

Child Suicide Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Lisa Shepherd
Senate Sponsor:

LONG TITLE

General Description:

This bill addresses suicide by a child who has been abused or tortured.

Highlighted Provisions:

This bill:

- clarifies that it is not a defense to the criminal offense of child abuse homicide if the child commits suicide after being subjected to child abuse or child torture and the suicide is a direct or proximate result of the abuse or torture;
- corrects an error in the child abuse homicide offense's penalty subsection; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-208, as last amended by Laws of Utah 2025, Chapter 284

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

Section 1. Section **76-5-208** is amended to read:

76-5-208 . Child abuse homicide -- Penalties.

(1)(a) As used in this section, "child abuse" means an offense described in Section 76-5-109, 76-5-109.2, 76-5-109.3, 76-5-109.4, or 76-5-114.

(b) Terms defined in Section 76-1-101.5 apply to this section.

(2) Unless a violation amounts to aggravated murder as described in Section 76-5-202, an actor commits child abuse homicide if:

(a)(i) the actor causes the death of another individual who is younger than 18 years old; and

- 31 (ii) the individual's death results from child abuse; and
32 (b)(i) the child abuse is based on a violation of Section 76-5-109.4, Child Torture;
33 (ii) the child abuse is done recklessly under Subsection 76-5-109.2(3)(b);
34 (iii) the child abuse is done with criminal negligence under Subsection
35 76-5-109.2(3)(c); or
36 (iv) under circumstances not amounting to the type of child abuse homicide described
37 in Subsection (2)(b)(i), the child abuse is done intentionally, knowingly,
38 recklessly, or with criminal negligence, under Subsection 76-5-109(3)(a), (b), or
39 (c).

40 (3)(a) A violation of Subsection (2) under the circumstances described in Subsection
41 (2)(b)(i) or (ii) is a first degree felony.

42 (b) A violation of Subsection (2) under the circumstances described in Subsection [
43 ~~(2)(b)(ii) or (iii)~~] (2)(b)(iii) or (iv) is a second degree felony.

44 (4) It is not a defense to a violation of Subsection (2) that the death of the individual was
45 from the individual committing suicide if the individual's suicide was a direct or
46 proximate result of the actor's conduct described in Subsection (2)(b).

47 Section 2. **Effective Date.**

48 This bill takes effect on May 6, 2026.