

Sex Offender Oversight Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor:

LONG TITLE**General Description:**

This bill addresses oversight of sex offenders on the Sex, Kidnap, and Child Abuse Offender Registry.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Department of Public Safety (department) to:
 - create a monitoring program for sex offenders who are unable to provide a required residential address to the Sex, Kidnap, and Child Abuse Offender Registry (registry);
 - establish an automated system for requesting an arrest warrant from a court for a sex offender if the sex offender violates certain registry registration requirements;
 - verify the residential address provided to the registry by a sex offender within a specific time period and, if the department determines that the sex offender does not reside at the provided address, request an arrest warrant from a court; and
 - develop and provide an online training program for certain individuals who work with sex offenders;
- requires certain entities to coordinate with the department to begin monitoring a sex offender under the monitoring program;
- requires a sex offender to comply with the monitoring program;
- creates criminal penalties for a sex offender's failure to comply with the monitoring program;
- requires a court to consider and, if the court finds probable cause, issue an arrest warrant for a sex offender if the sex offender violates certain registry registration requirements; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

53-10-403 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 173, 208 and 291

53-29-302 (Effective 05/06/26) (Partially Repealed 01/01/30), as enacted by Laws of Utah 2025, Chapter 291

53-29-303 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 291

53-29-304 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 291

53-29-305 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 291

53-29-402 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 291

ENACTS:

53-29-406 (Effective 05/06/26), Utah Code Annotated 1953

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

Section 1. Section **53-10-403** is amended to read:

53-10-403 (Effective 05/06/26). DNA specimen analysis -- Application to offenders, including minors.

(1) Sections 53-10-403.6, 53-10-404, 53-10-404.5, 53-10-405, and 53-10-406 apply to:

- (a) a person who has pled guilty to or has been convicted of any of the offenses under Subsection (2)(a) or (b) on or after July 1, 2002;
- (b) a person who has pled guilty to or has been convicted by any other state or by the United States government of an offense which if committed in this state would be punishable as one or more of the offenses listed in Subsection (2)(a) or (b) on or after July 1, 2003;
- (c) a person who has been booked on or after January 1, 2011, through December 31, 2014, for any offense under Subsection (2)(c);
- (d) a person who has been booked:
 - (i) by a law enforcement agency that is obtaining a DNA specimen on or after May 13, 2014, through December 31, 2014, under Subsection 53-10-404(4)(b) for any felony offense; or
 - (ii) on or after January 1, 2015, for any felony offense; or
- (e) a minor:

- 65 (i)(A) who is adjudicated by the juvenile court for an offense described in
66 Subsection (2) that is within the jurisdiction of the juvenile court on or after
67 July 1, 2002; or
68 (B) who is adjudicated by the juvenile court for an offense described in
69 Subsection (2) and is in the legal custody of the Division of Juvenile Justice
70 and Youth Services for the offense on or after July 1, 2002; and
71 (ii) who is 14 years old or older at the time of the commission of the offense
72 described in Subsection (2).

73 (2) Offenses referred to in Subsection (1) are:

- 74 (a) any felony or class A misdemeanor under the Utah Code;
75 (b) any offense under Subsection (2)(a):
76 (i) for which the court enters a judgment for conviction to a lower degree of offense
77 under Section 76-3-402; or
78 (ii) regarding which the court allows the defendant to enter a plea in abeyance as
79 defined in Section 77-2a-1; or
80 (c)(i) any violent felony as defined in Section 53-10-403.5;
81 (ii) sale or use of body parts, Section 26B-8-315;
82 (iii) failure to stop at an accident that resulted in death, Section 41-6a-401.5;
83 (iv) operating a motor vehicle with any amount of a controlled substance in an
84 individual's body and causing serious bodily injury or death, as codified before
85 May 4, 2022, Laws of Utah 2021, Chapter 236, Section 1, Subsection
86 58-37-8(2)(g);
87 (v) a felony violation of enticing a minor, Section 76-5-417;
88 (vi) negligently operating a vehicle resulting in injury, Subsection 76-5-102.1(2)(b);
89 (vii) a felony violation of propelling a substance or object at a correctional officer, a
90 peace officer, or an employee or a volunteer, including health care providers,
91 Section 76-5-102.6;
92 (viii) automobile homicide, Subsection 76-5-207(2)(b);
93 (ix) aggravated human trafficking, Section 76-5-310, and aggravated human
94 smuggling, Section 76-5-310.1;
95 (x) a felony violation of unlawful sexual activity with a minor, Section 76-5-401;
96 (xi) a felony violation of sexual abuse of a minor, Section 76-5-401.1;
97 (xii) unlawful sexual contact with a 16 or 17-year old, Section 76-5-401.2;
98 (xiii) sale of a child, Section 76-7-203;

- (xiv) aggravated escape, Section 76-8-309.3;
- (xv) a felony violation of threatened or attempted assault on an elected official, Section 76-8-313;
- (xvi) threat with intent to impede, intimidate, interfere, or retaliate against a judge or a member of the Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole, Section 76-8-316;
- (xvii) assault with intent to impede, intimidate, interfere, or retaliate against a judge or a member of the Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole, Section 76-8-316.2;
- (xviii) aggravated assault with intent to impede, intimidate, interfere, or retaliate against a judge or a member of the Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole, Section 76-8-316.4;
- (xix) attempted murder with intent to impede, intimidate, interfere, or retaliate against a judge or a member of the Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole, Section 76-8-316.6;
- (xx) advocating criminal syndicalism or sabotage, Section 76-8-902;
- (xxi) assembling for advocating criminal syndicalism or sabotage, Section 76-8-903;
- (xxii) a felony violation of sexual battery, Section 76-5-418;
- (xxiii) a felony violation of lewdness involving a child, Section 76-5-420;
- (xxiv) a felony violation of abuse or desecration of a dead human body, Section 76-5-802;
- (xxv) manufacture, possession, sale, or use of a weapon of mass destruction, Section 76-15-302;
- (xxvi) manufacture, possession, sale, or use of a hoax weapon of mass destruction, Section 76-15-303;
- (xxvii) possession of a concealed firearm in the commission of a violent felony, Subsection 76-11-202(3)(c);
- (xxviii) assault with the intent to commit bus hijacking with a dangerous weapon as described in Subsection 76-9-1503(3)(b);
- (xxix) aggravated commercial obstruction, Section 76-9-114;
- (xxx) a felony violation of failure to register as a sex or kidnap offender or comply

- 133 with the sex offender monitoring program, Section 53-29-305;
134 (xxxi) repeat violation of a protective order, Subsection 77-36-1.1(4); or
135 (xxxii) violation of condition for release after arrest under Section 78B-7-802.
- 136 Section 2. Section **53-29-302** is amended to read:
- 137 **53-29-302 (Effective 05/06/26) (Partially Repealed 01/01/30). Law enforcement**
138 **and agency responsibilities related to the registry.**
- 139 (1) As used in this section:
- 140 (a) "Dynamic factors" means an individual's individual characteristics, issues, resources,
141 or circumstances that:
- 142 (i) can change or be influenced; and
143 (ii) affect the risk of:
- 144 (A) recidivism; or
145 (B) violating conditions of probation or parole.
- 146 (b) "Multi-domain assessment" means an evaluation process or tool that reports in
147 quantitative and qualitative terms an offender's condition, stability, needs, resources,
148 dynamic factors, and static factors that affect the offender's transition into the
149 community and compliance with conditions of probation or parole.
- 150 (c) "Static factors" means an individual's individual characteristics, issues, resources, or
151 circumstances that:
- 152 (i) are unlikely to be changeable or influenced; and
153 (ii) affect the risk of:
- 154 (A) recidivism; or
155 (B) violating conditions of probation or parole.
- 156 (2) A law enforcement agency shall[-] :
- 157 (a) in the manner prescribed by the department, inform the department of:
- 158 [~~(a)~~] (i) the receipt of a report or complaint of a registrable offense, within three
159 business days after the day on which the law enforcement agency received the
160 report or complaint; and
- 161 [~~(b)~~] (ii) the arrest of an individual suspected of a registrable offense, within five
162 business days after the day on which the law enforcement agency arrested the
163 individual[-] ; and
- 164 (b) comply with Subsection (10).
- 165 (3) The Department of Corrections shall:
- 166 (a) register an offender in the custody of the Department of Corrections with the

department upon:

(i) placement on probation;

(ii) commitment to a secure correctional facility operated by or under contract with the Department of Corrections;

(iii) release from confinement to parole status, termination or expiration of sentence, or escape;

(iv) entrance to and release from any community-based residential program operated by or under contract with the Department of Corrections; or

(v) termination of probation or parole; ~~[and]~~

(b)(i) for an offender convicted after May 7, 2025, of an offense committed in this state that requires the individual to register as a sex offender, conduct, if available, multi-domain assessments that are validated for the population and offense type of the offender to inform the treatment and supervision needs of the offender; and
(ii) 30 days after the day on which a calendar quarterly period ends, submit the results of any risk assessments completed under Subsection (3)(b)(i) during the preceding quarter to the State Commission on Criminal and Juvenile Justice~~[-]~~ ; and

(c) comply with Subsection (10).

(4) The sheriff of the county in which an offender is confined shall:

(a) register an offender with the department, as required under this chapter, if the offender is not in the custody of the Department of Corrections and is confined in a correctional facility not operated by or under contract with the Department of Corrections upon:

~~[(a)]~~ (i) commitment to the correctional facility; and

~~[(b)]~~ (ii) release from confinement~~[-]~~ ; and

(b) comply with Subsection (10).

(5)(a) Except as provided in Subsection ~~[(4)(b)]~~ (4)(a)(ii), if an offender is sent on an assignment outside a secure facility, including being assigned for firefighting or disaster control, the official who has physical custody of the offender shall, within a reasonable time after the day of the offender's removal from the secure facility, notify the local law enforcement agencies where the offender is assigned.

(b) Subsection ~~[(4)(a)]~~ (4)(a)(i) does not apply to an offender temporarily released from a secure facility setting who is under the supervision of a correctional facility official.

(6) The division shall~~[-]~~ :

(a) register an offender in the custody of the division with the department, as required

under this chapter, before the offender's release from custody of the division; and
(b) comply with Subsection (10).

(7) A state mental hospital shall[-] :

(a) register an offender committed to the state mental hospital with the department, as required under this chapter, upon the offender's admission and upon the offender's discharge; and

(b) comply with Subsection (10).

(8)(a) A municipal or county law enforcement agency shall[-] :

(i) register an offender who resides within the agency's jurisdiction and is not under the supervision of the Division of Adult Probation and Parole within the Department of Corrections; and

(ii) comply with Subsection (10).

(b) A municipal or county law enforcement agency may conduct offender registration under this chapter, if the agency ensures that the agency's staff responsible for registration:

(i) have received initial training by the department and have been certified by the department as qualified and authorized to conduct registrations and enter offender registration information into the registry database; and

(ii) annually certifies with the department.

(9) An agency in the state that registers with the department an offender on probation, an offender who has been released from confinement to parole status or termination, or an offender whose sentence has expired, shall inform the offender of the duty to comply with the continuing registration requirements of this chapter during the period of registration required in Section 53-29-203, including:

(a) notification to the state agencies in the states where the registrant presently resides and plans to reside when moving across state lines;

(b) verification of address at least every 60 days pursuant to a parole agreement for lifetime parolees; and

(c) notification to the out-of-state agency where the offender is living, regardless of whether the offender is a resident of that state.

(10) If an entity that is required to register an offender under this section discovers that a sex offender does not have a residential address to provide under Subsection 53-29-304(4)(a)(ii), the entity shall, within one business day after the day on which the entity discovers the information, coordinate with the department to begin monitoring the

sex offender under the monitoring program described in Section 53-29-406.

Section 3. Section **53-29-303** is amended to read:

53-29-303 (Effective 05/06/26). Court responsibilities related to the registry.

- (1) The court shall, after an offender is convicted of a registrable offense, within three business days after the day on which the conviction is entered, forward a signed copy of the judgment and sentence to the registry office.
- (2) Upon modifying, withdrawing, setting aside, vacating, or otherwise altering a conviction for a registrable offense, the court shall, within three business days, forward a signed copy of the order to the registry office.
- (3)(a) An offender may change the offender's name in accordance with Title 42, Chapter 1, Change of Name, if the name change is not contrary to the interests of the public.
- (b) Notwithstanding Section 42-1-2, an offender shall provide notice to the department at least 30 days before the day on which the hearing for the name change is held.
- (c) The court shall provide a copy of the order granting the offender's name change to the department within 10 days after the day on which the court issues the order.
- (d) If the court orders an offender's name to be changed, the department shall publish on the registration website the offender's former name and the offender's changed name as an alias.
- (4) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, information under Subsection (2) that is collected and released under Subsection 53-29-404(3)(a) is public information, unless otherwise restricted under this chapter.
- (5) The department shall redact information regarding the identity or location of a victim from information provided under Subsection (2).
- (6) Upon receipt of a request for an arrest warrant described in Subsection 53-29-402(1)(b) or (3)(c) for a sex offender, the court shall, within a reasonable time, consider and, if the court determines that there is probable cause that the sex offender has committed the violation described in the request for the arrest warrant, issue a warrant for the arrest of the sex offender.

Section 4. Section **53-29-304** is amended to read:

53-29-304 (Effective 05/06/26). Offender responsibilities related to the registry.

- (1) An offender shall:
 - (a) if the offender is on probation or parole under the supervision of the Department of Corrections, register in person with the Division of Adult Probation and Parole; or
 - (b) if the offender is not on probation or parole under the supervision of the Department

of Corrections, register in person with the police department or sheriff's office that has jurisdiction over the area where the offender resides.

- (2) An offender registering under Subsection (1) shall register for the duration of the offender's applicable registration period described in Section 53-29-203:
- (a) each year during the month of the offender's date of birth;
 - (b) during the month that is the sixth month after the offender's birth month; and
 - (c) within three business days after the day on which there is a change of the offender's primary residence, any secondary residences, place of employment, vehicle information, or educational information described in Subsection (4).

- (3) An offender who enters this state from another jurisdiction is required to register with the department within 10 days after the day on which the offender enters the state, regardless of the offender's length of stay.

- (4)(a) When registering under Subsection (1), an offender shall provide the following information:

- (i) all names and aliases by which the offender is or has been known;
- (ii) except as provided in Subsection (4)(c), the addresses of the offender's primary and secondary residences;
- (iii) a physical description, including the offender's date of birth, height, weight, eye color, and hair color;
- (iv) the make, model, color, year, plate number, and vehicle identification number of a vehicle or vehicles the offender owns or drives more than 12 times per year;
- (v) a current photograph of the offender;
- (vi) a set of fingerprints, if a set has not already been provided;
- (vii) a DNA specimen, taken in accordance with Section 53-10-404, if a set has not already been provided;
- (viii) telephone numbers and any other designations used by the offender for routing or self-identification in telephonic communications from fixed locations or cellular telephones;
- (ix) online identifiers and the addresses the offender uses for routing or self-identification in Internet communications or postings;
- (x) the name and Internet address of all websites on which the offender is registered using an online identifier, including all online identifiers used to access those websites;
- (xi) a copy of the offender's passport, if a passport has been issued to the offender;

- (xii) if the offender is an alien, all documents establishing the offender's immigration status;
- (xiii) all professional licenses that authorize the offender to engage in an occupation or carry out a trade or business, including any identifiers, such as numbers;
- (xiv) each educational institution in Utah at which the offender is employed or is a student, and a change of enrollment or employment status of the offender at an educational institution;
- (xv) the name, the telephone number, and the address of a place where the offender is employed or will be employed;
- (xvi) the name, the telephone number, and the address of a place where the offender works as a volunteer or will work as a volunteer; and
- (xvii) the offender's social security number.
- (b) The department shall redact information regarding the identity or location of a victim from information provided under Subsection (4)(a).
- (c) If an offender is a sex offender and does not have a residential address to provide under Subsection (4)(a)(ii), the sex offender shall comply with the monitoring program described in Section 53-29-406.
- (5) Notwithstanding Subsections (4)(a)(ix) and (x) and 53-29-404(7), an offender is not required to provide the department with:
- (a) the offender's online identifier and password used exclusively for the offender's employment on equipment provided by an employer and used to access the employer's private network; or
- (b) online identifiers for the offender's financial accounts, including a bank, retirement, or investment account.
- (6) Notwithstanding Title 77, Chapter 40a, Expungement of Criminal Records, an offender convicted of a registrable offense is required to register in accordance with this section unless the offender is removed from the registry under Section 53-29-207.
- (7) Except as provided in Subsection 53-29-404(7), in the case of an offender adjudicated in another jurisdiction as a juvenile and required to register under this chapter, the offender shall register in the time period and in the frequency consistent with the requirements of Subsection (3).
- (8)(a) An offender required to register on the registry shall, in the month of the offender's birth:
- (i) pay to the department each year the offender is subject to the registration

requirements of this chapter:

(A) before July 1, 2026, an annual fee of \$125; and

(B) on or after July 1, 2026, an annual fee determined by the department in accordance with the process in Section 63J-1-504; and

(ii) pay to the registering agency, if the registering agency is an agency other than the department, an annual fee of not more than \$25, which may be assessed by that agency for providing registration.

(b) Notwithstanding Subsection (8)(a), an offender who is confined in a secure facility or in a state mental hospital is not required to pay the annual fee.

(c) The department shall deposit fees collected in accordance with this chapter into the General Fund as a dedicated credit, to be used by the department for maintaining the offender registry under this chapter and monitoring offender registration compliance, including the costs of:

(i) data entry;

(ii) processing registration packets;

(iii) updating registry information; and

(iv) reporting an offender not in compliance with registration requirements to a law enforcement agency.

Section 5. Section **53-29-305** is amended to read:

53-29-305 (Effective 05/06/26). Failing to register or providing false or incomplete information -- Failing to comply with monitoring program -- Penalties.

(1) An offender who knowingly fails to register under this chapter~~[-or]~~, provides false or incomplete information, or fails to comply with the sex offender monitoring program described in Section 53-29-406, is guilty of:

(a) a third degree felony and shall be sentenced to serve a term of incarceration of not less than 30 days and also at least one year of probation if:

(i) the offender is required to register for a registrable offense that is a felony or adjudicated delinquent for a registrable offense committed before May 3, 2023, that would be a felony if the juvenile were an adult; or

(ii) the offender is required to register for the offender's lifetime as described in Subsection 53-29-203(1)(b); or

(b) a class A misdemeanor and shall be sentenced to serve a term of incarceration of not less than 30 days and also at least one year of probation if the offender is required to register for a misdemeanor conviction that is a registrable offense or is adjudicated

delinquent for a registrable offense committed before May 3, 2023, that would be a misdemeanor if the juvenile were an adult.

(2)(a) The court or Board of Pardons and Parole may not release an individual who violates this chapter from serving the term required under Subsection (1).

(b) This Subsection (2) supersedes any other provision of the law contrary to this chapter.

(3) The offender shall register for an additional year for every year in which the offender does not comply with the registration requirements of this chapter.

Section 6. Section **53-29-402** is amended to read:

53-29-402 (Effective 05/06/26). Department responsibilities related to the registry.

(1) The department shall:

(a) maintain the registration website;

(b) establish a system that will automatically request an arrest warrant from a court for a sex offender who has violated Section 53-29-305 if the sex offender's violation is for failing to comply with the registration requirement under Subsection 53-29-304(2)(a) or (b);

(c) develop and provide a four-hour online training program for an individual who, as part of the individual's regular job responsibilities:

(i) registers sex offenders;

(ii) provides probation or parole supervision of sex offenders; or

(iii) investigates sex offender compliance with existing laws and requirements;

~~[(b)]~~ (d) ensure that the registration information collected regarding an offender's enrollment or employment at an educational institution is:

(i)(A) promptly made available to any law enforcement agency that has jurisdiction where the institution is located if the educational institution is an institution of higher education; or

(B) promptly made available to the district superintendent of the school district where the offender is employed if the educational institution is an institution of primary education; and

(ii) entered into the appropriate state records or data system; and

~~[(e)]~~ (e) make available to an offender the name of the local law enforcement agency or state agency that the offender should contact to register, the location for registering, and the requirements of registration.

(2)(a) When the department receives offender registration information regarding a

change of an offender's primary residence, the department shall, within five days after the day on which the department receives the information, electronically notify the law enforcement agencies that have jurisdiction over the area where:

(i) the residence that the offender is leaving is located; and

(ii) the residence to which the offender is moving is located.

(b) The department shall provide notification under Subsection (2)(a) if the offender's change of address is:

(i) between law enforcement agency jurisdictions; or

(ii) within one law enforcement agency jurisdiction.

(3)(a) For a sex offender, the department shall verify whether the sex offender resides at the provided residential address under Subsection 53-29-304(4)(a)(ii) within three business days from the day on which the department receives the address.

(b) To conduct the verification described in Subsection (3)(a), the department may rely on personnel from:

(i) the department;

(ii) the Division of Adult Probation and Parole created in Section 64-14-202; or

(iii) a law enforcement agency.

(c) If the department determines under Subsection (3)(a) that the sex offender does not reside at the address described in Subsection (3)(a), the department shall request an arrest warrant from a court.

(4) The department may make administrative rules necessary to implement this chapter, including:

(a) the method for dissemination of the information; and

(b) instructions to the public regarding the use of the information.

Section 7. Section **53-29-406** is enacted to read:

53-29-406 (Effective 05/06/26). Monitoring program for sex offenders.

(1) As used in this section:

(a) "Monitoring" means time-correlated tracking of the geographic location of a monitored individual using GPS-based satellite or other location technology.

(b) "Program" means the monitoring program created under this section.

(2)(a) To deter recidivism and protect the community, the department shall establish a program for the monitoring of sex offenders who are unable to provide the required residence information under Subsection 53-29-304(4)(a)(ii).

(b) The program described in Subsection (2)(a) shall apply to a sex offender if the sex

offender's registrable offense is committed on or after July 1, 2026.

(3) The program shall include:

- (a) a requirement that the monitoring of a sex offender under the program begin within one business day after the day on which a law enforcement officer, a probation or parole officer, the department, or an entity described in Section 53-29-302, discovers that the sex offender is unable to provide the required residence information under Subsection 53-29-304(4)(a)(ii);
- (b) except as provided in Subsection (5), a requirement that a sex offender is responsible for paying all or part of the cost incurred by the sex offender's participation in the program;
- (c) a procedure for a sex offender to appeal to the department a determination that the sex offender is required be monitored under the program;
- (d) a process for a sex offender who is in the program to request a redetermination by the department as to whether the sex offender is required to continue in the program;
- (e) a requirement that the location of a sex offender under the program may only be tracked as often as once per 24-hour period; and
- (f) where possible, the use of monitoring systems and technology that have minimal charging, battery, or maintenance requirements.

(4) A sex offender required to be monitored under this section who fails to comply with the program is guilty of a violation of Section 53-29-305.

(5) A sex offender is not required to pay the cost described in Subsection (3)(b) if the sex offender demonstrates to the department that the sex offender does not have the ability to pay.

(6) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish the requirements, procedures, and processes under this section.

Section 8. Effective Date.

This bill takes effect on May 6, 2026.