

28 AMENDS:

29 **17-72-708**, as renumbered and amended by Laws of Utah 2025, First Special Session,
30 Chapter 13

31 **76-3-301.5**, as last amended by Laws of Utah 2021, Chapter 260

32 **76-3-301.7**, as last amended by Laws of Utah 2025, Chapters 259, 331

33 **77-2a-3**, as last amended by Laws of Utah 2025, Chapter 214

34 **77-7-19**, as last amended by Laws of Utah 2020, Chapter 185

35 **77-7-21**, as last amended by Laws of Utah 2021, Chapters 260, 431

36 **77-20-402**, as renumbered and amended by Laws of Utah 2021, Second Special Session,
37 Chapter 4

38 **78A-2-301**, as last amended by Laws of Utah 2025, Chapter 291

39 **78A-2-301.5**, as last amended by Laws of Utah 2022, Chapter 384

40 **78A-2-501**, as last amended by Laws of Utah 2019, Chapter 246

41 **78A-2-602**, as last amended by Laws of Utah 2018, Chapter 167

42 **78A-7-122**, as last amended by Laws of Utah 2020, Chapter 230

43

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

45 Section 1. Section **17-72-708** is amended to read:

46 **17-72-708 . Sheriff -- Assignment of court bailiffs -- Contract and costs.**

47 (1) The sheriff shall assign law enforcement officers or special function officers, as defined
48 under Sections 53-13-103 and 53-13-105, to serve as court bailiffs and security officers
49 in the courts of record and county justice courts as required by the rules of the Judicial
50 Council.

51 (2)(a) The state court administrator shall enter into a contract with the county sheriff for
52 bailiffs and building security officers for the [-]district and juvenile courts within the
53 county.

54 (b) A contract described in Subsection (2)(a) shall specify agreed upon services, service
55 costs, and payment terms.

56 ~~[(b)]~~ (c) [The] A contract described in Subsection (2)(a) may not exceed amounts
57 appropriated by the Legislature for [that purpose] the purpose described in Subsection
58 (2)(a).

59 ~~[(e)]~~ (d) The county shall assume costs related to security administration, supervision,
60 travel, equipment, and training of bailiffs.

61 ~~[(d)]~~ The contract shall specify the agreed services, costs of services, and terms of

62 payment.]

63 (3)(a) If the court is located in the same facility as a state or local law enforcement
64 agency and the county sheriff's office is not in close proximity to the court, the state
65 court administrator, in consultation with the sheriff, may enter into a [-]contract with
66 the state or local law enforcement agency for bailiff and security services [~~subject to~~
67 ~~meeting~~] if the contract meets all other requirements of this section.

68 (b) If [~~the~~] bailiff and security services are provided by [~~another~~] an agency other than
69 the county sheriff's office, the county sheriff shall have no responsibility for the
70 services under this section.

71 [~~(4)(a) At the request of the court, the sheriff may appoint as a law clerk bailiff~~
72 ~~graduates of a law school accredited by the American Bar Association to provide~~
73 ~~security and legal research assistance.~~]

74 [~~(b) Any law clerk who is also a bailiff shall meet the requirements of Subsection (1) of~~
75 ~~this section.~~]

76 [~~(e) The sheriff may appoint a law clerk bailiff by contract for a period not to exceed two~~
77 ~~years, who shall be exempt from the deputy sheriff merit service commission.~~]

78 Section 2. Section **76-3-301.5** is amended to read:

79 **76-3-301.5 . Uniform fine schedule -- Judicial Council.**

80 (1)(a) The Judicial Council shall establish a uniform recommended fine schedule for
81 each offense under Subsection 76-3-301(1).

82 [~~(a)~~] (b) The fine for each offense shall proportionally reflect the seriousness of the
83 offense and other factors as determined in writing by the Judicial Council.

84 [~~(b)~~] (c) [~~The schedule shall be reviewed annually by the Judicial Council.~~] The Judicial
85 Council shall annually review the schedule.

86 [~~(e)~~] (d) The fines shall be collected as part of a criminal accounts receivable, as defined
87 in Section 77-32b-102, that is established under Section 77-32b-103.

88 (2) The schedule shall incorporate:

89 (a) criteria for determining aggravating and mitigating circumstances; and

90 (b) guidelines for enhancement or reduction of the fine, based on aggravating or
91 mitigating circumstances.

92 (3) Presentence investigation reports shall include documentation of aggravating and
93 mitigating circumstances as determined under the criteria, and a recommended fine
94 under the schedule.

95 [~~(4) The Judicial Council shall also establish a separate uniform recommended fine~~

96 schedule for the juvenile court and by rule provide for its implementation.]
 97 [~~(5)~~] (4) This section does not prohibit the court from~~[in its discretion]~~ , at the court's
 98 discretion, imposing no fine, or a fine in any amount up to and including the maximum
 99 fine, for the offense.

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

101 **76-3-301.7 . Compensatory service -- Credit for cost of court-ordered treatment**
 102 **or course.**

103 (1) As used in this section:

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

106 (i) a state or local government agency;

107 (ii) an entity that is approved as a nonprofit organization under Section 501(c) of the
 108 Internal Revenue Code; or

109 (iii) any other entity or organization if prior approval is obtained from the court.

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

111 [~~(2) When a defendant is sentenced to pay a fine for an eligible offense, the court shall~~
 112 ~~consider allowing the defendant to complete compensatory service in lieu of the~~
 113 ~~payment of the fine or account receivable, exclusive of any victim restitution imposed.]~~

114 [~~(3) A defendant who intends to forfeit bail or who is ordered to pay a fine by the court for~~
 115 ~~an eligible offense shall be informed by the court of the opportunity to perform~~
 116 ~~compensatory service in lieu of the fine or bail amount.]~~

117 (2) When a defendant is sentenced to pay a fine for an eligible offense, the court shall
 118 inform the defendant of the opportunity to perform compensatory service instead of
 119 paying the fine or account receivable, exclusive of any victim restitution imposed.

120 (3) When a defendant chooses to voluntarily pay the recommended fine amount without a
 121 personal appearance under Section 77-7-21, the court shall ensure before the defendant
 122 voluntarily makes the payment that the defendant is informed of the opportunity to
 123 perform compensatory service instead of the voluntary payment and the process for
 124 pursuing that opportunity.

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

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

- 130 (i) about the requirements in Subsection (5)(b); and
- 131 (ii) that making a written false statement to the court about the defendant's
- 132 compensatory service is punishable as a class B misdemeanor [~~pursuant to~~] under
- 133 Section 76-8-504.
- 134 (b) The defendant shall report compensatory service hours to the court in a letter that:
- 135 (i) is on the organization's official letterhead and includes contact information for the
- 136 organization's representative;
- 137 (ii) specifies the number of hours for which the defendant provided service;
- 138 (iii) contains a brief description of what the service involved; and
- 139 (iv)(A) is signed by an authorized representative of the organization; or
- 140 (B) is in a form otherwise acceptable to the court.
- 141 (6) The court may refuse to accept compensatory service:
- 142 (a) completed [~~prior to~~] before the date of sentencing;
- 143 (b) that has been submitted to another court for credit; or
- 144 (c) completed at an agency or organization or is a type of service that is specifically
- 145 prohibited by the court.
- 146 (7) In addition to any other provision of this section, a court may order that the unpaid
- 147 amount of the criminal accounts receivable, that is not the principal or interest amount
- 148 owed for restitution, be reduced in the amount of the cost of any treatment or course if:
- 149 (a) the treatment or course was ordered by the court as part of the case;
- 150 (b) the defendant has completed the court's requirements related to the treatment or
- 151 course;
- 152 (c) the defendant provides proof that the defendant completed the court's requirements
- 153 and paid the cost of the treatment or course; and
- 154 (d) the court finds that payment of an unpaid amount of a criminal accounts receivable
- 155 will impose manifest hardship on the defendant or the defendant's family.
- 156 Section 4. Section **77-2a-3** is amended to read:
- 157 **77-2a-3 . Manner of entry of plea -- Powers of court -- Expungement.**
- 158 (1)(a) Acceptance of any plea in anticipation of a plea in abeyance agreement shall be
- 159 done in full compliance with the Utah Rules of Criminal Procedure, Rule 11.
- 160 [~~(b) In cases charging offenses for which bail may be forfeited, a plea in abeyance~~
- 161 ~~agreement may be entered into without a personal appearance before a magistrate.]~~
- 162 (b) In a case charging an offense for which a defendant may voluntarily pay the
- 163 recommended fine amount without a personal appearance under Section 77-7-21, a

164 defendant may enter into a plea in abeyance agreement without a personal appearance
165 before a magistrate.

- 166 (2) A plea in abeyance agreement may provide that the court may, upon finding that the
167 defendant has successfully completed the terms of the agreement:
- 168 (a) reduce the degree of the offense, enter a judgment of conviction for the lower degree
169 of the offense, and impose a sentence for the lower degree of the offense;
 - 170 (b) allow withdrawal of the defendant's plea and order the dismissal of the case; or
 - 171 (c) issue an order of expungement for all records of the offense if:
 - 172 (i) the defendant successfully completes a problem solving court program that is
173 certified by the Judicial Council; and
 - 174 (ii) the court allows the withdrawal of the defendant's plea and orders the dismissal of
175 the case.

- 176 (3)(a) Upon finding that a defendant has successfully completed the terms of a plea in
177 abeyance agreement and only as provided in the plea in abeyance agreement or as
178 agreed to by all parties, the court may[-]:
- 179 (i) reduce the degree of the offense, enter a judgment of conviction for the lower
180 degree of the offense, and impose a sentence for the lower degree of the offense;
 - 181 (ii) allow withdrawal of the defendant's plea and order the dismissal of the case; or
 - 182 (iii) issue an order of expungement for all records of the offense if:
 - 183 (A) the defendant successfully completes a problem solving court program that is
184 certified by the Judicial Council; and
 - 185 (B) the court allows the withdrawal of the defendant's plea and orders the
186 dismissal of the case.

- 187 (b) Upon sentencing a defendant for any lesser offense in accordance with a plea in
188 abeyance agreement, the court may not invoke Section 76-3-402 to further reduce the
189 degree of the offense.

- 190 (4) The court may require the Division of Adult Probation and Parole created in Section
191 64-14-202 to assist in the administration of the plea in abeyance agreement as if the
192 defendant were placed on probation under Section 77-18-105.

- 193 (5) The terms of a plea in abeyance agreement may include:
- 194 (a) an order that the defendant pay a nonrefundable plea in abeyance fee, with a
195 surcharge based on the amount of the plea in abeyance fee, both of which shall be
196 allocated in the same manner as if paid as a fine for a criminal conviction under
197 Section 78A-5-110 and a surcharge under Title 51, Chapter 9, Part 4, Criminal

- 198 Conviction Surcharge Allocation, and which may not exceed in amount the
199 maximum fine and surcharge which could have been imposed upon conviction and
200 sentencing for the same offense;
- 201 (b) an order that the defendant pay the costs of any remedial or rehabilitative program
202 required by the terms of the agreement; and
- 203 (c) an order that the defendant comply with any other conditions that could have been
204 imposed as conditions of probation upon conviction and sentencing for the same
205 offense.
- 206 (6)(a) The terms of a plea in abeyance shall include:
- 207 (i) a specific amount of restitution that the defendant will pay, as agreed to by the
208 defendant and the prosecuting attorney;
- 209 (ii) a certification from the prosecuting attorney that:
- 210 (A) the prosecuting attorney has consulted with all victims, including the Utah
211 Office for Victims of Crime; and
- 212 (B) all victims, including the Utah Office for Victims of Crime, are not seeking
213 restitution; or
- 214 (iii) an agreement between the parties that restitution will be determined by the court
215 at a subsequent hearing in accordance with Section 77-38b-205.
- 216 (b) At a subsequent hearing described in Subsection (6)(a)(iii), the court shall order the
217 defendant, as a modified term of the plea in abeyance, to pay restitution to all victims
218 for the entire amount of pecuniary damages that are proximately caused by the
219 criminal conduct of the defendant.
- 220 (c) The court shall collect, receive, process, and distribute payments for restitution to the
221 victim, unless otherwise provided by law or by the plea in abeyance agreement.
- 222 (d) If the defendant does not successfully complete the terms of the plea in abeyance, the
223 court shall enter an order for restitution, in accordance with Chapter 38b, Crime
224 Victims Restitution Act, upon entering a sentence for the defendant.
- 225 (7)(a) A court may not hold a plea in abeyance without the consent of both the
226 prosecuting attorney and the defendant.
- 227 (b) A decision by a prosecuting attorney not to agree to a plea in abeyance is final.
- 228 (8) No plea may be held in abeyance in any case involving:
- 229 (a) a sexual offense against an individual who is under 14 years old; or
- 230 (b) a driving under the influence violation under Section 41-6a-502, 41-6a-502.5,
231 41-6a-517, 41-6a-520, 41-6a-520.1, 41-6a-521.1, 76-5-102.1, or 76-5-207.

- 232 (9)(a) If the terms of a plea in abeyance agreement allow a court to issue an order of
 233 expungement as described in Subsection (2)(c), the prosecuting attorney shall make a
 234 reasonable effort to provide notice to any victim of the offense of the terms of the
 235 plea in abeyance agreement.
- 236 (b) The notice under Subsection (9)(a) shall:
- 237 (i) state that the victim has a right to object to the expungement; and
 238 (ii) provide instructions for registering an objection with the court.
- 239 (c) If there is a victim of the offense, the victim may file an objection with the court
 240 before the court makes a finding as to whether the defendant successfully completed
 241 the terms of the plea in abeyance agreement as described in Subsection (3).
- 242 (d) The defendant may respond, in writing, to any objection filed by the victim within 14
 243 days after the day on which the objection is received by the court.
- 244 (10) If the court issues an order of expungement under Subsection (3)(a)(iii), the court shall:
- 245 (a) expunge all records of the case as described in Section 77-40a-401; and
 246 (b) notify the Bureau of Criminal Identification of the order of expungement.
- 247 (11)(a) Upon receiving notice from the court of an expungement order as described in
 248 Subsection (10), the Bureau of Criminal Identification shall notify any agency, as
 249 defined in Section 77-40a-101, affected by the expungement order.
- 250 (b) For purposes of Subsection (11)(a), the Bureau of Criminal Identification may not
 251 notify the Board of Pardons and Parole of an expungement order if the individual has
 252 never been:
- 253 (i) sentenced to prison in this state; or
 254 (ii) under the jurisdiction of the Board of Pardons and Parole.
- 255 (c) The Bureau of Criminal Identification shall forward a copy of the expungement order
 256 to the Federal Bureau of Investigation.
- 257 (12) The defendant may deliver copies of the expungement to any agency, as defined in
 258 Section 77-40a-101, affected by the order of expungement.
- 259 (13) If an agency receives an expungement order under this part, the agency shall expunge
 260 all records for the case in accordance with Section 77-40a-401.
- 261 Section 5. Section **77-7-19** is amended to read:
- 262 **77-7-19 . Appearance required by citation -- Arrest for failure to appear --**
 263 **Transfer of cases -- Disposition of fines and costs.**
- 264 (1) An individual receiving a citation issued [~~pursuant to~~] under Section 77-7-18 shall
 265 appear in the court designated in the citation on or before the time and date specified in

- 266 the citation unless:
- 267 (a) the citation states that the court will, within five to 14 days, notify the individual of
- 268 when to appear; or
- 269 (b) the individual is permitted to [~~remit the fine~~] voluntarily pay the recommended fine
- 270 amount and other penalties without a personal appearance in accordance with a
- 271 uniform fine schedule adopted by the Judicial Council or by court order under
- 272 Section 77-7-21.
- 273 (2) A citation may not require an individual to appear or contact the court sooner than five
- 274 days or later than 14 days following [its] the citation's issuance.
- 275 (3) If the individual cited does not appear before the court as directed by the citation or the
- 276 court, or pay the fine as allowed by Section 77-7-21, the court may issue a bench
- 277 warrant for the individual's arrest.
- 278 (4)(a) Clerks and other administrative personnel serving the courts shall identify for the
- 279 judge any citations over which the court may lack jurisdiction.
- 280 (b) Upon determining that the court lacks jurisdiction over a citation, the court shall:
- 281 (i) transfer the case to a court with jurisdiction;
- 282 (ii) if the court cannot readily identify a court with jurisdiction, dismiss the charges
- 283 contained in the citation; and
- 284 (iii) notify the prosecutor of the transfer or dismissal.
- 285 (c) Any fine, fee, or forfeiture collected by a court that lacks jurisdiction shall be:
- 286 (i) transferred to the court receiving the case; or
- 287 (ii) if the case is dismissed, returned to the defendant.
- 288 Section 6. Section **77-7-21** is amended to read:
- 289 **77-7-21 . Proceeding on citation -- Voluntary payment of recommended fine**
- 290 **amount -- Parent signature required -- Information, when required.**
- 291 (1)(a) A citation filed with the court may, with the consent of the defendant, serve in lieu
- 292 of an information to which the defendant may plead guilty or no contest to the charge
- 293 or charges listed and be sentenced accordingly.
- 294 (b) If provided by the uniform fine schedule described in Section 76-3-301.5, or with the
- 295 court's approval, an individual may [~~remit the fine~~] voluntarily pay the recommended
- 296 fine amount and other penalties without a personal appearance before the court in any
- 297 case charging a class B misdemeanor or lower offense, unless the charge is:
- 298 (i) a domestic violence offense as defined in Section 77-36-1;
- 299 (ii) a violation of Section 41-6a-502, driving under the influence of alcohol, drugs, or

- 300 a combination of both or with specified or unsafe blood alcohol concentration;
- 301 (iii) a violation of Section 41-6a-517, driving with any measurable controlled
- 302 substance in the body;
- 303 (iv) a violation of a local ordinance similar to the offenses described in Subsections
- 304 (1)(b)(i) through (iii); or
- 305 (v) a violation that appears to:
- 306 (A) affect a victim, as defined in Section 77-38b-102; or
- 307 (B) require restitution, as defined in Section 77-38b-102.
- 308 (c) ~~[The remittal of fines]~~ A defendant's voluntary payment of the recommended fine
- 309 amount and other penalties shall be entered as a conviction and treated the same as if
- 310 the accused pleaded no contest.
- 311 (d) If the person cited is under 18 years old, the court shall promptly mail a copy or
- 312 notice of the citation to the address as shown on the citation, to the attention of the
- 313 parent or guardian of the defendant.
- 314 (2) If the individual pleads not guilty to the offense charged, further proceedings shall be
- 315 held in accordance with the Rules of Criminal Procedure and all other applicable
- 316 provisions of this code.

317 Section 7. Section **77-20-402** is amended to read:

318 **77-20-402 . Payment of monetary bail to court -- Specific payment methods --**
 319 **Refund of monetary bail.**

- 320 (1) Subject to Subsection (2), a defendant may choose to post the amount of monetary bail
- 321 imposed by a judge or magistrate by any of the following methods:
- 322 (a) in cash;
- 323 (b) by a bail bond with a surety;
- 324 (c) by an unsecured bond, at the discretion of the judge or magistrate; or
- 325 (d) by credit or debit card, at the discretion of the judge or magistrate.
- 326 (2) A judge or magistrate may limit a defendant to a specific method of posting monetary
- 327 bail described in Subsection (1):
- 328 (a) if, after charges are filed, the defendant fails to appear in the case on a bail bond and
- 329 the case involves a violent offense;
- 330 (b) in order to allow the defendant to ~~[voluntarily remit the fine]~~ voluntarily pay the
- 331 recommended fine amount in accordance with Section 77-7-21 and the offense with
- 332 which the defendant is charged is listed in the shared master offense table as one for
- 333 which an appearance is not mandatory;

- 334 (c) if the defendant has failed to respond to a citation or summons and the offense with
335 which the defendant is charged is listed in the shared master offense table as one for
336 which an appearance is not mandatory;
- 337 (d) if a warrant is issued for the defendant solely for failure to pay a criminal accounts
338 receivable, as defined in Section 77-32b-102, and the defendant's monetary bail is
339 limited to the amount owed; or
- 340 (e) if a court has entered a judgment of bail bond forfeiture under Section 77-20-505 in
341 any case involving the defendant.
- 342 (3) Monetary bail may not be accepted without receiving in writing at the time the bail is
343 posted the current mailing address, telephone number, and email address of the surety.
- 344 (4) Monetary bail posted by debit or credit card, less the fee charged by the financial
345 institution, shall be tendered to the courts.
- 346 (5)(a) Monetary bail refunded by the court may be refunded by credit to the debit or
347 credit card or in cash.
- 348 (b) The amount refunded shall be the full amount received by the court under Subsection
349 (4), which may be less than the full amount of the monetary bail set by the judge or
350 magistrate.
- 351 (c) Before refunding monetary bail that is posted by the defendant in cash, by credit
352 card, or by debit card, the court may apply the amount posted toward a criminal
353 accounts receivable, as defined in Section 77-32b-102, that is owed by the defendant
354 in the priority set forth in Section 77-38b-304.

355 Section 8. Section **78A-2-301** is amended to read:

356 **78A-2-301 . Civil fees of the courts of record -- Courts complex design.**

- 357 (1)(a) The fee for filing any civil complaint or petition invoking the jurisdiction of a
358 court of record not governed by another subsection is \$375.
- 359 (b) The fee for filing a complaint or petition is:
- 360 (i) [~~\$90~~] \$105 if the claim for damages or amount in interpleader exclusive of court
361 costs, interest, and attorney fees is \$2,000 or less;
- 362 (ii) [~~\$200~~] \$215 if the claim for damages or amount in interpleader exclusive of court
363 costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;
- 364 (iii) \$375 if the claim for damages or amount in interpleader is \$10,000 or more;
- 365 (iv) except as provided in Subsection (1)(b)(v), [~~\$325~~] \$350 if the petition is filed for
366 an action described in Title 81, Chapter 4, Dissolution of Marriage;
- 367 (v) \$35 for a petition for temporary separation described in Section 81-4-104;

- 368 (vi) \$125 if the petition is for removal from the Sex, Kidnap, and Child Abuse
369 Offender Registry under Section 53-29-204, 53-29-205, or 53-29-206; and
370 (vii) \$35 if the petition is for guardianship and the prospective ward is the biological
371 or adoptive child of the petitioner.
- 372 (c) The fee for filing a small claims affidavit is:
- 373 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs,
374 interest, and attorney fees is \$2,000 or less;
- 375 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs,
376 interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 377 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,
378 interest, and attorney fees is \$7,500 or more.
- 379 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party
380 complaint, or other claim for relief against an existing or joined party other than the
381 original complaint or petition is:
- 382 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is
383 \$2,000 or less;
- 384 (ii) \$165 if the claim for relief exclusive of court costs, interest, and attorney fees is
385 greater than \$2,000 and less than \$10,000;
- 386 (iii) \$170 if the original petition is filed under Subsection (1)(a), the claim for relief is
387 \$10,000 or more, or the party seeks relief other than monetary damages; and
- 388 (iv) \$130 if the original petition is filed for an action described in Title 81, Chapter 4,
389 Dissolution of Marriage.
- 390 (e) The fee for filing a small claims counter affidavit is:
- 391 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is
392 \$2,000 or less;
- 393 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is
394 greater than \$2,000, but less than \$7,500; and
- 395 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is
396 \$7,500 or more.
- 397 (f) The fee for depositing funds under Section 57-1-29 when not associated with an
398 action already before the court is determined under Subsection (1)(b) based on the
399 amount deposited.
- 400 (g) The fee for filing a petition is:
- 401 (i) \$240 for trial de novo of an adjudication of the justice court or of the small claims

- 402 department; and
- 403 (ii) \$80 for an appeal of a municipal administrative determination in accordance with
404 Section 10-3-703.7.
- 405 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or
406 petition for writ of certiorari is \$240.
- 407 (i) The fee for filing a petition for expungement is \$150.
- 408 (j)(i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be
409 allocated to and between the Judges' Contributory Retirement Trust Fund and the
410 Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter
411 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges'
412 Noncontributory Retirement Act.
- 413 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be
414 allocated by the state treasurer to be deposited into the restricted account,
415 Children's Legal Defense Account, as provided in Section 51-9-408.
- 416 (iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g),
417 and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account
418 as provided in Section 78B-6-209.
- 419 (iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv),
420 (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state
421 treasurer to be deposited into the restricted account, Court Security Account, as
422 provided in Section 78A-2-602.
- 423 (v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii)
424 and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the
425 restricted account, Court Security Account, as provided in Section 78A-2-602.
- 426 (k) The fee for filing a judgment, order, or decree of a court of another state or of the
427 United States is \$35.
- 428 (l) The fee for filing a renewal of judgment in accordance with [~~Section 78B-6-1801~~]
429 Title 78B, Chapter 6, Part 18, Renewal of Judgment Act, is 50% of the fee for filing
430 an original action seeking the same relief.
- 431 (m) The fee for filing probate or child custody documents from another state is \$35.
- 432 (n)(i) The fee for filing an abstract or transcript of judgment, order, or decree of the
433 State Tax Commission is \$30.
- 434 (ii) The fee for filing an abstract or transcript of judgment of a court of law of this
435 state or a judgment, order, or decree of an administrative agency, commission,

- 436 board, council, or hearing officer of this state or of [its] the state's political
437 subdivisions other than the State Tax Commission, is \$50.
- 438 (o) The fee for filing a judgment by confession without action under Section 78B-5-205
439 is \$35.
- 440 (p) The fee for filing an award of arbitration for confirmation, modification, or vacation
441 under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an
442 action before the court is \$35.
- 443 (q) The fee for filing a petition or counter-petition to modify a domestic relations order
444 other than a protective order or stalking injunction is \$100.
- 445 (r) The fee for filing any accounting required by law is:
- 446 (i) \$15 for an estate valued at \$50,000 or less;
447 (ii) \$30 for an estate valued at \$75,000 or less but more than \$50,000;
448 (iii) \$50 for an estate valued at \$112,000 or less but more than \$75,000;
449 (iv) \$90 for an estate valued at \$168,000 or less but more than \$112,000; and
450 (v) \$175 for an estate valued at more than \$168,000.
- 451 (s) The fee for filing a demand for a civil jury is \$250.
- 452 (t) The fee for filing a notice of deposition in this state concerning an action pending in
453 another state under Utah Rules of Civil Procedure, Rule 30 is \$35.
- 454 (u) The fee for filing documents that require judicial approval but are not part of an
455 action before the court is \$35.
- 456 (v) The fee for a petition to open a sealed record is \$35.
- 457 (w) The fee for a writ of replevin, attachment, execution, or garnishment is [~~\$50~~] \$75 in
458 addition to any fee for a complaint or petition.
- 459 (x)(i) The fee for a petition for authorization for a minor to marry required by Section
460 81-2-304 is \$5.
- 461 (ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7,
462 Emancipation, is \$50.
- 463 (y) The fee for a certificate issued under Section 26B-8-128 is \$8.
- 464 (z) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 465 (aa) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
466 page.
- 467 (bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of
468 documents and forms and for the search and retrieval of records under Title 63G,
469 Chapter 2, Government Records Access and Management Act. Fees under

470 Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of
471 expenditures.

472 (cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of
473 the public to conduct a limited amount of searches on the Xchange database without
474 having to pay a monthly subscription fee.

475 ~~[(dd)]~~ (2) There is no fee for services or the filing of documents not listed in this section or
476 otherwise provided by law.

477 ~~[(ee)]~~ (3) Except as provided in this section, all fees collected under this section are paid ~~[to]~~
478 into the General Fund~~[-Except as provided in this section, all fees shall be paid]~~ at the
479 time the clerk accepts the pleading for filing or performs the requested service.

480 ~~[(ff)]~~ (4) The~~[filing]~~ fees under this section may not be charged to the state, the state's
481 agencies, or political subdivisions filing or defending any action.~~[-]~~

482 (5)(a) ~~[H-]~~ Except as provided in Subsection (5)(b), in judgments awarded in favor of
483 the state, [its] the state's agencies, or political subdivisions, [except the Office of
484 Recovery Services,] the court shall order the filing fees and collection costs to be
485 paid by the judgment debtor.~~[-]~~

486 (b) Subsection (5)(a) does not apply to a judgment awarded in favor of the Office of
487 Recovery Services.

488 (c) The sums collected under ~~[this Subsection (1)(ff)]~~ Subsection (5)(a) shall be applied
489 to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and
490 costs permitted by law.

491 ~~[(2)]~~ (6)~~[(a)(i)]~~ From March 17, 1994, until June 30, 1998, the state court
492 administrator shall transfer all revenues representing the difference between the
493 fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, as
494 dedicated credits to the Division of Facilities Construction and Management
495 Capital Projects Fund.]

496 ~~[(ii)(A)]~~ Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities
497 Construction and Management shall use up to \$3,750,000 of the revenue
498 deposited into the Capital Projects Fund under this Subsection (2)(a) to design
499 and take other actions necessary to initiate the development of a courts
500 complex in Salt Lake City.]

501 ~~[(B)]~~ If the Legislature approves funding for construction of a courts complex in
502 Salt Lake City in the 1995 Annual General Session, the Division of Facilities
503 Construction and Management shall use the revenue deposited into the Capital

504 Projects Fund under this Subsection (2)(a)(ii) to construct a courts complex in
 505 Salt Lake City.]

506 [~~(C) After the courts complex is completed and all bills connected with its~~
 507 ~~construction have been paid, the Division of Facilities Construction and~~
 508 ~~Management shall use any money remaining in the Capital Projects Fund under~~
 509 ~~this Subsection (2)(a)(ii) to fund the Vernal District Court building.]~~

510 [(iii) ~~The Division of Facilities Construction and Management may enter into~~
 511 ~~agreements and make expenditures related to this project before the receipt of~~
 512 ~~revenues provided for under this Subsection (2)(a)(iii).]~~

513 [(iv) ~~The Division of Facilities Construction and Management shall:~~

514 [~~(A) make those expenditures from unexpended and unencumbered building funds~~
 515 ~~already appropriated to the Capital Projects Fund; and]~~

516 [~~(B) reimburse the Capital Projects Fund upon receipt of the revenues provided for~~
 517 ~~under this Subsection (2).]~~

518 [(b) (a) ~~[After June 30, 1998, the] The state court administrator shall ensure that all~~
 519 ~~revenues representing the difference between the fees in effect after May 2, 1994, and~~
 520 ~~the fees in effect before February 1, 1994, are transferred to the Division of Finance~~
 521 ~~for deposit [in] into the restricted account created in Subsection (7).~~

522 [(e) ~~The Division of Finance shall deposit all revenues received from the state court~~
 523 ~~administrator into the restricted account created by this section.]~~

524 [(d)(i) ~~From May 1, 1995, until June 30, 1998, the state court administrator shall~~
 525 ~~transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title~~
 526 ~~41, Motor Vehicles, in a court of record to the Division of Facilities Construction~~
 527 ~~and Management Capital Projects Fund. The division of money pursuant to~~
 528 ~~Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture~~
 529 ~~paid.]~~

530 [(ii) (b)(i) ~~[After June 30, 1998, the] The state court administrator or a municipality~~
 531 ~~shall transfer \$7 of the amount of a fine, or [bail forfeiture] a voluntary payment~~
 532 ~~under Section 77-7-21, paid for a violation of Title 41, Motor Vehicles, in a court~~
 533 ~~of record to the Division of Finance for deposit [in] into the restricted account~~
 534 ~~created by this section.[~~The division of money pursuant to Section 78A-5-110~~~~
 535 ~~shall be calculated on the balance of the fine or bail forfeiture paid.]~~

536 (ii) The remaining amount of the fine, or voluntary payment under Section 77-7-21,
 537 after the \$7 transfer described in Subsection (6)(b)(i) shall be allocated in

538 accordance with Section 78A-5-110.
539 (iii) The Division of Finance shall deposit all revenues received under this Subsection
540 (6) into the restricted account created in Subsection (7).

541 ~~(3)~~ (7)(a) There is created within the General Fund a restricted account known as the
542 State Courts Complex Account.

543 (b) The Legislature may appropriate money from the restricted account to the state court
544 administrator for the following purposes only:

545 (i) to repay costs associated with the construction of the court complex that were
546 funded from sources other than revenues provided for under this Subsection [
547 ~~(3)(b)(i)~~ (7)(b)(i); and

548 (ii) to cover operations and maintenance costs on the court complex.

549 Section 9. Section **78A-2-301.5** is amended to read:

550 **78A-2-301.5 . Civil fees for justice courts.**

551 (1) The fee for filing a small claims affidavit is:

552 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court
553 costs, interest, and attorney fees is \$2,000 or less;

554 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court
555 costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and

556 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court
557 costs, interest, and attorney fees is \$7,500 or more.

558 (2) The fee for filing a small claims counter affidavit is:

559 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees
560 is \$2,000 or less;

561 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees
562 is greater than \$2,000, but less than \$7,500; and

563 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees
564 is \$7,500 or more.

565 (3) The fee for filing a petition for expungement is \$135.

566 (4) The fee for a petition to open a sealed record is \$35.

567 (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition
568 to any fee for a complaint or petition.

569 ~~(6)~~(a) The fee for filing a notice of appeal to a court of record is \$10.[-]

570 (b) [~~This~~] The fee described in Subsection (6)(a) covers all services of the justice court
571 on appeal but does not satisfy the trial de novo filing fee in the court of record.

- 572 (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
 573 (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
 574 page.
 575 (9) The fee schedule adopted by the Judicial Council for copies of documents and forms
 576 and for the search and retrieval of records under Title 63G, Chapter 2, Government
 577 Records Access and Management Act, shall apply.
 578 (10) There is no fee for services or the filing of documents not listed in this section or
 579 otherwise provided by law.
 580 (11)(a) The ~~[filing]~~fees under this section may not be charged to the state, ~~[its]~~ the state's
 581 agencies, or political subdivisions filing or defending any action.~~[-]~~
 582 (b) ~~[It]~~ Except as provided in Subsection (11)(c), in judgments awarded in favor of the
 583 state, ~~[its]~~ the state's agencies, or political subdivisions, ~~[except the Office of~~
 584 ~~Recovery Services,]~~the court shall order the filing fees and collection costs to be
 585 paid by the judgment debtor.~~[-]~~
 586 (c) Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of
 587 Recovery Services.
 588 (d) The sums collected under this Subsection (11) shall be applied to the fees after credit
 589 to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.
 590 Section 10. Section **78A-2-501** is amended to read:
 591 **78A-2-501 . Definitions -- Online Court Assistance Program -- Purpose of**
 592 **program -- Online Court Assistance Account -- User's fee -- Use of fund.**
 593 (1) As used in this part:
 594 (a) "Account" means the Online Court Assistance Account created in this section.
 595 (b) "Program" means the Online Court Assistance Program created in this section.
 596 (2) There is created the "Online Court Assistance Program" administered by the
 597 Administrative Office of the Courts to provide the public with information about civil
 598 procedures and to assist the public in preparing and filing civil pleadings and other
 599 papers in:
 600 (a) uncontested divorces;
 601 (b) enforcement of orders in the divorce decree;
 602 (c) landlord and tenant actions;
 603 (d) guardianship actions; and
 604 (e) other types of proceedings approved by the board.
 605 (3) The purpose of the program shall be to:

- 606 (a) minimize the costs of civil litigation;
- 607 (b) improve access to the courts; and
- 608 (c) provide for informed use of the courts and the law by pro se litigants.
- 609 (4)(a) An additional [~~\$20~~] \$60 shall be added to the filing fee established by Sections
- 610 78A-2-301 and 78A-2-301.5 if a person files a complaint, petition, [~~answer, or~~
- 611 ~~response~~] counterclaim, or counterpetition prepared through the program.[-]
- 612 (b) There [~~shall be~~] is no fee for[-] :
 - 613 (i) using the program[~~or for~~] ;
 - 614 (ii) papers filed [~~subsequent to~~] after the initial pleading; or
 - 615 (iii) preparing a request for a protective order.
- 616 [~~(b)~~] (5)(a) There is created within the General Fund a restricted account known as the
- 617 Online Court Assistance Account.[-]
- 618 (b) The fees collected under [~~this~~] Subsection (4) shall be deposited in the restricted
- 619 account described in Subsection (5)(a) and appropriated by the Legislature to the
- 620 Administrative Office of the Courts to develop, operate, and maintain the program
- 621 and to support the use of the program through education of the public.
- 622 [~~(5)~~] (6) The Administrative Office of the Courts shall provide on the front page of the
- 623 program website a listing of all forms and proceedings available to all pro se litigants
- 624 within the program.
- 625 Section 11. Section **78A-2-602** is amended to read:
- 626 **78A-2-602 . Court Security Account -- Creation -- Funding -- Uses.**
- 627 (1) There is created a restricted account in the General Fund known as the "Court Security
- 628 Account."
- 629 (2) The state treasurer shall deposit in the Court Security Account money from:
 - 630 (a) the surcharge established in Section 78A-2-601;
 - 631 (b) the portions of filing fees allocated under Subsections 78A-2-301(1)(j)(iv) and (v);
 - 632 and
 - 633 (c) the portions of a surcharge allocated under Subsections 78A-7-122(3) and (4)(b)(ii).
- 634 (3) The Court Security Account consists of money:
 - 635 (a) deposited by the state treasurer under Subsection (2); and
 - 636 (b) appropriated by the Legislature.
- 637 (4) Subject to appropriation, the Administrative Office of the Courts shall use the allocation
- 638 to contract for court security at all [~~district and juvenile~~] courts of record throughout the
- 639 state.

640 Section 12. Section **78A-7-122** is amended to read:

641 **78A-7-122 . Security surcharge -- Application -- Deposit in restricted accounts.**

642 (1) In addition to any fine, penalty, forfeiture, or other surcharge, a security surcharge of
643 \$60 shall be assessed on all convictions for offenses listed in the uniform ~~[bail]~~ fine
644 schedule adopted by the Judicial Council and moving traffic violations.

645 (2)(a) The security surcharge shall be collected and distributed pro rata with any fine
646 collected.~~[-]~~

647 (b) A fine that would otherwise have been charged may not be reduced due to the
648 imposition of the security surcharge.

649 (3) Twenty-eight dollars of the security surcharge shall be ~~[remitted]~~ transferred to the state
650 treasurer and distributed to the Court Security Account created in Section 78A-2-602.

651 (4) Thirty-two dollars of the security surcharge shall be allocated as follows:

652 (a) the assessing court shall retain 20% of the amount collected for deposit into the
653 general fund of the governmental entity; and

654 (b) 80% shall be ~~[remitted]~~ transferred to the state treasurer to be distributed as follows:

655 (i) 62.5% to the treasurer of the county in which the justice court which ~~[remitted]~~
656 transferred the amount is located;

657 (ii) 25% to the Court Security Account created in Section 78A-2-602; and

658 (iii) 12.5% to the Justice Court Technology, Security, and Training Account created
659 in Section 78A-7-301.

660 (5) The court shall ~~[remit]~~ transfer money collected in accordance with Title 51, Chapter 7,
661 State Money Management Act.

662 Section 13. **Effective Date.**

663 This bill takes effect on May 6, 2026.