

HB0465S02 compared with HB0465

~~{Omitted text}~~ shows text that was in HB0465 but was omitted in HB0465S02

inserted text shows text that was not in HB0465 but was inserted into HB0465S02

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1

Juvenile Court Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tiara Auxier

Senate Sponsor: Brady Brammer

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LONG TITLE

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General Description:

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This bill modifies provisions related to juvenile courts.

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Highlighted Provisions:

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This bill:

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- allows a juvenile court to conditionally suspend a minor's order for detention ~~{for up to five days}~~ under certain circumstances; and

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- makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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~~{78A-6-353, as last amended by Laws of Utah 2024, Chapter 256}~~

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80-6-704, as last amended by Laws of Utah 2024, Chapter 256

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18 **80-6-711** , as last amended by Laws of Utah 2022, Chapter 155

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

22 ~~{Section 1. Section 78A-6-353 is amended to read: }~~

23 **78A-6-353. Contempt -- Penalty -- Enforcement of fine, fee, or restitution.**

- 24 (1) An individual who willfully violates or refuses to obey any order of the juvenile court may be
proceeded against for contempt of court.
- 26 (2) If a juvenile court finds an individual who is 18 years old or older in contempt of court, the juvenile
court may impose sanctions on the individual in accordance with Title 78B, Chapter 6, Part 3,
Contempt.
- 29 (3) Except as otherwise provided in Subsection (4), if a juvenile court finds a child in contempt of court,
the juvenile court may:
- 31 (a) place the child on probation in accordance with Section 80-6-702;
- 32 (b) order the child to detention, or an alternative to detention, in accordance with Section 80-6-704; or
- 34 (c) require the child to pay a fine or fee in accordance with Section 80-6-709.
- 35 (4)
- (a) The juvenile court may only order a child to secure detention under Subsection (3)(b) for no longer
than 72 hours, excluding weekends and legal holidays.
- 37 (b) The juvenile court may ~~[not]suspend [all or part of an order to secure detention upon compliance
with conditions imposed by the juvenile court]~~ an order described in Subsection (3)(b) in accordance
with Subsection 80-6-704(2).
- 40 (c) The juvenile court may not enforce a disposition under Subsection (3)(c) through an order for
detention, a community-based program, or secure care.
- 42 (5) On the sole basis of a child's absence from placement, a juvenile court may not hold a child in
contempt under this section if the child:
- 44 (a) is in the legal custody of the Division of Child and Family Services; and
- 45 (b) is missing, has been abducted, or has run away.

21 Section 1. Section **80-6-704** is amended to read:

22 **80-6-704. Detention or alternative to detention -- Limitations.**

- 48 (1)

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- (a) The juvenile court may order a minor to detention, or an alternative to detention, if the minor is adjudicated for:
- 50 (i) an offense under Section 80-6-701; or
- 51 (ii) contempt of court under Section 78A-6-353.
- 52 (b) Except as provided in Subsection 78A-6-353(4), and subject to the juvenile court retaining continuing jurisdiction over a minor's case, the juvenile court may order a minor to detention, or an alternative to detention, under Subsection (1)(a) for a period not to exceed 30 cumulative days for an adjudication.
- 56 (c) If a minor is held in detention before an adjudication, the time spent in detention before the adjudication shall be credited toward the 30 cumulative days eligible as a disposition under Subsection (1)(b).
- 59 (d) If a minor spent more than 30 days in detention before a disposition, the juvenile court may not order the minor to detention under this section.
- 61 (2)
- (a) [An] Except as provided in Subsection (2)(b), an order for detention under Subsection (1) may {fnot } be suspended{ ~~for up to five days~~ } upon conditions ordered by the juvenile court.
- 38 (b) If a minor is adjudicated for an offense and the juvenile court orders the minor to detention, the juvenile court may suspend:
- 40 (i) up to five days of that detention upon conditions ordered by the juvenile court; or
- 41 (ii) up to 30 days of that detention upon conditions ordered by the juvenile court if, for a prior adjudication of an offense, a juvenile court:
- 43 (A) ordered the minor to detention;
- 44 (B) suspended any portion of the detention in accordance with Subsection (2)(b)(i); and
- 46 (C) imposed any portion of the detention suspended under Subsection (2)(b)(i).
- 47 (c) A suspended disposition under Subsection (2)(b) may not be imposed without:
- 48 (i) notice to the minor and the minor's counsel; and
- 49 (ii) a hearing.
- 63 (3) A juvenile court may not order a minor to detention for:
- 64 (a) contempt of court, except to the extent permitted under Section 78A-6-353;
- 65 (b) a violation of probation;
- 66 (c) failure to pay a fine, fee, restitution, or other financial obligation;

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- 67 (d) unfinished compensatory or community service hours;
68 (e) an infraction; or
69 (f) a status offense.
- 70 (4) A juvenile court may not order a minor be placed in a correctional facility that is intended to hold
adults accused or convicted of offenses as an alternative to detention under Subsection (1).
- 73 (5)
(a) If a minor is held in detention under this section, the minor is eligible to receive credit for good
behavior against the period of detention.
- 75 (b) The rate of credit is one day of credit for good behavior for every three days spent in detention.
- 77 (6)
(a) A minor may not be held in secure detention following a disposition by the juvenile court:
79 (i) under Chapter 3, Abuse, Neglect, and Dependency Proceedings; or
80 (ii) except as provided in Subsection (6)(b), for a community-based program.
- 81 (b) If a minor is awaiting placement by the division under Section 80-6-703, a minor may not be held in
secure detention for longer than 72 hours, excluding weekends and holidays.
- 84 (c) The period of detention under Subsection (6)(b) may be extended by the juvenile court for a
cumulative total of seven calendar days if:
86 (i) the division, or another agency responsible for placement, files a written petition with the juvenile
court requesting the extension and setting forth good cause; and
88 (ii) the juvenile court enters a written finding that it is in the best interests of both the minor and the
community to extend the period of detention.
- 90 (d) The juvenile court may extend the period of detention beyond the seven calendar days if the juvenile
court finds, by clear and convincing evidence, that:
92 (i) the division, or another agency responsible for placement, does not have space for the minor; and
94 (ii) the safety of the minor and community requires an extension of the period of detention.
- 96 (e) The division, or the agency with custody of the minor, shall report to the juvenile court every
48 hours, excluding weekends and holidays, regarding whether the division, or another agency
responsible for placement, has space for the minor.
- 99 (f) The division, or agency, requesting an extension shall promptly notify the detention facility that a
written petition has been filed.

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- (g) The juvenile court shall promptly notify the detention facility regarding the juvenile court's initial disposition and any ruling on a petition for an extension, whether granted or denied.

Section 2. Section **80-6-711** is amended to read:

80-6-711. Suspending a disposition.

- (1) Except as [~~otherwise~~] provided in Subsection (2) or Subsection {~~80-6-704(2)~~} 80-6-704(2)(b), a juvenile court may not suspend a disposition ordered under this part.

(2)

- (a) If a minor qualifies for commitment to the division under Section 80-6-703, the juvenile court may suspend a disposition for commitment to the division in lieu of immediate commitment, upon the condition that the minor commit no new misdemeanor or felony offense within 90 days after the day on which the juvenile court suspends the disposition for commitment.

(b) The duration of a suspended disposition under Subsection (2)(a) may not:

- (i) exceed 90 days after the day on which the juvenile court suspends the disposition for commitment; and

(ii) be extended under any circumstance.

(3) The juvenile court may only lift a suspension of a disposition under Subsection (2)(a):

(a) following adjudication of a new misdemeanor or felony offense committed by the minor during the period of suspension set out under Subsection (2)(a);

(b) if a new assessment or evaluation has been completed and the assessment or evaluation recommends that a higher level of care is needed and nonresidential treatment options have been exhausted or nonresidential treatment options are not appropriate; or

(c) if, after a notice and a hearing, the juvenile court finds:

(i) a new or previous evaluation recommends a higher level of treatment; and

(ii) the minor willfully failed to comply with a lower level of treatment and has been unsuccessfully discharged from treatment.

(4) A suspended disposition under Subsection (1) may not be imposed without:

(a) notice to the minor and the minor's counsel; and

(b) a hearing.

Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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