

Sentencing Commission Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Schultz

Senate Sponsor:

LONG TITLE**General Description:**

This bill modifies the Sentencing Commission.

Highlighted Provisions:

This bill:

- modifies the membership of the Sentencing Commission; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-401.2, as last amended by Laws of Utah 2021, Chapter 173

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

Section 1. Section **63M-7-401.2** is amended to read:

63M-7-401.2 . Creation -- Members -- Appointment -- Qualifications.

- (1) There is created the sentencing commission, within the commission, that is composed of 15 voting members.
- (2) The sentencing commission shall:
 - (a) develop by-laws and rules in compliance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (b) elect the sentencing commission's officers.
- (3) The sentencing commission's members [~~shall be~~] are:
 - (a) the executive director of the Department of Corrections or the executive director's designee;
 - (b) the director of the [-]Division of Juvenile Justice and Youth Services or the director's

- 31 designee;
- 32 (c) the executive director of the commission or the executive director's designee;
- 33 (d) the chair of the Board of Pardons and Parole or the chair's designee;
- 34 (e) the state court administrator or the state court administrator's designee;
- 35 ~~[(f) a criminal defense attorney, appointed by the Utah Association of Criminal Defense~~
- 36 ~~Lawyers;]~~
- 37 ~~[(g) an indigent defense attorney, appointed by the Indigent Defense Commission;]~~
- 38 ~~[(h)] (f) the attorney general or the attorney general's designee;~~
- 39 ~~[(i)] (g) [a criminal prosecutor] three criminal prosecutors, appointed by the Statewide~~
- 40 ~~Association of Public Attorneys and Prosecutors;~~
- 41 ~~[(j)] (h) [a representative] three representatives of the Utah Sheriff's Association~~
- 42 ~~appointed by the governor;~~
- 43 ~~[(k)] (i) a licensed professional, appointed by the governor, who assists in the~~
- 44 ~~rehabilitation of individuals convicted of an offense;~~
- 45 ~~[(l)] (j) the chair of the Utah Victim Services Commission or a member of the Utah~~
- 46 ~~Victim Services Commission designated by the chair;~~
- 47 ~~[(m)] (k) the chair of the Juvenile Justice Oversight Committee or a member of the~~
- 48 ~~Juvenile Justice Oversight Committee designated by the chair; and~~
- 49 ~~[(n)] (l) [a juvenile prosecuting attorney] three juvenile prosecutors, appointed by the~~
- 50 ~~Statewide Association of Public Attorneys and Prosecutors~~[-and]~~ .~~
- 51 ~~[(o) a juvenile defense attorney, appointed by the Utah Association of Criminal Defense~~
- 52 ~~Lawyers.]~~
- 53 (4) In addition to the members described in Subsection (3), the following may serve as
- 54 non-voting members:
- 55 (a) a district court judge appointed by the Judicial Council; and
- 56 (b) a juvenile court judge appointed by the Judicial Council.
- 57 (5) The executive director of the commission shall hire a director of the sentencing
- 58 commission to administer and manage the sentencing commission.

59 **Section 2. Effective Date.**

60 This bill takes effect on May 6, 2026.