

1 **Compensatory Service in Lieu of Fine Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions concerning compensatory service in lieu of a criminal fine.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ modifies provisions concerning compensatory service in lieu of a criminal fine; and
- 10 ▶ makes technical and conforming changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **76-3-301.7**, as enacted by Laws of Utah 2018, Chapter 214

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

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

21 **76-3-301.7 . Compensatory service.**

22 (1) As used in this section[, "compensatory"] :

23 (a) "Compensatory service" means service or unpaid work performed by a person, in
24 lieu of the payment of a criminal fine, for:

25 [(a)] (i) a state or local government agency;

26 [(b)] (ii) an entity that is approved as a nonprofit organization under Section 501(c) of
27 the Internal Revenue Code; or

28 [(e)] (iii) any other entity or organization if prior approval is obtained from the court.

29 (b) "Eligible offense" means a criminal conviction, including a traffic offense.

30 (2) When a defendant is sentenced to pay a fine for an [~~infraction, class C or class B~~]

31 ~~misdemeanor~~ eligible offense, the court shall consider allowing the defendant to
32 complete compensatory service in lieu of the payment of the fine or account receivable,
33 exclusive of any victim restitution imposed.

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

38 (4) The court shall credit timely completed compensatory service reported in accordance
39 with Subsection (5) against the fine or bail amount at the rate of [~~\$10~~] \$12 per hour and
40 shall allow the defendant a reasonable amount of time to complete the service.

41 (5)(a) The court shall provide the defendant with instructions that inform the
42 organization:

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

47 (b) The defendant shall report compensatory service hours to the court in a letter that:

48 (i) is on the organization's official letterhead and includes contact information for the
49 organization's representative;
50 (ii) specifies the number of hours for which the defendant provided service;
51 (iii) contains a brief description of what the service involved; and
52 (iv)(A) is signed by an authorized representative of the organization; or
53 [~~(v)~~] (B) is in a form otherwise acceptable to the court.

54 (6) The court may refuse to accept compensatory service:

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

59 **Section 2. Effective Date.**

60 This bill takes effect on May 7, 2025.