, or treatment related to sex transitioning; and
- (ii) evidence that the sex sought in the petition is sincerely held and part of the individual's core identity.

(c)(i) An individual petitioning for a sex designation change under this section shall indicate on the petition whether the individual is registered with the state's Sex and Kidnap Offender Registry.

66 (ii) Based on the disclosure described in Subsection (2)(c)(i), the court may request
67 additional information from an individual who is registered with the state's Sex
68 and Kidnap Offender Registry to determine whether to grant a petition under this
69 section.

70 (3)(a)(i) When determining whether to grant a sex designation change for a child
71 who is at least 15 years and six months old, unless the child is emancipated, the
72 court shall appoint, notwithstanding Subsection 78A-2-703(1), a guardian ad litem
73 for the child.

74 (ii) Notwithstanding Subsection 78A-2-703(7), the child's parent or guardian is
75 responsible for the costs of the guardian ad litem's services unless the court
76 determines the parent or guardian is indigent in accordance with Section
77 78A-2-302.

78 (b) The guardian ad litem shall provide the court relevant evidence, whether submitted
79 by the child or other sources of evidence, regarding the following:

80 (i) whether the child is capable of making decisions with long-term consequences
81 independently of the child's parent or guardian;

82 (ii) whether the child is mature and capable of appreciating the implications of the
83 decision to change the sex designation on the child's birth certificate; and

84 (iii) whether the child meets the other requirements of this section.

85 (c) The guardian of a child described in Subsection (3)(a) shall:

86 (i) give notice of the proceeding to any known parent of the child; and

87 (ii) provide the court with a declaration of the status of any divorce or custody matter
88 pertaining to the child, including the case name, case number, court, judge, and
89 current status of the case.

90 (d) The court shall:

91 (i) consider any objection given by a parent;

92 (ii) close the hearing on a petition for a sex designation change;

93 (iii) receive all evidence; and

94 (iv) make a determination as to whether:

95 (A) all of the requirements of Subsection (2) have been met; and

96 (B) the evidence supports a finding by clear and convincing evidence that the sex
97 designation change is in the best interest of the child and would not create a
98 risk of harm to the minor.

99 (4)(a) A court may not grant a petition for a sex designation change if:

- 100 (i) the birth certificate is for a child who is younger than 15 years and six months old;
101 or
102 (ii) the child's parent or guardian with legal custody has not given permission.
- 103 (b) An order granting a sex designation change under this section is not effective until
104 the individual is at least 16 years old.
- 105 (5) A petition for a sex designation under this section may be combined with a petition
106 under Title 42, Names.
- 107 (6)(a) Upon the receipt of a certified order granting a birth certificate amendment, any
108 required application, and an appropriate fee, the department shall issue:
- 109 (i) a birth certificate that does not indicate which fields were amended unless
110 requested by the individual; and
111 (ii) an amendment history of the birth certificate, including the fields of the birth
112 certificate that have been amended and the date of the amendment.
- 113 (b) The department shall retain a record of all amendments to a birth certificate,
114 including any amendment history issued by the department.
- 115 (7) The provisions of this section are severable.
- 116 (8) This section only applies to birth certificates issued by the state.
- 117 (9) The provisions of Title 76, Chapter 8, Part 5, Falsification in Official Matters, apply to
118 this section when applicable.

119 Section 2. Section **63G-2-201** is amended to read:

120 **63G-2-201 . Provisions relating to records -- Public records -- Private, controlled,**
121 **protected, and other restricted records -- Disclosure and nondisclosure of records --**
122 **Certified copy of record -- Limits on obligation to respond to record request.**

- 123 (1)(a) Except as provided in Subsection (1)(b), a person has the right to inspect a public
124 record free of charge, and the right to take a copy of a public record during normal
125 working hours, subject to Sections 63G-2-203 and 63G-2-204.
- 126 (b) A right under Subsection (1)(a) does not apply with respect to a record:
- 127 (i) a copy of which the governmental entity has already provided to the person;
128 (ii) that is the subject of a records request that the governmental entity is not required
129 to fill under Subsection (7)(a)(v); or
130 (iii)(A) that is accessible only by a computer or other electronic device owned or
131 controlled by the governmental entity;
132 (B) that is part of an electronic file that also contains a record that is private,
133 controlled, or protected; and

- 134 (C) that the governmental entity cannot readily segregate from the part of the
135 electronic file that contains a private, controlled, or protected record.
- 136 (2) A record is public unless otherwise expressly provided by statute.
- 137 (3) The following records are not public:
- 138 (a) a record that is private, controlled, or protected under Sections 63G-2-302, 63G-2-303,
139 63G-2-304, and 63G-2-305; and
- 140 (b) a record to which access is restricted pursuant to court rule, another state statute,
141 federal statute, or federal regulation, including records for which access is governed
142 or restricted as a condition of participation in a state or federal program or for
143 receiving state or federal funds.
- 144 (4) Only a record specified in Section 63G-2-302, 63G-2-303, 63G-2-304, or 63G-2-305
145 may be classified private, controlled, or protected.
- 146 (5)(a) A governmental entity may not disclose a record that is private, controlled, or
147 protected to any person except as provided in Subsection (5)(b), Subsection (5)(c),
148 Section 63G-2-202, 63G-2-206, or 63G-2-303.
- 149 (b) A governmental entity may disclose a record that is private under Subsection
150 63G-2-302(2) or protected under Section 63G-2-305 to persons other than those
151 specified in Section 63G-2-202 or 63G-2-206 if the head of a governmental entity, or
152 a designee, determines that:
- 153 (i) there is no interest in restricting access to the record; or
154 (ii) the interests favoring access are greater than or equal to the interest favoring
155 restriction of access.
- 156 (c) In addition to the disclosure under Subsection (5)(b), a governmental entity may
157 disclose a record that is protected under Subsection 63G-2-305(51) if:
- 158 (i) the head of the governmental entity, or a designee, determines that the disclosure:
- 159 (A) is mutually beneficial to:
- 160 (I) the subject of the record;
161 (II) the governmental entity; and
162 (III) the public; and
- 163 (B) serves a public purpose related to:
- 164 (I) public safety; or
165 (II) consumer protection; and
- 166 (ii) the person who receives the record from the governmental entity agrees not to use
167 or allow the use of the record for advertising or solicitation purposes.

- 168 (6) A governmental entity shall provide a person with a certified copy of a record if:
- 169 (a) the person requesting the record has a right to inspect it;
- 170 (b) the person identifies the record with reasonable specificity; and
- 171 (c) the person pays the lawful fees.
- 172 (7)(a) In response to a request, a governmental entity is not required to:
- 173 (i) create a record;
- 174 (ii) compile, format, manipulate, package, summarize, or tailor information;
- 175 (iii) provide a record in a particular format, medium, or program not currently
- 176 maintained by the governmental entity;
- 177 (iv) fulfill a person's records request if the request unreasonably duplicates prior
- 178 records requests from that person;
- 179 (v) fill a person's records request if:
- 180 (A) the record requested is:
- 181 (I) publicly accessible online; or
- 182 (II) included in a public publication or product produced by the governmental
- 183 entity receiving the request; and
- 184 (B) the governmental entity:
- 185 (I) specifies to the person requesting the record where the record is accessible
- 186 online; or
- 187 (II) provides the person requesting the record with the public publication or
- 188 product and specifies where the record can be found in the public
- 189 publication or product; or
- 190 (vi) fulfill a person's records request if:
- 191 (A) the person has been determined under Section 63G-2-209 to be a vexatious
- 192 requester;
- 193 (B) the State Records Committee order determining the person to be a vexatious
- 194 requester provides that the governmental entity is not required to fulfill a
- 195 request from the person for a period of time; and
- 196 (C) the period of time described in Subsection (7)(a)(vi)(B) has not expired.
- 197 (b) A governmental entity shall conduct a reasonable search for a requested record.
- 198 (8)(a) Although not required to do so, a governmental entity may, upon request from the
- 199 person who submitted the records request, compile, format, manipulate, package,
- 200 summarize, or tailor information or provide a record in a format, medium, or program
- 201 not currently maintained by the governmental entity.

- 202 (b) In determining whether to fulfill a request described in Subsection (8)(a), a
203 governmental entity may consider whether the governmental entity is able to fulfill
204 the request without unreasonably interfering with the governmental entity's duties
205 and responsibilities.
- 206 (c) A governmental entity may require a person who makes a request under Subsection
207 (8)(a) to pay the governmental entity, in accordance with Section 63G-2-203, for
208 providing the information or record as requested.
- 209 (9)(a) Notwithstanding any other provision of this chapter, and subject to Subsection
210 (9)(b), a governmental entity is not required to respond to, or provide a record in
211 response to, a record request if the request is submitted by or in behalf of an
212 individual who is on parole or confined in a jail or other correctional facility
213 following the individual's conviction.
- 214 (b) Subsection (9)(a) does not apply to:
- 215 (i) the first five record requests submitted to the governmental entity by or in behalf
216 of an individual described in Subsection (9)(a) during any calendar year
217 requesting only a record that contains a specific reference to the individual; or
218 (ii) a record request that is submitted by an attorney of an individual described in
219 Subsection (9)(a).
- 220 (10)(a) A governmental entity may allow a person requesting more than 50 pages of
221 records to copy the records if:
- 222 (i) the records are contained in files that do not contain records that are exempt from
223 disclosure, or the records may be segregated to remove private, protected, or
224 controlled information from disclosure; and
- 225 (ii) the governmental entity provides reasonable safeguards to protect the public from
226 the potential for loss of a public record.
- 227 (b) If the requirements of Subsection (10)(a) are met, the governmental entity may:
- 228 (i) provide the requester with the facilities for copying the requested records and
229 require that the requester make the copies; or
- 230 (ii) allow the requester to provide the requester's own copying facilities and personnel
231 to make the copies at the governmental entity's offices and waive the fees for
232 copying the records.
- 233 (11)(a) A governmental entity that owns an intellectual property right and that offers the
234 intellectual property right for sale or license may control by ordinance or policy the
235 duplication and distribution of the material based on terms the governmental entity

- 236 considers to be in the public interest.
- 237 (b) Nothing in this chapter shall be construed to limit or impair the rights or protections
238 granted to the governmental entity under federal copyright or patent law as a result of
239 its ownership of the intellectual property right.
- 240 (12) A governmental entity may not use the physical form, electronic or otherwise, in
241 which a record is stored to deny, or unreasonably hinder the rights of a person to inspect
242 and receive a copy of a record under this chapter.
- 243 (13) Subject to the requirements of Subsection (7), a governmental entity shall provide
244 access to an electronic copy of a record in lieu of providing access to its paper
245 equivalent if:
- 246 (a) the person making the request requests or states a preference for an electronic copy;
247 (b) the governmental entity currently maintains the record in an electronic format that is
248 reproducible and may be provided without reformatting or conversion; and
249 (c) the electronic copy of the record:
- 250 (i) does not disclose other records that are exempt from disclosure; or
251 (ii) may be segregated to protect private, protected, or controlled information from
252 disclosure without the undue expenditure of public resources or funds.
- 253 (14) In determining whether a record is properly classified as private under Subsection
254 63G-2-302(2)(d), the governmental entity, State Records Committee, local appeals
255 board, or court shall consider and weigh:
- 256 (a) any personal privacy interests, including those in images, that would be affected by
257 disclosure of the records in question; and
258 (b) any public interests served by disclosure.
- 259 Section 3. Section **64-13-6** is amended to read:
260 **64-13-6 . Department duties.**
- 261 (1) The department shall:
- 262 (a) protect the public through institutional care and confinement, and supervision in the
263 community of offenders where appropriate;
264 (b) implement court-ordered punishment of offenders;
265 (c) provide evidence-based and evidence-informed program opportunities for offenders
266 designed to reduce offenders' criminogenic and recidivism risks, including
267 behavioral, cognitive, educational, and career-readiness program opportunities;
268 (d) ensure that offender participation in all program opportunities described in
269 Subsection (1)(c) is voluntary;

- 270 (e) where appropriate, utilize offender volunteers as mentors in the program
271 opportunities described in Subsection (1)(c);
- 272 (f) provide treatment for sex offenders who are found to be treatable based upon criteria
273 developed by the department;
- 274 (g) provide the results of ongoing clinical assessment of sex offenders and objective
275 diagnostic testing to sentencing and release authorities;
- 276 (h) manage programs that take into account the needs and interests of victims, where
277 reasonable;
- 278 (i) supervise probationers and parolees as directed by statute and implemented by the
279 courts and the Board of Pardons and Parole;
- 280 (j) subject to Subsection (3), investigate criminal conduct involving offenders
281 incarcerated in a state correctional facility;
- 282 (k) cooperate and exchange information with other state, local, and federal law
283 enforcement agencies to achieve greater success in prevention and detection of crime
284 and apprehension of criminals;
- 285 (l) implement the provisions of Title 77, Chapter 28c, Interstate Compact for Adult
286 Offender Supervision;
- 287 (m) establish a case action plan based on appropriate validated risk, needs, and
288 responsivity assessments for each offender as follows:
- 289 (i)(A) if an offender is to be supervised in the community, the department shall
290 establish a case action plan for the offender no later than 60 days after the day
291 on which the department's community supervision of the offender begins; and
292 (B) if the offender is committed to the custody of the department, the department
293 shall establish a case action plan for the offender no later than 90 days after the
294 day on which the offender is committed to the custody of the department;
- 295 (ii) each case action plan shall:
- 296 (A) integrate an individualized, evidence-based, and evidence-informed treatment
297 and program plan with clearly defined completion requirements; and
298 (B) require that a case manager will:
- 299 (I) ensure that an assessment of the education level, occupational interests, and
300 aptitudes of the inmate has been completed;
- 301 (II) refer the inmate to a higher education student advisor at an institution
302 offering programs consistent with the inmate's interests and aptitudes for
303 advisement on educational preferences and plans;

- 304 (III) incorporate the inmate's interests, aptitudes, and student advisement into
305 an education plan consistent with the guidance provided by the Higher
306 Education and Corrections Council created in Section 53B-35-201; and
307 (IV) refer the inmate to the student advisor at the institution called for in the
308 case action plan for guidance and assistance with the education process;
- 309 (iii) the department shall share each newly established case action plan with the
310 sentencing and release authority within 30 days after the day on which the case
311 action plan is established; and
- 312 (iv) the department shall share any changes to a case action plan, including any
313 change in an offender's risk assessment, with the sentencing and release authority
314 within 30 days after the day of the change;
- 315 (n) ensure that an inmate has reasonable access to legal research;
- 316 (o) ensure that any training or certification required of a public official or public
317 employee, as those terms are defined in Section 63G-22-102, complies with Title
318 63G, Chapter 22, State Training and Certification Requirements, if the training or
319 certification is required:
- 320 (i) under this title;
- 321 (ii) by the department; or
- 322 (iii) by an agency or division within the department;
- 323 (p) when reporting on statewide recidivism, include the metrics and requirements
324 described in Section 63M-7-102;
- 325 (q) create a reentry division that focuses on the successful reentry of inmates into the
326 community;
- 327 (r) coordinate with the Board of Pardons and Parole regarding inmate records that are
328 necessary for the Board of Pardons and Parole to make necessary determinations
329 regarding an inmate; and
- 330 (s) ensure that inmate records regarding discipline, programs, and other relevant metrics
331 are:
- 332 (i) complete and updated in a timely manner; and
- 333 (ii) when applicable, shared with the Board of Pardons and Parole in a timely manner.
- 334 (2) The department may in the course of supervising probationers and parolees:
- 335 (a) respond to an individual's violation of one or more terms of the probation or parole in
336 accordance with the graduated and evidence-based processes established by the adult
337 sentencing and supervision length guidelines, as defined in Section 63M-7-401.1; and

338 (b) upon approval by the court or the Board of Pardons and Parole, impose as a sanction
 339 for an individual's violation of the terms of probation or parole a period of
 340 incarceration of not more than three consecutive days and not more than a total of
 341 five days within a period of 30 days.

342 [~~(3)(a) By following the procedures in Subsection (3)(b), the department may~~
 343 ~~investigate the following occurrences at state correctional facilities:]~~

344 [~~(i) criminal conduct of departmental employees;~~]

345 [~~(ii) felony crimes resulting in serious bodily injury;~~]

346 [~~(iii) death of any person; or]~~

347 [~~(iv) aggravated kidnaping.]~~

348 [(b) Before investigating any occurrence specified in Subsection (3)(a), the department
 349 shall:]

350 [(i) notify the sheriff or other appropriate law enforcement agency promptly after
 351 ascertaining facts sufficient to believe an occurrence specified in Subsection (3)(a)
 352 has occurred; and]

353 [(ii) obtain consent of the sheriff or other appropriate law enforcement agency to
 354 conduct an investigation involving an occurrence specified in Subsection (3)(a).]

355 [~~(4) Upon request, the department shall provide copies of investigative reports of criminal
 356 conduct to the sheriff or other appropriate law enforcement agencies.]~~

357 (3)(a) Subject to Subsection (3)(b), the department may conduct criminal investigations
 358 regarding an allegation that:

359 (i) an offender has committed a criminal offense; or

360 (ii) an employee of the department has committed a criminal offense.

361 (b) If during a criminal investigation into an allegation of an employee of the department
 362 committing a criminal offense as described in Subsection (3)(a)(ii), the department
 363 determines that the allegation could be substantiated, the department shall turn the
 364 criminal investigation over to another law enforcement agency to complete the
 365 investigation.

366 [(5)] (4)(a) The executive director of the department, or the executive director's designee
 367 if the designee possesses expertise in correctional programming, shall consult at least
 368 annually with cognitive and career-readiness staff experts from the Utah system of
 369 higher education and the State Board of Education to review the department's
 370 evidence-based and evidence-informed treatment and program opportunities.

371 (b) Beginning in the 2022 interim, the department shall provide an annual report to the

- 372 Law Enforcement and Criminal Justice Interim Committee regarding:
- 373 (i) the department's implementation of and offender participation in evidence-based
374 and evidence-informed treatment and program opportunities designed to reduce
375 the criminogenic and recidivism risks of offenders over time; and
- 376 (ii) the progress of the department's implementation of the inmate program
377 requirements described in Section 64-13-50.
- 378 ~~[(6)]~~ (5)(a) As used in this Subsection ~~[(6):]~~ (5):
- 379 (i) "Accounts receivable" means any amount owed by an offender arising from a
380 criminal judgment that has not been paid.
- 381 (ii) "Accounts receivable" includes unpaid fees, overpayments, fines, forfeitures,
382 surcharges, costs, interest, penalties, restitution to victims, third-party claims,
383 claims, reimbursement of a reward, and damages that an offender is ordered to
384 pay.
- 385 (b) The department shall collect and disburse, with any interest and any other costs
386 assessed under Section 64-13-21, an accounts receivable for an offender during:
- 387 (i) the parole period and any extension of that period in accordance with Subsection [
388 ~~(6)(e)]~~ (5)(c); and
- 389 (ii) the probation period for which the court orders supervised probation and any
390 extension of that period by the department in accordance with Subsection
391 77-18-105(7).
- 392 (c)(i) If an offender has an unpaid balance of the offender's accounts receivable at
393 the time that the offender's sentence expires or terminates, the department shall be
394 referred to the sentencing court for the sentencing court to enter a civil judgment
395 of restitution and a civil accounts receivable as described in Section 77-18-114.
- 396 (ii) If the board makes an order for restitution within 60 days from the day on which
397 the offender's sentence expires or terminates, the board shall refer the order for
398 restitution to the sentencing court to be entered as a civil judgment of restitution as
399 described in Section 77-18-114.
- 400 (d) This Subsection ~~[(6)]~~ (5) only applies to offenders sentenced before July 1, 2021.
- 401 Section 4. Section **64-13-42** is amended to read:
- 402 **64-13-42 . Prison Telephone Surcharge Account -- Funding inmate and offender**
403 **education and training programs.**
- 404 (1)(a) There is created within the General Fund a restricted account known as the Prison
405 Telephone Surcharge Account.

- 406 (b) The Prison Telephone Surcharge Account consists of:
- 407 (i) revenue generated by the state from pay telephone services located at any
- 408 correctional facility as defined in Section 64-13-1;
- 409 (ii) interest on account money;
- 410 (iii)(A) money paid by inmates participating in postsecondary education provided
- 411 by the department; and
- 412 (B) money repaid by former inmates who have a written agreement with the
- 413 department to pay for a specified portion of the tuition costs under the
- 414 department's deferred tuition payment program;
- 415 (iv) money collected by the Office of State Debt Collection for debt described in
- 416 Subsection (1)(b)(iii);
- 417 (v) revenue generated from offenders using department tablets or other electronic
- 418 devices; and
- 419 [~~(v)~~] (vi) money appropriated by the Legislature.

- 420 (2) Upon appropriation by the Legislature, money from the Prison Telephone Surcharge
- 421 Account shall be used by the department for education and training programs for
- 422 offenders and inmates as defined in Section 64-13-1.

423 Section 5. Section **77-19-10** is amended to read:

424 **77-19-10 . Judgment of death -- Location and procedures for execution.**

- 425 (1) The executive director of the Department of Corrections or a designee shall ensure that
- 426 the method of judgment of death specified in the warrant or as required under Section
- 427 77-18-113 is carried out at a secure correctional facility operated by the department and
- 428 at an hour determined by the department on the date specified in the warrant.

- 429 (2) When the judgment of death is to be carried out by lethal intravenous injection, the
- 430 executive director of the department or a designee shall select two or more persons
- 431 trained in accordance with accepted medical practices to administer intravenous
- 432 injections, who shall each administer a continuous intravenous injection, [~~one of which~~
- 433 ~~shall be of a lethal quantity of:~~]

434 [~~(a) sodium thiopental; or~~]

- 435 [~~(b) other equally or more effective substance sufficient to cause death.~~] consisting of
- 436 one or more substances of a type and amount that is sufficiently effective to cause
- 437 death without a substantial risk of severe pain.

- 438 (3) If the judgment of death is to be carried out by firing squad under Subsection
- 439 77-18-113(2), (3), or (4) the executive director of the department or a designee shall

- 440 select a five-person firing squad of peace officers.
- 441 (4) Compensation for persons administering intravenous injections and for members of a
- 442 firing squad under Subsection 77-18-113(2), (3), or (4) shall be in an amount determined
- 443 by the director of the Division of Finance.
- 444 (5) Death under this section shall be certified by a physician.
- 445 (6) The department shall adopt and enforce rules governing procedures for the execution of
- 446 judgments of death.

447 Section 6. **Effective Date.**

448 This bill takes effect on May 7, 2025.