

HB0094S03 compared with HB0094

{Omitted text} shows text that was in HB0094 but was omitted in HB0094S03
inserted text shows text that was not in HB0094 but was inserted into HB0094S03

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LONG TITLE

General Description:

This bill addresses payment of a criminal accounts receivable.

Highlighted Provisions:

This bill:

- ▶ addresses a defendant's opportunity to:
 - satisfy a portion of the defendant's criminal accounts receivable by performing compensatory service; and
 - ▶ {requires} reduce a {court, under certain circumstances, to allow a defendant to reduce the amount} portion of the defendant's criminal accounts receivable by completing {compensatory service a court ordered treatment or course; [and]}

Money Appropriated in this Bill:

None

Other Special Clauses:

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18 None

19 Utah Code Sections Affected:

20 AMENDS:

21 **77-32b-105** , as last amended by Laws of Utah 2025, Chapter 259

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

24 Section 1. Section **77-32b-105** is amended to read:

25 **77-32b-105. Petition for remittance or modification of a criminal accounts receivable before termination of a sentence.**

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

27 (a) correct an error in a criminal accounts receivable;

28 (b) modify the payment schedule for the defendant's criminal accounts receivable in accordance with this section if the defendant is not under the jurisdiction of the board; or

29 (c) remit, in whole or in part, an unpaid amount of the defendant's criminal accounts receivable that is not the principal or interest amount owed for restitution in accordance with this section.

36 **(2)**

33 (2){(a) } If Subject to Subsection (2)(c), if a defendant files a petition under Subsection (1), and the sentencing court is satisfied that payment of an unpaid amount of a criminal accounts receivable will impose manifest hardship on the defendant or the defendant's family, the court {shall } may allow the defendant{, regardless of whether the criminal accounts receivable is delinquent or in default} :

38 (a){(i) } to satisfy {an unpaid amount} the portion of the criminal accounts receivable{,} that {is not the principal or interest amount owed for restitution} consists of unpaid fines, fees, surcharges, and interest with proof of compensatory service completed by the defendant at a rate of credit not less than {\$10} \$12 for each hour of compensatory service; and

42 (b){(ii) } to reduce the {unpaid amount} portion of the criminal accounts receivable{, that is not the principal or interest amount owed for restitution} that consists of unpaid fines, fees, surcharges, and interest in the amount of the cost of any treatment or course if:

45 (i){(A) } the treatment or course was ordered by the court as part of the case;

46 (ii){(B) } the defendant has completed the court's requirements related to the treatment or course; and

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(iii){(C)} the defendant provides proof that the defendant completed the court's requirements and paid the cost of the treatment or course.

50 {f(2)}(3) Subsection (2)(a) applies regardless of whether:

53 (i) the criminal accounts receivable is delinquent or in default; or

54 (ii) the court's imposition of an amount of the criminal accounts receivable was required by law or discretionary.

56 (c) The portion of a criminal accounts receivable that may be satisfied under Subsection (2)(a)(i) or reduced under Subsection (2)(a)(ii) does not include any principal or interest owed for restitution.

59 (d) If a prosecuting attorney objects to the court allowing a satisfaction or reduction under Subsection (2)(a) because the satisfaction or reduction is not in the interests of justice, the court may deny the defendant the opportunity to satisfy or reduce a criminal accounts receivable.

63 [(2)](3) If a defendant files a petition under Subsection (1), and[it appears to the satisfaction of] the sentencing court is satisfied that payment of an unpaid amount of a criminal accounts receivable will impose manifest hardship on the defendant[.] or the defendant's family, the court may:

54 (a) if the criminal accounts receivable is not delinquent or in default, remit, in whole or in part, the unpaid amount of the criminal accounts receivable that is not the principal or interest amount owed for restitution; or

57 (b) regardless of whether the criminal accounts receivable is delinquent or in default:

58 (i) require the defendant to pay the criminal accounts receivable, or a specified amount of the criminal accounts receivable, by a certain date; or

60 (ii) modify the payment schedule for the criminal accounts receivable in accordance with the factors described in Subsection 77-32b-103(3)(b) if the defendant has demonstrated that the criminal accounts receivable will impose a manifest hardship due to changed circumstances or new evidence that justifies modifying the payment schedule[; or] .

65 [(iii)]

(A) ~~allow the defendant to satisfy an unpaid amount of the criminal accounts receivable, that is not the principal or interest amount owed for restitution, with proof of compensatory service completed by the defendant at a rate of credit not less than \$10 for each hour of compensatory service; and]~~

69 [(B) ~~allow the defendant to reduce the unpaid amount of the criminal accounts receivable, that is not the principal or interest amount owed for restitution, in the amount of the cost of any treatment or course if:]~~

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72 [I) the treatment or course was ordered by the court as part of the case;]
73 [II) the defendant has completed the court's requirements related to the treatment or course; and]
75 [III) the defendant provides proof that the defendant completed the court's requirements and paid the
cost of the treatment or course.]

77 [(3)] (4)
(a) If a defendant is under the jurisdiction of the board, the defendant may petition the board, at any
time before the defendant's sentence terminates, to modify the payment schedule for the defendant's
criminal accounts receivable.
80 (b) If a defendant files a petition under Subsection [(3)(a)] (4)(a), the board may modify the payment
schedule for the criminal accounts receivable in accordance with the factors described in Subsection
77-32b-103(3)(b) if the defendant has demonstrated that the criminal accounts receivable
will impose a manifest hardship to the defendant, or the defendant's family, due to changed
circumstances or new evidence that justifies modifying the payment schedule.

99 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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