

**Substance Use Intervention Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Tyler Clancy**

Senate Sponsor: Brady Brammer

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**LONG TITLE****General Description:**

This bill addresses substance use interventions in communities and for criminal justice involved individuals.

**Highlighted Provisions:**

This bill:

- authorizes jails to establish recovery housing pods and establishes minimum requirements;
- adds certain government entities as entities eligible for grants under the Opiate Overdose Outreach Pilot Program, including to pay for the purchase of an opiate antagonist;
- prohibits an entity operating a syringe exchange program from facilitating the exchange of syringes in public parks;
- authorizes a justice court to create a Structured Treatment and Enforcement Pathway Supervision Program and establishes requirements;
- authorizes courts to enter an off-limits order to enjoin an individual who has been charged with or convicted of a drug offense from entering the geographic area where that individual committed or is charged with committing the drug offense;
- makes technical and conforming changes; and
- defines terms.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26B-4-509**, as renumbered and amended by Laws of Utah 2023, Chapter 307

**26B-4-510**, as renumbered and amended by Laws of Utah 2023, Chapter 307

**26B-4-512**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

**26B-7-117**, as last amended by Laws of Utah 2025, Chapter 243

58-17b-507, as last amended by Laws of Utah 2023, Chapter 328

58-31b-703, as last amended by Laws of Utah 2023, Chapter 329

58-67-702, as last amended by Laws of Utah 2023, Chapter 329

58-68-702, as last amended by Laws of Utah 2023, Chapter 329

58-69-702, as last amended by Laws of Utah 2023, Chapter 329

58-70a-505, as last amended by Laws of Utah 2023, Chapter 329

77-20-205, as last amended by Laws of Utah 2025, Chapter 243

78A-7-102, as last amended by Laws of Utah 2018, Chapter 30

ENACTS:

17-72-508, Utah Code Annotated 1953

78A-7-124, Utah Code Annotated 1953

78B-7-1301, Utah Code Annotated 1953

78B-7-1302, Utah Code Annotated 1953

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

Section 1. Section 17-72-508 is enacted to read:

**17-72-508 . Recovery housing pod authorized.**

(1) As used in this section:

(a) "Local mental health authority" means a local mental health authority described in Section 17-77-301.

(b) "Office" means the Office of Substance Use and Mental Health created in Section 26B-5-102.

(c) "Qualifying individual" means an individual who:

(i) is incarcerated in the county jail; and

(ii) has a substance use disorder as determined by a screening administered in accordance with Subsection 17-72-501(2)(e).

(d) "Recovery housing pod" means a designated unit or number of beds within a county jail dedicated to qualifying individuals who participate in a structured substance use treatment program.

(2) A sheriff may establish a recovery housing pod in a county jail.

(3) Subject to the provisions of Subsection (4):

(a) the local mental health authority shall approve a recovery housing pod; and

(b) before approving a recovery housing pod, the local mental health authority shall

make a determination that the structured substance use treatment program is based on

best practices.

(4) A recovery housing pod that is established on or before May 5, 2026, is not subject to the requirements of this section until July 1, 2029.

(5)(a) The office may develop model standards and operational guidelines for structured substance use treatment programs in recovery housing pods in county jails based on best practices.

(b) A structured substance use treatment program that follows model standards and operational guidelines that the office develops as described in Subsection (5)(a), is presumed to be based on best practices for purposes of the determination described in Subsection (3)(b).

(6) A structured substance use treatment program may include:

(a) a structured daily routine including requiring qualifying individuals to:

(i) have assigned responsibilities;

(ii) attend group meetings;

(iii) complete work assignments;

(iv) attend educational programs; and

(v) participate in recovery-oriented programming;

(b) peer programing, including requiring qualifying participants to help lead, manage, and maintain the culture and physical space of the recovery housing pod with the guidance of staff;

(c) behavioral accountability where positive behavior is rewarded and negative behavior is addressed through corrective feedback from peers and staff;

(d) promotion of self-discipline and mutual support where qualifying participants uphold standards of conduct and support one another in personal development;

(e) phased progress in which qualifying participants advance through levels of responsibility and opportunity based on merit and demonstrated behavioral growth; and

(f) practical skill building, which may include:

(i) job training;

(ii) personal finance skill training;

(iii) interpersonal communication education; and

(iv) reentry planning.

(7)(a) Participation in a recovery housing pod is voluntary.

(b) A qualifying individual who participates in a recovery pod shall sign a written

agreement acknowledging the qualifying individual's commitment to the recovery housing pod's structured substance use treatment program.

(8) A local mental health authority may contract with a third party to deliver the substance use treatment program approved under this section.

Section 2. Section **26B-4-509** is amended to read:

**26B-4-509 . Prescribing, dispensing, and administering an opiate antagonist --  
Immunity from liability.**

(1)(a)(i) For purposes of Subsection (1)(a)(ii), "a person other than a health care facility or health care provider" includes the following, regardless of whether the person has received funds from the department through the Opiate Overdose Outreach Pilot Program created in Section 26B-4-512:

(A) a person described in Subsections [~~26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)~~]  
26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G); or

(B) an organization, defined by department rule made under Subsection 26B-4-512(7)(e), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event.

(ii) Except as provided in Subsection (1)(b), the following persons are not liable for any civil damages for acts or omissions made as a result of administering an opiate antagonist when the person acts in good faith to administer the opiate antagonist to an individual whom the person believes to be experiencing an opiate-related drug overdose event:

(A) an overdose outreach provider; or

(B) a person other than a health care facility or health care provider.

(b) A health care provider:

(i) is not immune from liability under Subsection (1)(a) when the health care provider is acting within the scope of the health care provider's responsibilities or duty of care; and

(ii) is immune from liability under Subsection (1)(a) if the health care provider is under no legal duty to respond and otherwise complies with Subsection (1)(a).

(2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care provider who is licensed to prescribe an opiate antagonist may prescribe, including by a standing prescription drug order issued in accordance with Subsection 26B-4-510(2), or dispense an opiate antagonist:

(a)(i) to an individual who is at increased risk of experiencing an opiate-related drug

- overdose event;
- (ii) for an individual described in Subsection (2)(a)(i), to a family member, friend, or other person, including a person described in Subsections [~~26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)~~] 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist the individual; or
- (iii) to an overdose outreach provider for:
- (A) furnishing the opiate antagonist to an individual described in Subsection (2)(a)(i) or (ii), as provided in Section 26B-4-511; or
- (B) administering to an individual experiencing an opiate-related drug overdose event;
- (b) without a prescriber-patient relationship; and
- (c) without liability for any civil damages for acts or omissions made as a result of prescribing or dispensing the opiate antagonist in good faith.
- (3) A health care provider who dispenses an opiate antagonist to an individual or an overdose outreach provider under Subsection (2)(a) shall provide education to the individual or overdose provider that includes written instruction on how to:
- (a) recognize an opiate-related drug overdose event; and
- (b) respond appropriately to an opiate-related drug overdose event, including how to:
- (i) administer an opiate antagonist; and
- (ii) ensure that an individual to whom an opiate antagonist has been administered receives, as soon as possible, additional medical care and a medical evaluation.
- Section 3. Section **26B-4-510** is amended to read:
- 26B-4-510 . Standing prescription drug orders for an opiate antagonist.**
- (1) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act, to dispense an opiate antagonist may dispense the opiate antagonist:
- (a) pursuant to a standing prescription drug order made in accordance with Subsection (2); and
- (b) without any other prescription drug order from a person licensed to prescribe an opiate antagonist.
- (2) A physician who is licensed to prescribe an opiate antagonist, including a physician acting in the physician's capacity as an employee of the department, or a medical director of a local health department, as defined in Section 26B-4-512, may issue a standing prescription drug order authorizing the dispensing of the opiate antagonist

under Subsection (1) in accordance with a protocol that:

(a) limits dispensing of the opiate antagonist to:

(i) an individual who is at increased risk of experiencing an opiate-related drug overdose event;

(ii) a family member of, friend of, or other person, including a person described in Subsections ~~[26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)]~~ 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; or

(iii) an overdose outreach provider for:

(A) furnishing to an individual who is at increased risk of experiencing an opiate-related drug overdose event, or to a family member of, friend of, or other individual who is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event, as provided in Section 26B-4-511; or

(B) administering to an individual experiencing an opiate-related drug overdose event;

(b) requires the physician to specify the persons, by professional license number, authorized to dispense the opiate antagonist;

(c) requires the physician to review at least annually the dispensing practices of those authorized by the physician to dispense the opiate antagonist;

(d) requires those authorized by the physician to dispense the opiate antagonist to make and retain a record of each person to whom the opiate antagonist is dispensed, which shall include:

(i) the name of the person;

(ii) the drug dispensed; and

(iii) other relevant information; and

(e) is approved by the Division of Professional Licensing within the Department of Commerce by administrative rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Section 4. Section **26B-4-512** is amended to read:

**26B-4-512 . Opiate Overdose Outreach Pilot Program -- Grants -- Annual reporting by grantees -- Rulemaking -- Annual reporting by department.**

(1) As used in this section:

(a) "Government entity" means: 5

(i) the state; or

(ii) any county, municipality, special district, special service district, or other political subdivision or administrative unit of the state.

(b) "Persons that are in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event":

(i) means the following organizations:

(A) a law enforcement agency;

(B) the department or a local health department, as defined in Section 26A-1-102;

(C) an organization that provides drug or alcohol treatment services;

(D) an organization that provides services to the homeless;

(E) an organization that provides training on the proper administration of an opiate antagonist in response to an opiate-related drug overdose event;

(F) a government entity;

~~[(F)]~~ (G) a school; or

~~[(G)]~~ (H) except as provided in Subsection ~~[(1)(a)(ii)]~~ (1)(b)(ii), any other

organization, as defined by department rule made under Subsection (7)(e), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; and

(ii) does not mean:

(A) a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act;

(B) a health care facility; or

(C) an individual.

~~[(b)]~~ (c) "School" means:

(i) a public school:

(A) for elementary or secondary education, including a charter school; or

(B) for other purposes;

(ii) a private school:

(A) for elementary or secondary education; or

(B) accredited for other purposes, including higher education or specialty training;

or

(iii) an institution of higher education, listed in Section 53H-1-102.

(2) There is created within the department the "Opiate Overdose Outreach Pilot Program."

(3) The department may use funds appropriated for the program to:

(a) provide grants under Subsection (4);

- (b) promote public awareness of the signs, symptoms, and risks of opioid misuse and overdose;
- (c) increase the availability of educational materials and other resources designed to assist individuals at increased risk of opioid overdose, their families, and others in a position to help prevent or respond to an overdose event;
- (d) increase public awareness of, access to, and use of opiate antagonist;
- (e) update the department's Utah Clinical Guidelines on Prescribing Opioids and promote its use by prescribers and dispensers of opioids;
- (f) develop a directory of substance misuse treatment programs and promote its dissemination to and use by opioid prescribers, dispensers, and others in a position to assist individuals at increased risk of opioid overdose;
- (g) coordinate a multi-agency coalition to address opioid misuse and overdose; and
- (h) maintain department data collection efforts designed to guide the development of opioid overdose interventions and track their effectiveness.
- (4) No later than September 1, 2016, and with available funding, the department shall grant funds through the program to persons that are in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event.
- (5) Funds granted by the program:
- (a) may be used by a grantee to:
- (i) pay for the purchase by the grantee of an opiate antagonist; or
- (ii) pay for the grantee's cost of providing training on the proper administration of an opiate antagonist in response to an opiate-related drug overdose event; and
- (b) may not be used:
- (i) to pay for costs associated with the storage or dispensing of an opiate antagonist; or
- (ii) for any other purposes.
- (6) Grantees shall report annually to the department on the use of granted funds in accordance with department rules made under Subsection (7)(d).
- (7) No later than July 1, 2016, the department shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules specifying:
- (a) how to apply for a grant from the program;
- (b) the criteria used by the department to determine whether a grant request is approved, including criteria providing that:
- (i) grants are awarded to areas of the state, including rural areas, that would benefit



- 269 most from the grant; and
- 270 (ii) no more than 15% of the total amount granted by the program is used to pay for
- 271 grantees' costs of providing training on the proper administration of an opiate
- 272 antagonist in response to an opiate-related drug overdose event;
- 273 (c) the criteria used by the department to determine the amount of a grant;
- 274 (d) the information a grantee shall report annually to the department under Subsection (6),
- 275 including:
- 276 (i) the amount of opiate antagonist purchased and dispensed by the grantee during the
- 277 reporting period;
- 278 (ii) the number of individuals to whom the opiate antagonist was dispensed by the
- 279 grantee;
- 280 (iii) the number of lives known to have been saved during the reporting period as a
- 281 result of opiate antagonist dispensed by the grantee; and
- 282 (iv) the manner in which the grantee shall record, preserve, and make available for
- 283 audit by the department the information described in Subsections (7)(d)(i) through
- 284 (7)(d)(iii); and
- 285 (e) as required by Subsection [~~(1)(a)(i)(G)~~] (1)(b)(i)(H), any other organization that is in
- 286 a position to assist an individual who is at increased risk of experiencing an
- 287 opiate-related drug overdose event.

288 Section 5. Section **26B-7-117** is amended to read:

289 **26B-7-117 . Syringe exchange and education.**

- 290 (1) The following may operate a syringe exchange program in the state to prevent the
- 291 transmission of disease, reduce morbidity and mortality, and facilitate access to
- 292 treatment and recovery services among individuals who inject drugs, and those
- 293 individuals' contacts:
- 294 (a) a government entity, including:
- 295 (i) the department;
- 296 (ii) a local health department; or
- 297 (iii) a local substance abuse authority, as defined in Section 26B-5-101;
- 298 (b) a nongovernment entity, including:
- 299 (i) a nonprofit organization; or
- 300 (ii) a for-profit organization; or
- 301 (c) any other entity that complies with Subsections (2) and (4).
- 302 (2) An entity operating a syringe exchange program in the state shall:

- 303 (a) facilitate the exchange of an individual's used syringe for one or more new syringes  
304 in sealed sterile packages;
- 305 (b) ensure that a recipient of a new syringe is given verbal and written instruction on:  
306 (i) methods for preventing the transmission of blood-borne diseases, including  
307 hepatitis C and human immunodeficiency virus; and  
308 (ii) options for obtaining:  
309 (A) services for the treatment of a substance use disorder;  
310 (B) testing for a blood-borne disease; and  
311 (C) an opiate antagonist, as that term is defined in Section 26B-4-501; and
- 312 (c) report annually to the department the following information about the program's  
313 activities:  
314 (i) the number of individuals who have exchanged syringes;  
315 (ii) the number of used syringes exchanged for new syringes;  
316 (iii) the number of new syringes provided in exchange for used syringes;  
317 (iv) information the program provided to individuals about recovery and treatment  
318 resources; and  
319 (v) of the individuals who have exchanged syringes, the number of individuals who  
320 received services for the treatment of a substance use disorder within 12 months  
321 of exchanging syringes.
- 322 (3) A person that is licensed by the department to provide residential treatment for a  
323 substance use disorder shall include as part of the person's admissions materials a  
324 question asking whether the individual seeking treatment has ever received services  
325 from a syringe exchange program.
- 326 (4) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah  
327 Administrative Rulemaking Act, as necessary or advisable to implement the provisions  
328 of this section, including rules:  
329 (a) specifying requirements for:  
330 (i) syringe distribution;  
331 (ii) data collection; and  
332 (iii) the evaluation of an entity operating a syringe exchange program to ensure  
333 compliance with applicable statutes and rules; and  
334 (b) specifying how and when an entity operating a syringe exchange program shall make  
335 the report required by Subsection (2)(c).
- 336 (5) An entity operating a syringe exchange program may not facilitate the exchange of

syringes at a homeless shelter, as that term is defined in Section 35A-16-501, [or] at permanent supportive housing, or in public parks.

(6)(a) The use of state funds to operate a syringe exchange program is prohibited.

(b) Nothing in this section should be construed to prohibit the use or distribution of municipal, county, or federal funds in operating or financing a syringe exchange program under this section.

Section 6. Section **58-17b-507** is amended to read:

**58-17b-507 . Opiate antagonist -- Immunity from liability -- Exclusion from unlawful or unprofessional conduct.**

(1) As used in this section:

(a) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.

(b) "Opiate-related drug overdose event" means the same as that term is defined in Section 26B-4-501.

(2) A person licensed under this chapter that dispenses an opiate antagonist to an individual with a prescription for an opiate antagonist, to an overdose outreach provider with a prescription for an opiate antagonist, or pursuant to a standing prescription drug order issued in accordance with Subsection 26B-4-510(2) is not liable for any civil damages resulting from the outcomes of the eventual administration of the opiate antagonist to an individual who another individual believes is experiencing an opiate-related drug overdose event.

(3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do not establish a duty or standard of care in the prescribing, dispensing, or administration of an opiate antagonist.

(4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to dispense an opiate antagonist to a person, including a person described in Subsections [ ~~26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)~~] 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), on behalf of an individual if the person obtaining the opiate antagonist has a prescription for the opiate antagonist from a licensed prescriber or the opiate antagonist is dispensed pursuant to a standing prescription drug order issued in accordance with Subsection 26B-4-510(2).

(5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to dispense an opiate antagonist to an overdose outreach provider if the overdose outreach provider has a prescription for the opiate antagonist from a licensed prescriber issued pursuant to Subsection 26B-4-509(2)(a)(iii).

Section 7. Section **58-31b-703** is amended to read:

**58-31b-703 . Opiate antagonist -- Exclusion from unprofessional or unlawful conduct.**

(1) As used in this section:

- (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- (c) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.
- (d) "Opiate-related drug overdose event" means the same as that term is defined in Section 26B-4-501.
- (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

(2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate antagonist:

- (a) in a good faith effort to assist:
  - (i) an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
  - (ii) a family member of, friend of, or other person, including a person described in Subsections ~~[26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)]~~ 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
- (b) to an overdose outreach provider ~~[pursuant to]~~ in accordance with Section 26B-4-509.

(3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do not establish a duty or standard of care in the prescribing, dispensing, or administration of an opiate antagonist.

Section 8. Section **58-67-702** is amended to read:

**58-67-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional conduct.**

(1) As used in this section:

- (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- (c) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.
- (d) "Opiate-related drug overdose event" means the same as that term is defined in Section 26B-4-501.
- (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

(2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate antagonist:

(a) in a good faith effort to assist:

(i) an individual who is at increased risk of experiencing an opiate-related drug overdose event; or

(ii) a family member of, friend of, or other person, including a person described in Subsections ~~[26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)]~~ 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; or

(b) to an overdose outreach provider ~~[pursuant to]~~ in accordance with Subsection 26B-4-509(2)(a)(iii).

(3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do not establish a duty or standard of care in the prescribing, dispensing, or administration of an opiate antagonist.

Section 9. Section **58-68-702** is amended to read:

**58-68-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional conduct.**

(1) As used in this section:

(a) "Dispense" means the same as that term is defined in Section 58-17b-102.

(b) "Increased risk" means the same as that term is defined in Section 26B-4-501.

(c) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.

(d) "Opiate-related drug overdose event" means the same as that term is defined in Section 26B-4-501.

(e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

(2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate antagonist:

(a) in a good faith effort to assist:

(i) an individual who is at increased risk of experiencing an opiate-related drug overdose event; or

(ii) a family member of, friend of, or other person, including a person described in Subsections ~~[26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)]~~ 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist an individual who is at increased

439 risk of experiencing an opiate-related drug overdose event; or  
440 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection  
441 26B-4-509(2)(a)(iii).

442 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do  
443 not establish a duty or standard of care in the prescribing, dispensing, or administration  
444 of an opiate antagonist.

445 Section 10. Section **58-69-702** is amended to read:

446 **58-69-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional**  
447 **conduct.**

448 (1) As used in this section:

- 449 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.  
450 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.  
451 (c) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.  
452 (d) "Opiate-related drug overdose event" means the same as that term is defined in  
453 Section 26B-4-501.  
454 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

455 (2) The prescribing or dispensing of an opiate antagonist by an individual licensed under  
456 this chapter to engage in the practice of dentistry is not unprofessional or unlawful  
457 conduct if the licensee prescribed or dispensed the opiate antagonist:

- 458 (a) in a good faith effort to assist:  
459 (i) an individual who is at increased risk of experiencing an opiate-related drug  
460 overdose event; or  
461 (ii) a family member of, friend of, or other person, including a person described in  
462 Subsections [~~26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)~~] 26B-4-512(1)(b)(i)(A)  
463 through (1)(b)(i)(G), that is in a position to assist an individual who is at increased  
464 risk of experiencing an opiate-related drug overdose event; or

465 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection  
466 26B-4-509(2)(a)(iii).

467 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do  
468 not establish a duty or standard of care in the prescribing, dispensing, or administration  
469 of an opiate antagonist.

470 Section 11. Section **58-70a-505** is amended to read:

471 **58-70a-505 . Opiate antagonist -- Exclusion from unlawful or unprofessional**  
472 **conduct.**

- (1) As used in this section:
- (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
  - (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
  - (c) "Opiate antagonist" means the same as that term is defined in Section 26B-4-501.
  - (d) "Opiate-related drug overdose event" means the same as that term is defined in Section 26B-4-501.
  - (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- (2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate antagonist:
- (a) in a good faith effort to assist:
    - (i) an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
    - (ii) a family member of, friend of, or other person, including a person described in Subsections ~~[26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F)]~~ 26B-4-512(1)(b)(i)(A) through (1)(b)(i)(G), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
  - (b) to an overdose outreach provider ~~[pursuant to]~~ in accordance with Subsection 26B-4-509(2)(a)(iii).
- (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do not establish a duty or standard of care in the prescribing, dispensing, or administration of an opiate antagonist.
- Section 12. Section **77-20-205** is amended to read:
- 77-20-205 . Pretrial release by a magistrate or judge.**
- (1)(a) At the time that a magistrate issues a warrant of arrest, or finds there is probable cause to support the individual's arrest under Rule 9 of the Utah Rules of Criminal Procedure, the magistrate shall issue a temporary pretrial status order that:
- (i) releases the individual on the individual's own recognizance during the time the individual awaits trial or other resolution of criminal charges;
  - (ii) designates a condition, or a combination of conditions, to be imposed upon the individual's release during the time the individual awaits trial or other resolution of criminal charges; or
  - (iii) orders the individual be detained during the time the individual awaits trial or other resolution of criminal charges, subject to the requirements of Subsection

- 507 (1)(c).
- 508 (b) At the time that a magistrate issues a summons, the magistrate may issue a temporary  
509 pretrial status order that:
- 510 (i) releases the individual on the individual's own recognizance during the time the  
511 individual awaits trial or other resolution of criminal charges; or
- 512 (ii) designates a condition, or a combination of conditions, to be imposed upon the  
513 individual's release during the time the individual awaits trial or other resolution  
514 of criminal charges, subject to the requirements of Subsection (1)(c).
- 515 (c)(i) Notwithstanding Subsection (1)(a) or (b), a magistrate shall issue a temporary  
516 pretrial status order of detention under Subsection (1)(a)(iii) if the individual is  
517 arrested for a felony offense and the magistrate finds:
- 518 (A) there is substantial evidence to support the individual's arrest for the felony  
519 offense;
- 520 (B) the individual committed the felony offense while:
- 521 (I) the individual was on parole or probation for a conviction of a felony  
522 offense; or
- 523 (II) the individual was released and awaiting trial on a previous charge for a  
524 felony offense; and
- 525 (C) based on information reasonably available to the magistrate, the individual:
- 526 (I) is a habitual offender as defined in Section 77-18-102; or
- 527 (II) will be a habitual offender as defined in Section 77-18-102 if the individual  
528 is convicted of the felony offense.
- 529 (ii) This Subsection (1)(c) does not limit or prohibit a magistrate's authority to detain  
530 an individual who does not meet the requirements described in this Subsection  
531 (1)(c).
- 532 (2)(a) Except as provided in Subsection (2)(b), the magistrate or judge shall issue a  
533 pretrial status order at an individual's first appearance before the court.
- 534 (b) The magistrate or judge may delay the issuance of a pretrial status order at an  
535 individual's first appearance before the court:
- 536 (i) until a pretrial detention hearing is held if a prosecuting attorney makes a motion  
537 for pretrial detention as described in Section 77-20-206;
- 538 (ii) if a party requests a delay; or
- 539 (iii) if there is good cause to delay the issuance.
- 540 (c) If a magistrate or judge delays the issuance of a pretrial status order under Subsection



(2)(b), the magistrate or judge shall extend the temporary pretrial status order until the issuance of a pretrial status order.

(d) A request for a pretrial release that has not been fully presented to and ruled upon by the magistrate or judge at an initial appearance does not constitute a pretrial detention hearing under Section 77-20-206.

(3)(a) When a magistrate or judge issues a pretrial status order, the pretrial status order shall:

(i) release the individual on the individual's own recognizance during the time the individual awaits trial or other resolution of criminal charges;

(ii) designate a condition, or a combination of conditions, to be imposed upon the individual's release during the time the individual awaits trial or other resolution of criminal charges; or

(iii) subject to the requirements of Subsection (10), order the individual to be detained during the time that individual awaits trial or other resolution of criminal charges.

(b) In making a determination about pretrial release in a pretrial status order, the magistrate or judge may not give any deference to a magistrate's decision in a temporary pretrial status order.

(4) In making a determination about pretrial release, a magistrate or judge shall impose:

(a) only conditions of release that are reasonably available; and

(b) conditions of release that reasonably ensure:

(i) the individual's appearance in court when required;

(ii) the safety of any witnesses or victims of the offense allegedly committed by the individual;

(iii) the safety and welfare of the public; and

(iv) that the individual will not obstruct, or attempt to obstruct, the criminal justice process.

(5) Except as provided in Subsection (1)(c) or (6), a magistrate or judge may impose a condition, or combination of conditions, for pretrial release that requires an individual to:

(a) not commit a federal, state, or local offense during the period of pretrial release;

(b) avoid contact with a victim of the alleged offense;

(c) avoid contact with a witness who:

(i) may testify concerning the alleged offense; and

(ii) is named in the pretrial status order;

- (d) not consume alcohol or any narcotic drug or other controlled substance unless prescribed by a licensed medical practitioner;
- (e) submit to drug or alcohol testing;
- (f) complete a substance abuse evaluation and comply with any recommended treatment or release program;
- (g) submit to electronic monitoring or location device tracking;
- (h) participate in inpatient or outpatient medical, behavioral, psychological, or psychiatric treatment;
- (i) maintain employment or actively seek employment if unemployed;
- (j) maintain or commence an education program;
- (k) comply with limitations on where the individual is allowed to be located or the times that the individual shall be, or may not be, at a specified location;
- (l) comply with an off-limits order entered under Section 78B-7-1302;
- ~~[(t)]~~ (m) comply with specified restrictions on personal associations, place of residence, or travel;
- ~~[(m)]~~ (n) report to a law enforcement agency, pretrial services program, or other designated agency at a specified frequency or on specified dates;
- ~~[(n)]~~ (o) comply with a specified curfew;
- ~~[(o)]~~ (p) forfeit or refrain from possession of a firearm or other dangerous weapon;
- ~~[(p)]~~ (q) if the individual is charged with an offense against a child, limit or prohibit access to any location or occupation where children are located, including any residence where children are on the premises, activities where children are involved, locations where children congregate, or where a reasonable person would know that children congregate;
- ~~[(q)]~~ (r) comply with requirements for house arrest;
- ~~[(r)]~~ (s) return to custody for a specified period of time following release for employment, schooling, or other limited purposes;
- ~~[(s)]~~ (t) remain in custody of one or more designated individuals who agree to:
- (i) supervise and report on the behavior and activities of the individual; and
- (ii) encourage compliance with all court orders and attendance at all required court proceedings;
- ~~[(t)]~~ (u) comply with a financial condition; or
- ~~[(u)]~~ (v) comply with any other condition that is reasonably available and necessary to ensure compliance with Subsection (4).

- 609 (6)(a) If a county or municipality has established a pretrial services program, the  
610 magistrate or judge shall consider the services that the county or municipality has  
611 identified as available in determining what conditions of release to impose.
- 612 (b) The magistrate or judge may not order conditions of release that would require the  
613 county or municipality to provide services that are not currently available from the  
614 county or municipality.
- 615 (c) Notwithstanding Subsection (6)(a), the magistrate or judge may impose conditions of  
616 release not identified by the county or municipality so long as the condition does not  
617 require assistance or resources from the county or municipality.
- 618 (7)(a) If the magistrate or judge determines that a financial condition, other than an  
619 unsecured bond, is necessary to impose as a condition of release, the magistrate or  
620 judge shall, when determining the amount of the financial condition, refer to the  
621 financial condition schedule in Section 77-20-205.5 and consider the individual's risk  
622 of failing to appear and ability to pay.
- 623 (b) If the magistrate or judge determines that a financial condition is necessary to impose  
624 as a condition of release, and a county jail official fixed a financial condition for the  
625 individual under Section 77-20-204, the magistrate or judge may not give any  
626 deference to:
- 627 (i) the county jail official's action to fix a financial condition; or  
628 (ii) the amount of the financial condition that the individual was required to pay for  
629 pretrial release.
- 630 (c) If a magistrate or judge orders a financial condition as a condition of release, the  
631 judge or magistrate shall set the financial condition at a single amount per case.
- 632 (8) In making a determination about pretrial release, the magistrate or judge may:
- 633 (a) rely upon information contained in:
- 634 (i) the indictment or information;  
635 (ii) any sworn or probable cause statement or other information provided by law  
636 enforcement;  
637 (iii) a pretrial risk assessment;  
638 (iv) an affidavit of indigency described in Section 78B-22-201.5;  
639 (v) witness statements or testimony;  
640 (vi) the results of a lethality assessment completed in accordance with Section  
641 77-36-2.1; or  
642 (vii) any other reliable record or source, including proffered evidence; and

(b) consider:

(i) the nature and circumstances of the offense, or offenses, that the individual was arrested for, or charged with, including:

(A) whether the offense is a violent offense; and

(B) the vulnerability of a witness or alleged victim;

(ii) the nature and circumstances of the individual, including the individual's:

(A) character;

(B) physical and mental health;

(C) family and community ties;

(D) employment status or history;

(E) financial resources;

(F) past criminal conduct;

(G) history of drug or alcohol abuse; and

(H) history of timely appearances at required court proceedings;

(iii) the potential danger to another individual, or individuals, posed by the release of the individual;

(iv) whether the individual was on probation, parole, or release pending an upcoming court proceeding at the time the individual allegedly committed the offense or offenses;

(v) the availability of:

(A) other individuals who agree to assist the individual in attending court when required; or

(B) supervision of the individual in the individual's community;

(vi) the eligibility and willingness of the individual to participate in various treatment programs, including drug treatment; or

(vii) other evidence relevant to the individual's likelihood of fleeing or violating the law if released.

(9) The magistrate or judge may not base a determination about pretrial release solely:

(a) on the seriousness or type of offense that the individual is arrested for or charged with, unless the individual is arrested for or charged with a capital felony; or

(b) on an algorithm or a risk assessment tool score.

(10) If the magistrate or judge issues an order ~~[pursuant to]~~ in accordance with Subsection [ ~~77-20-205(3)(a)(iii)~~ ] (3)(a)(iii), the magistrate or judge shall make sufficiently detailed findings of fact on the risk of substantial danger or flight from the court's jurisdiction to

enable a reviewing court to ensure that the magistrate's or judge's determination reasonably considered all of the evidence presented to the court.

(11) An individual arrested for violation of a jail release agreement, or a jail release court order, issued in accordance with Section 78B-7-802:

(a) may not be released before the individual's first appearance before a magistrate or judge; and

(b) may be denied pretrial release by the magistrate or judge.

Section 13. Section **78A-7-102** is amended to read:

**78A-7-102 . Establishment of justice courts.**

(1)(a) As used in this section, to "create a justice court" means to:

(i) establish a justice court; or

(ii) establish a justice court under Title 11, Chapter 13, Interlocal Cooperation Act.

(b) For the purposes of this section, if more than one municipality or county is collectively proposing to create a justice court, the class of the justice court shall be determined by the total citations or cases filed within the territorial jurisdiction of the proposed justice court.

(2) A municipality or county of the first or second class may create a justice court by filing a written declaration with the Judicial Council on or before July 1 at least two years before the effective date of the election. Upon demonstration of compliance with operating standards as established by statute and the Judicial Council, the Judicial Council shall certify the creation of the justice court under Section 78A-7-103.

(3)(a) A municipality or county of the third, fourth, or fifth class may create a justice court by demonstrating the need for the justice court and filing a written declaration with the Judicial Council on or before July 1 at least one year before the effective date of the election.

(b) A municipality or county creating a justice court shall demonstrate to the Judicial Council that a justice court is needed. In evaluating the need for a justice court, the Judicial Council shall consider factors of population, case filings, public convenience, availability of law enforcement agencies and court support services, proximity to other courts, and any special circumstances.

(c) The Judicial Council shall certify the creation of the justice court under Section 78A-7-103, if the Judicial Council determines:

(i) a need exists;

(ii) the municipality or county has filed a timely application; and

(iii) the proposed justice court will be in compliance with all of the operating standards established by statute and the Judicial Council.

(4)(a) A municipality that has a justice court may expand the territorial jurisdiction of the justice court by entering into an agreement under Title 11, Chapter 13, Interlocal Cooperation Act, with one or more other municipalities, or the county in which the municipality exists.

(b) A justice court enlarged under this Subsection (4) may not be considered as creating a new justice court. An expanded justice court shall demonstrate that it will be in compliance with all of the requirements of the operating standards as established by statute and the Judicial Council before the justice court expands.

(c) A municipality or county seeking to expand the territorial jurisdiction of a justice court shall notify the Judicial Council:

(i) no later than the notice period required in Section 78A-7-123, when the expanded justice court is a result of the dissolution of one or more justice courts; or

(ii) no later than 180 days before the expanded court seeks to begin operation when the expanded justice court is a result of other circumstances.

(d) The Judicial Council shall certify the expansion of a justice court if it determines that the expanded justice court is in compliance with the operating standards established by statute and the Judicial Council.

(e)(i) A municipality or county that has a justice court at the time of executing an interlocal agreement, under Title 11, Chapter 13, Interlocal Cooperation Act, to become part of an expanded court shall resume operation of the justice court upon termination of the interlocal agreement in accordance with this Subsection (4)(e) or dissolve its justice courts in accordance with Subsection (4)(e)(iii).

(ii) The municipality or county shall notify the Judicial Council at least 90 days before resuming operations. The municipality or county shall demonstrate that the municipality's or county's justice court will be in compliance with the operating standards.

(iii) If the Judicial Council determines that a justice court will not be in compliance with the operating standards, the Judicial Council shall direct the expanded justice court to continue operation until the Judicial Council is satisfied the municipality's or county's justice court will meet the operating standards or until the municipality or county dissolves the municipality's or county's justice court in accordance with Section 78A-7-123.

- (iv) If the interlocal agreement includes a municipality or county that did not have a justice court at the time the interlocal agreement was executed, the municipality or county shall notify the Judicial Council at least 180 days before termination of the interlocal agreement. In the notification, the municipality or county shall set forth its intentions in regard to adjudicating offenses committed within the municipality's or county's territorial boundaries. The Judicial Council may require the expanded justice court to continue operation until the Judicial Council is satisfied that the municipality's or county's caseload will be adequately subsumed by another justice court.
- (5) Upon request from a municipality or county seeking to create a justice court, the Judicial Council may shorten the time required between the municipality's or county's written declaration or election to create a justice court and the effective date of the election.
- (6)(a) The Judicial Council may by rule provide resources and procedures adequate for the timely disposition of all matters brought before the courts.
- (b) The Administrative Office of the Courts and local governments shall cooperate in allocating resources to operate the courts in the most efficient and effective manner based on the allocation of responsibility between courts of record and not of record.
- (7) A justice court may operate a problem solving court if the justice court meets the requirements the Judicial Council establishes in rule, and is approved by the Judicial Council.

Section 14. Section **78A-7-124** is enacted to read:

**78A-7-124 . STEP Supervision Program -- Criteria for participation.**

- (1) As used in this section:
- (a) "Eligible offense" means a probation-eligible offense for which the court determines substance use is a contributing factor.
- (b) "Graduated sanction" means accountability measures and programs including:
- (i) electronic supervision;
  - (ii) drug and alcohol testing;
  - (iii) day or evening reporting centers;
  - (iv) restitution centers;
  - (v) forfeiture of earned compliance credits;
  - (vi) rehabilitative interventions, including substance use treatment or mental health treatment;

- (vii) requirements to report to a supervision officer;
- (viii) community service;
- (ix) compulsory participation in a residential treatment facility; and
- (x) short-term or intermittent incarceration.
- (c) "Positive reinforcement" means incentives including:
- (i) awarding of a certificate of achievement;
- (ii) reducing reporting requirements;
- (iii) deferring fees;
- (iv) awarding earned compliance credits;
- (v) removing supervision conditions, including home detention or curfew; and
- (vi) opportunity to participate in mentorship programming.
- (d) "Sexual offense" means:
- (i) a sexual offense under Title 76, Chapter 5, Part 4, Sexual Offenses; or
- (ii) a sexual exploitation offense under Title 76, Chapter 5b, Part 2, Sexual Exploitation.
- (e) "STEP Supervision Program" means the Structured Treatment and Enforcement Pathway Supervision Program that may be established under Subsection (2).
- (f)(i) "Violent criminal offense" means any criminal offense involving violence or physical harm or threat of violence or physical harm.
- (ii) "Violent criminal offense" includes a domestic violence offense as that term is defined in Section 77-36-1.
- (2) A justice court may establish:
- (a) a Structured Treatment and Enforcement Supervision Program in any justice court;
- and
- (b) eligibility requirements for participation in the STEP Supervision Program that are not inconsistent with this section.
- (3) A STEP Supervision Program shall include:
- (a) graduated sanctions and positive reinforcement;
- (b) requirements that an individual ordered to the STEP Supervision Program:
- (i) maintain employment, maintain enrollment in educational programming, or actively seek employment during the individual's participation in the STEP Supervision Program, unless otherwise ordered by the justice court judge;
- (ii) submit to regular and randomized drug and alcohol testing;
- (iii) regularly report to a probation officer or other supervision officer as ordered by



- 813 the justice court judge; and
- 814 (iv) participate in a court-approved substance abuse treatment plan, which may
- 815 include medication assisted treatment; and
- 816 (c) continuous judicial supervision using a cooperative approach with prosecuting
- 817 attorneys, defense counsel, corrections, substance abuse treatment services, juvenile
- 818 court probation, and the Division of Child and Family Services, as appropriate, to
- 819 promote public safety, protect participants' due process rights, and integrate
- 820 substance abuse treatment with justice system case processing.
- 821 (4)(a) Subject to Subsection (4)(b), a justice court may order an individual to the STEP
- 822 Supervision Program if:
- 823 (i) the individual has plead to, or been convicted of, an eligible offense;
- 824 (ii) the individual meets other eligibility requirements the court establishes under a
- 825 STEP Supervision Program; and
- 826 (iii) the individual:
- 827 (A) consents to participation in the STEP Supervision Program; and
- 828 (B) agrees to submit to graduated sanctions and positive reinforcement.
- 829 (b) An individual is ineligible for the STEP Supervision Program if the individual has
- 830 pending charges, in a case in any court, of:
- 831 (i) a violent criminal offense; or
- 832 (ii) a sexual offense.

833 Section 15. Section **78B-7-1301** is enacted to read:

834 **Part 13. Off-limits Order**

835 **78B-7-1301 . Definitions.**

836 As used in this part:

- 837 (1) "Covered individual" means a drug offender or an individual who has been charged with
- 838 a drug offense.
- 839 (2) "Drug" means a controlled substance as that term is defined in Section 58-37-2.
- 840 (3) "Drug offender" means an individual convicted of a drug offense.
- 841 (4) "Drug offense" means an act prohibited by the criminal provisions under Title 58,
- 842 Chapter 37, Utah Controlled Substances Act, Title 58, Chapter 37b, Imitation Controlled
- 843 Substances Act, Title 58, Chapter 37c, Utah Controlled Substance Precursor Act, or
- 844 Title 58, Chapter 37d, Clandestine Drug Lab Act.
- 845 (5) "Off-limits order" means an order issued by a district court that enjoins a covered
- 846 individual from entering or remaining in a public place.

(6) "Public place" means the same as that term is defined in Section 76-9-802.

Section 16. Section **78B-7-1302** is enacted to read:

**78B-7-1302 . Off-limits order -- Notice -- Penalties.**

(1)(a) A court with jurisdiction over a covered individual's drug offense may enter an off-limits order enjoining a covered individual who is charged with or convicted of committing a drug offense in a public place from entering or remaining in that public place for up to one year.

(b) An off-limits order may allow a covered individual to enter the public place for health or employment reasons, subject to conditions the court sets.

(c) A court may enter an off-limits order:

(i) in a nuisance action under Section 78B-7-1107;

(ii) as a condition of pretrial release of an individual awaiting trial for a drug offense;

or

(iii) as a condition of sentencing of a drug offender.

(2)(a) An off-limits order shall specifically describe the public place in the off-limits order.

(b) The description of the public place shall define the perimeter of the geographic area using street names and numbers.

(3) The court shall transmit a copy of an off-limits order entered under this section to the Utah Criminal Justice Information System.

(4)(a) A covered individual who disobeys an off-limits order entered under this section is guilty of a class A misdemeanor.

(b) A covered individual who willfully disobeys an off-limits order entered under this section may also be found in contempt of court and subject to penalties under Title 78B, Chapter 6, Part 3, Contempt.

Section 17. **Effective Date.**

This bill takes effect on May 6, 2026.