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Child Suicide Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor:

2

LONG TITLE

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General Description:

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

Highlighted Provisions:

5 This bill:

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

Money Appropriated in this Bill:

13 None

Other Special Clauses:

14 None

Utah Code Sections Affected:

15 AMENDS:

16 **76-5-208**, as last amended by Laws of Utah 2025, Chapter 28417 *Be it enacted by the Legislature of the state of Utah:*18 Section 1. Section **76-5-208** is amended to read:**76-5-208 . Child abuse homicide -- Penalties.**19 (1)(a) As used in this section, "child abuse" means an offense described in Section
20 76-5-109, 76-5-109.2, 76-5-109.3, 76-5-109.4, or 76-5-114.

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

22 (2) Unless a violation amounts to aggravated murder as described in Section 76-5-202, an
23 actor commits child abuse homicide if:24 (a)(i) the actor causes the death of another individual who is younger than 18 years
25 old; and

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

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

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

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

Section 2. Effective Date.

This bill takes effect on May 6, 2026.