

SB0259S01 compared with SB0259

~~{Omitted text}~~ shows text that was in SB0259 but was omitted in SB0259S01

inserted text shows text that was not in SB0259 but was inserted into SB0259S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 **Evidence Declaration Amendments**
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Todd Weiler
House Sponsor:

2
3 **LONG TITLE**

4 **General Description:**

5 This bill requires a signed statement regarding evidence collected in a criminal case for a felony
6 offense.

7 **Highlighted Provisions:**

8 This bill:

8 ▶ defines terms;

9 ▶ requires ~~{ a government official who obtains or provides evidence in a criminal case }~~ certain
10 individuals to sign a statement that ~~{ the }~~ evidence of a felony offense was obtained or provided in
11 compliance with state and federal law;

12 ▶ requires a prosecuting attorney to sign a statement regarding evidentiary disclosures in a criminal
13 case ~~{ with regard to disclosures }~~ for a felony offense; and

14 ▶ makes it a crime ~~{ for a government official or a prosecuting attorney }~~ to fail to comply with the
15 requirements of a signed statement.

15 **Money Appropriated in this Bill:**

16 None

SB0259 compared with SB0259S01

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **77-4-202**, Utah Code Annotated 1953

22

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

24 Section 1. Section 1 is enacted to read:

25 **77-4-202. Declaration requirement for evidence in a criminal case.**

27 (1) As used in this section:

28 {~~(a) {"Government official" means:}~~}

29 {~~(i) {a law enforcement officer as defined in Section 53-13-103;}~~}

27 (a) "Auditor" means an employee or officer of the Office of the State Auditor.

30 (ii){~~(b) {"Investigator" means an employee of a prosecuting agency{;} that conducts investigations on~~
31 behalf of the prosecuting agency.

31 {~~(iii) {a prosecuting attorney; or}~~}

32 {~~(iv) {an individual who collects evidence on behalf of a law enforcement agency or prosecuting~~
33 agency.}}

34 (b){~~(c) {"Unsworn declaration" means the same as that term is defined in Section 78B-18a-102.~~}

36 (2) If {~~a government official~~} an auditor or investigator provides or obtains evidence in a criminal case
37 that will be used to prosecute an individual for {~~an~~} a felony offense, the {~~government official~~}
38 auditor or investigator shall sign a statement attesting that the evidence was obtained or provided in
39 compliance with state and federal law.

40 (3) When a prosecuting attorney discloses evidence to a defendant in a criminal case for a felony
41 offense, the prosecuting attorney shall sign a statement attesting that the prosecuting attorney has
42 complied with state and federal laws on the disclosure of exculpatory evidence to a defendant,
43 including Rule 16 of the Utah Rules of Criminal Procedure.

44 (4) A signed statement described in Subsection (2) or (3) shall include an unsworn declaration.

46 (5) {~~A government official or prosecuting attorney~~} An individual who fails to comply with Subsection
47 (2) or (3) is guilty of a class A misdemeanor.

45 Section 2. **Effective date.**

SB0259 compared with SB0259S01

Effective Date.

This bill takes effect on May 6, 2026.

2-17-26 7:25 AM