

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

designee;

- (c) the executive director of the commission or the executive director's designee;
- (d) the chair of the Board of Pardons and Parole or the chair's designee;
- (e) the state court administrator or the state court administrator's designee;
- [~~(f) a criminal defense attorney, appointed by the Utah Association of Criminal Defense Lawyers;~~]
- [~~(g) an indigent defense attorney, appointed by the Indigent Defense Commission;~~]
- [~~(h)~~] ~~(f)~~ the attorney general or the attorney general's designee;
- [~~(i)~~] ~~(g)~~ ~~[a criminal prosecutor]~~ ~~three criminal prosecutors~~, appointed by the Statewide Association of Public Attorneys and Prosecutors;
- [~~(j)~~] ~~(h)~~ ~~[a representative]~~ ~~three representatives~~ of the Utah Sheriff's Association appointed by the governor;
- [~~(k)~~] ~~(i)~~ a licensed professional, appointed by the governor, who assists in the rehabilitation of individuals convicted of an offense;
- [~~(l)~~] ~~(j)~~ the chair of the Utah Victim Services Commission or a member of the Utah Victim Services Commission designated by the chair;
- [~~(m)~~] ~~(k)~~ the chair of the Juvenile Justice Oversight Committee or a member of the Juvenile Justice Oversight Committee designated by the chair; and
- [~~(n)~~] ~~(l)~~ ~~[a juvenile prosecuting attorney]~~ ~~three juvenile prosecutors~~, appointed by the Statewide Association of Public Attorneys and Prosecutors~~[; and]~~ .
- [~~(o)~~ ~~a juvenile defense attorney, appointed by the Utah Association of Criminal Defense Lawyers;~~]

(4) In addition to the members described in Subsection (3), the following may serve as non-voting members:

- (a) a district court judge appointed by the Judicial Council; and
- (b) a juvenile court judge appointed by the Judicial Council.

(5) The executive director of the commission shall hire a director of the sentencing commission to administer and manage the sentencing commission.

Section 2. Effective Date.

This bill takes effect on May 6, 2026.