

SB0019S01 compared with SB0019

{Omitted text} shows text that was in SB0019 but was omitted in SB0019S01

inserted text shows text that was not in SB0019 but was inserted into SB0019S01

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1

Digital Evidence Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Ryan D. Wilcox

2

LONG TITLE

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General Description:

4

This bill concerns digital evidence examination of a mobile device.

5

Highlighted Provisions:

6

This bill:

7

- ▶ defines terms;

8

- ▶ requires {certain cities and counties} local law enforcement agencies to:

9

- have {a digital forensics laboratory} mobile device forensics services;

10

- have a contract, partnership, or agreement with another entity that allows the {city or county}

} law enforcement agency to share in the use of {a digital} mobile device forensics {laboratory}

services, not including the Regional Computer Forensics Laboratory; or

- {have the city's or county's law enforcement agency} provide specified support to the

Regional Computer Forensics Laboratory; {or}

- {pay an annual fee to the Department of Public Safety (department);}

} requires the department to:

-

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{collect fees from cities and counties and apply the fee proceeds} allows a law enforcement agency to {department expenditures incurred in staffing and other costs associated with} access the Regional Computer Forensics Laboratory for mobile device forensics services under certain circumstances; and

24 • {annually report any nonpayment of fees to the Law Enforcement and Criminal Justice
25 Interim Committee; and}

26 ▸ makes technical and conforming changes.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

22 Utah Code Sections Affected:

23 ENACTS:

24 **53-10-105.1** , Utah Code Annotated 1953

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

27 Section 1. Section 1 is enacted to read:

28 **53-10-105.1. {Analysis of digital evidence -- City and county requirements -- Fee option
29 -- Collection -- Reporting} Requirements for mobile device forensics services by a local law
30 enforcement agency.**

31 (1) As used in this section:

32 (a) "Law enforcement interlocal entity" means an interlocal entity under Title 11, Chapter 13, Interlocal
33 Cooperation Act, that provides law enforcement services.

34 (b) "Law enforcement special district" means a district that provides law enforcement services under:

35 (i) Title 17B, Limited Purpose Local Government Entities - Special Districts; or

36 (ii) Title 17D, Chapter 1, Special Service District Act.

37 (c) "Local law enforcement agency" means an entity that:

38 (i) exists primarily to prevent and detect crime and enforce criminal laws, statutes, or ordinances; and

39 (ii) is operated by:

40 (A) a municipality;

41 (B) a county;

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43 (C) a law enforcement interlocal entity; or
44 (D) a law enforcement special district.
45 (d) "Mobile device" means a phone or general purpose tablet that:
46 (i) provides cellular or wireless connectivity;
47 (ii) is capable of connecting to the internet;
48 (iii) runs a mobile operating system; and
49 (iv) is capable of running a software application or electronic service through the mobile operating system.
50 (a){(e)} { "Digital" } "Mobile device forensics { laboratory } services" means a facility, equipment, or other type of capability that provides digital forensic evidence services by collecting and examining digital evidence on a mobile device.
51 (f) "Municipality" means the same as that term is defined in Section 10-1-104.
52 (b){(g)} "Participating agency" means a local law enforcement agency that is providing, or otherwise paying for, adequately trained personnel to staff the Regional Computer Forensics Laboratory for at least 2,000 hours { a } per year, either directly through the local law enforcement agency or through the entity that operates the local law enforcement agency.
53 (c){(h)} "Regional Computer Forensics Laboratory" means the digital forensics laboratory that is operated by the Federal Bureau of Investigation in partnership with other federal, state, and local law enforcement agencies, for the region that includes Utah.
54 {(2)}
55 (a){(2)} On or before { July } January 1, { 2026 } 2027, a { city of the first or second class, and a city of the third class that has a population of at least 40,000 people, } local law enforcement agency shall:
56 (i){(a)} have the { city's } local law enforcement agency's own { digital } mobile device forensics laboratory } services;
57 (ii){(b)} have a contract, partnership, or agreement with another entity that allows the { city } local law enforcement agency to share in the use of { a digital } mobile device forensics { laboratory } services, not including the Regional Computer Forensics Laboratory; or
58 (iii){(c)} { have the city's law enforcement agency } qualify as a participating agency { : or } ;
59 (iv) { pay to the department, on an annual basis determined by the department, the applicable fee described in Subsection (4)(a). }
60 {(b)} { On or before July 1, 2026, a county of the first, second, or third class shall: }

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58 {~~(i)~~ {have the county's own digital forensics laboratory;})}

59 {~~(ii)~~{~~(3)~~} {have a contract, partnership} Notwithstanding Subsection (2), {or agreement with another entity that allows the county to share in the use of a digital forensics laboratory, not including } a local law enforcement agency may use the Regional Computer Forensics Laboratory{~~:~~} to access:

62 {~~(iii)~~ {have the county's law enforcement agency qualify as a participating agency; or})}

63 {~~(iv)~~ {pay to the department, on an annual basis determined by the department, the applicable fee described in Subsection (4)(b).})}

65 {~~(3)~~ {The department shall, on an annual basis:})}

66 {~~(a)~~ {determine which cities and counties are required to pay a fee under Subsection (2) and, as applicable, the amount of the city's or county's fee under Subsection (4);})}

68 {~~(b)~~ {notify each city and county described in Subsection (3)(a) of the fee amount due and the deadline for payment;})}

70 {~~(e)~~ {collect the fees described under Subsection (3)(b) and apply the fees toward the department's expenditures incurred in staffing and other costs associated with the Regional Computer Forensics Laboratory; and})}

73 {~~(d)~~ {on or before September 1 of each year, provide to the Law Enforcement and Criminal Justice Interim Committee, if applicable, a list of the names of each city and county that has not paid a past-due fee under Subsection (3)(e).})}

76 {~~(4)~~ {}}

77 {~~(a)~~ {The fees for a city described in Subsection (2)(a) are:})}

78 {~~(i)~~ {for a city of the first class with a population:})}

79 {~~(A)~~ {over 200,000, \$20,000;})}

79 {~~(B)~~ {from 150,000 to 200,000, \$15,000; or})}

80 {~~(C)~~ {from 100,000 to 149,000, \$10,000;})}

81 {~~(ii)~~ {for a city of the second class, \$5,000; or})}

82 {~~(iii)~~ {for a city of the third class that has a population of least 40,000, \$5,000.})}

83 {~~(b)~~ {The fees for a county described in Subsection (2)(b) are:})}

84 {~~(i)~~ {for a county of the first class, \$50,000;})}

85 {~~(ii)~~ {for a county of the second class with a population:})}

86 {~~(A)~~ {over 500,000, \$35,000; or})}

87 {~~(B)~~ {260,000 to 500,000, \$20,000; or})}

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88 {~~(iii) {for a county of the third class with a population:}~~}
89 {~~(A) {over 100,000, \$15,000; or}~~}
90 {~~(B) {from 40,000 to 100,000, \$10,000.}~~}
91 {~~(5) {In determining the applicable fee requirements under Subsection (4), a city's or county's population is determined by:}~~}
93 {~~(a) {the estimate of the Utah Population Committee created in Section 63C-20-103; or}~~}
94 {~~(b) {if the Utah Population Committee estimate is not available, the most recent census or census estimate of the United States Bureau of the Census.}~~}
71 (a) self-serve equipment that provides mobile device forensics services; and
72 (b) advanced mobile device forensics services in a situation when standard mobile device forensics services have failed, or would fail, to access digital evidence on a mobile device.

75 Section 2. Effective date.

Effective Date.

This bill takes effect on May 6, 2026.

1-29-26 2:48 PM