

1 **Adult Probation and Parole Reimbursement Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor:

LONG TITLE**General Description:**

This bill addresses the reimbursement of local government agencies that supervise certain offenders on probation.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Corrections to enter into a memorandum or understanding with a local government agency to reimburse the local government agency when a court orders the local government agency to supervise an offender on probation who has committed a felony; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

64-14-204, as renumbered and amended by Laws of Utah 2025, Chapter 214

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

23 Section 1. Section **64-14-204** is amended to read:

24 **64-14-204 . Supervision of sentenced offenders placed in community --**

25 **Rulemaking -- POST certified parole or probation officers and peace officers -- Duties --**

26 **Supervision fee -- Coordination with local mental health authority.**

27 (1)(a) The division, except as provided in Section 77-18-105 or as otherwise provided by law, shall supervise a sentenced offender placed in the community if the offender:

29 (i)(A) is placed on probation by a court;

30 (B) is released on parole by the Board of Pardons and Parole; or

31 (C) is accepted for supervision under the terms of the Interstate Compact for the
32 Supervision of Parolees and Probationers; and
33 (ii) has been convicted of:
34 (A) a felony;
35 (B) a class A misdemeanor when an element of the offense is the use or attempted
36 use of physical force against an individual or property; or
37 (C) notwithstanding Subsection (1)(a)(ii)(B), a class A misdemeanor if the
38 division is ordered by a court to supervise the offender under Section 77-18-105.

39 (b)(i) If an offender is placed on probation by a court for a felony conviction and the
40 court places the offender under supervision of an agency of a local government in
41 accordance with Section 77-18-105, the department shall reimburse the agency of
42 a local government for the costs of supervising the offender.
43 (ii) The costs described in Subsection (1)(b)(i) shall be determined by a
44 memorandum of understanding entered into by the department with the agency of
45 a local government ordered to supervise the offender.

46 [(b)] (c) If a sentenced offender participates in substance use treatment or a residential
47 vocational or life skills program, as defined in Section 13-53-102, while under
48 supervision on probation or parole, the division shall monitor the offender's
49 compliance with and completion of the treatment or program.

50 [(e)] (d) The department shall establish standards for:
51 (i) the supervision of offenders in accordance with the adult sentencing and
52 supervision length guidelines, as defined in Section 63M-7-401.1, giving priority,
53 based on available resources, to felony offenders and offenders sentenced under
54 Subsection 58-37-8 (2)(b)(ii); and
55 (ii) the monitoring described in Subsection [(1)(b)] (1)(c).

56 (2) The division shall apply the graduated and evidence-based responses established in the
57 adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1,
58 to facilitate a prompt and appropriate response to an individual's violation of the terms of
59 probation or parole, including:
60 (a) sanctions to be used in response to a violation of the terms of probation or parole; and
61 (b) requesting approval from the court or Board of Pardons and Parole to impose a
62 sanction for an individual's violation of the terms of probation or parole, for a period
63 of incarceration of not more than three consecutive days and not more than a total of
64 six days within a period of 30 days.

65 (3) The division shall implement a program of graduated incentives as established in the
66 adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1
67 to facilitate the department's prompt and appropriate response to an offender's:
68 (a) compliance with the terms of probation or parole; or
69 (b) positive conduct that exceeds those terms.

70 (4)(a) The department shall, in collaboration with the State Commission on Criminal and
71 Juvenile Justice and the Division of Substance Use and Mental Health, create
72 standards and procedures for the collection of information, including cost savings
73 related to recidivism reduction and the reduction in the number of inmates, related to
74 the use of the graduated and evidence-based responses and graduated incentives, and
75 offenders' outcomes.

76 (b) The collected information shall be provided to the State Commission on Criminal
77 and Juvenile Justice not less frequently than annually on or before August 31.

78 (5) Employees of the division who are POST certified as law enforcement officers or
79 correctional officers and who are designated as parole and probation officers by the
80 executive director have the following duties:

81 (a) monitoring, investigating, and supervising a parolee's or probationer's compliance
82 with the conditions of the parole or probation agreement;

83 (b) investigating or apprehending any offender who has escaped from the custody of the
84 department or absconded from supervision by the division;

85 (c) supervising any offender during transportation; or

86 (d) collecting DNA specimens when the specimens are required under Section 53-10-404.

87 (6)(a)(i) A monthly supervision fee of \$30 shall be collected from each offender on
88 probation or parole.

89 (ii) The fee described in Subsection (6)(a)(i) may be suspended or waived by the
90 division upon a showing by the offender that imposition would create a substantial
91 hardship or if the offender owes restitution to a victim.

92 (b)(i) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
93 Administrative Rulemaking Act, specifying the criteria for suspension or waiver
94 of the supervision fee and the circumstances under which an offender may request
95 a hearing.

96 (ii) In determining whether the imposition of the supervision fee would constitute a
97 substantial hardship, the division shall consider the financial resources of the
98 offender and the burden that the fee would impose, with regard to the offender's

99 other obligations.

100 (c) The division shall deposit money received from the monthly supervision fee
101 established in this Subsection (6) into the General Fund as a parole and probation
102 dedicated credit to be used to cover costs incurred in the collection of the fee and in
103 the development of offender supervision programs.

104 (7)(a) For offenders placed on probation under Section 77-18-105 or parole under
105 Subsection 76-3-202(2)(a) on or after October 1, 2015, but before January 1, 2019,
106 the division shall establish a program allowing an offender to earn a reduction credit
107 of 30 days from the offender's period of probation or parole for each month the
108 offender complies with the terms of the offender's probation or parole agreement,
109 including the case action plan.

110 (b)(i) For offenders placed on probation under Section 77-18-105 or parole under
111 Section 76-3-202 on or after July 1, 2026, the division shall establish a program,
112 consistent with the adult sentencing and supervision length guidelines, as defined
113 in Section 63M-7-401.1, to provide incentives for an offender that maintains
114 eligible employment, as defined in Section 64-13g-101.

115 (ii) The program under Subsection (7)(b)(i) may include a credit towards the
116 reduction of the length of supervision for an offender at a rate of up to 30 days for
117 each month that the offender maintains eligible employment, as defined in Section
118 64-13g-101.

119 (iii) A court, or the Board of Pardons and Parole, is not required to grant a request for
120 termination of supervision under the program described in this Subsection (7)(b) if
121 the court, or the Board of Pardons and Parole, finds that:

122 (A) the offender presents a substantial risk to public safety;
123 (B) termination would prevent the offender from completing risk reduction
124 programming or treatment; or

125 (C) the eligibility criteria for termination of supervision, as established in the adult
126 sentencing and supervision length guidelines, as defined in Section
127 63M-7-401.1, have not been met.

128 (iv) This Subsection (7)(b) does not prohibit the division, or another supervision
129 services provider, from requesting termination of supervision based on the
130 eligibility criteria in the adult sentencing and supervision length guidelines, as
131 defined in Section 63M-7-401.1.

132 (c) The division shall:

133 (i) maintain a record of credits earned by an offender under this Subsection (7); and
134 (ii) request from the court or the Board of Pardons and Parole the termination of
135 probation or parole not fewer than 30 days prior to the termination date that
136 reflects the credits earned under this Subsection (7).

137 (d) This Subsection (7) does not prohibit the division from requesting a termination date
138 earlier than the termination date established by earned credits under Subsection (7)(c).

139 (e) The court or the Board of Pardons and Parole shall terminate an offender's probation
140 or parole upon completion of the period of probation or parole accrued by time
141 served and credits earned under this Subsection (7) unless the court or the Board of
142 Pardons and Parole finds that termination would interrupt the completion of a
143 necessary treatment program, in which case the termination of probation or parole
144 shall occur when the treatment program is completed.

145 (f) The department shall report annually to the State Commission on Criminal and
146 Juvenile Justice on or before August 31:
147 (i) the number of offenders who have earned probation or parole credits under this
148 Subsection (7) in one or more months of the preceding fiscal year and the
149 percentage of the offenders on probation or parole during that time that this
150 number represents;
151 (ii) the average number of credits earned by those offenders who earned credits;
152 (iii) the number of offenders who earned credits by county of residence while on
153 probation or parole;
154 (iv) the cost savings associated with sentencing reform programs and practices; and
155 (v) a description of how the savings will be invested in treatment and
156 early-intervention programs and practices at the county and state levels.

157 (8)(a) The department shall coordinate with a local mental health authority to complete
158 the requirements of this Subsection (8) for an offender who:
159 (i) is a habitual offender as that term is defined in Section 77-18-102;
160 (ii) has a mental illness as that term is defined in Section 26B-5-301; and
161 (iii) based on a risk and needs assessment:
162 (A) is at a high risk of reoffending; and
163 (B) has risk factors that may be addressed by available community-based services.

164 (b) For an offender described in Subsection (8)(a), at any time clinically appropriate or
165 at least three months before termination of an offender's parole or expiration of an
166 offender's sentence, the department shall coordinate with the Department of Health

167 and Human Services and the relevant local mental health authority to provide
168 applicable clinical assessments and transitional treatment planning and services for
169 the offender so that the offender may receive appropriate treatment and support
170 services after the termination of parole or expiration of sentence.

171 (c) The local mental health authority may determine whether the offender:
172 (i) meets the criteria for civil commitment;
173 (ii) meets the criteria for assisted outpatient treatment; or
174 (iii) would benefit from assignment to an assertive community treatment team or
175 available community-based services.

176 (d) Based on the local mental health authority's determination under Subsection (8)(c),
177 the local mental health authority shall, as appropriate:
178 (i) initiate an involuntary commitment court proceeding;
179 (ii) file a written application for assisted outpatient treatment; or
180 (iii) seek to have the offender assigned to an assertive community treatment team or
181 available community-based services.

182 (e) On or before November 1, 2025, the department shall provide a report to the Law
183 Enforcement and Criminal Justice Interim Committee regarding any proposed
184 changes to the requirements in this Subsection (8), including whether the
185 requirements of this Subsection (8) should also apply to any other category of
186 offenders.

187 **Section 2. Effective Date.**

188 This bill takes effect on May 6, 2026.