

**Adult Probation and Parole Reimbursement Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Casey Snider**

Senate Sponsor:

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**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

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

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

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

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

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

(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:

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

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

- (C) is accepted for supervision under the terms of the Interstate Compact for the Supervision of Parolees and Probationers; and
- (ii) has been convicted of:
- (A) a felony;
- (B) a class A misdemeanor when an element of the offense is the use or attempted use of physical force against an individual or property; or
- (C) notwithstanding Subsection (1)(a)(ii)(B), a class A misdemeanor if the division is ordered by a court to supervise the offender under Section 77-18-105.
- (b)(i) If an offender is placed on probation by a court for a felony conviction and the court places the offender under supervision of an agency of a local government in accordance with Section 77-18-105, the department shall reimburse the agency of a local government for the costs of supervising the offender.
- (ii) The costs described in Subsection (1)(b)(i) shall be determined by a memorandum of understanding entered into by the department with the agency of a local government ordered to supervise the offender.
- ~~[(b)]~~ (c) If a sentenced offender participates in substance use treatment or a residential vocational or life skills program, as defined in Section 13-53-102, while under supervision on probation or parole, the division shall monitor the offender's compliance with and completion of the treatment or program.
- ~~[(c)]~~ (d) The department shall establish standards for:
- (i) the supervision of offenders in accordance with the adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1, giving priority, based on available resources, to felony offenders and offenders sentenced under Subsection 58-37-8 (2)(b)(ii); and
- (ii) the monitoring described in Subsection ~~[(1)(b)]~~ (1)(c).
- (2) The division shall apply the graduated and evidence-based responses established in the adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1, to facilitate a prompt and appropriate response to an individual's violation of the terms of probation or parole, including:
- (a) sanctions to be used in response to a violation of the terms of probation or parole; and
- (b) requesting approval from the court or Board of Pardons and Parole to impose a sanction for an individual's violation of the terms of probation or parole, for a period of incarceration of not more than three consecutive days and not more than a total of six days within a period of 30 days.

- (3) The division shall implement a program of graduated incentives as established in the adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1 to facilitate the department's prompt and appropriate response to an offender's:
- (a) compliance with the terms of probation or parole; or
  - (b) positive conduct that exceeds those terms.
- (4)(a) The department shall, in collaboration with the State Commission on Criminal and Juvenile Justice and the Division of Substance Use and Mental Health, create standards and procedures for the collection of information, including cost savings related to recidivism reduction and the reduction in the number of inmates, related to the use of the graduated and evidence-based responses and graduated incentives, and offenders' outcomes.
- (b) The collected information shall be provided to the State Commission on Criminal and Juvenile Justice not less frequently than annually on or before August 31.
- (5) Employees of the division who are POST certified as law enforcement officers or correctional officers and who are designated as parole and probation officers by the executive director have the following duties:
- (a) monitoring, investigating, and supervising a parolee's or probationer's compliance with the conditions of the parole or probation agreement;
  - (b) investigating or apprehending any offender who has escaped from the custody of the department or absconded from supervision by the division;
  - (c) supervising any offender during transportation; or
  - (d) collecting DNA specimens when the specimens are required under Section 53-10-404.
- (6)(a)(i) A monthly supervision fee of \$30 shall be collected from each offender on probation or parole.
- (ii) The fee described in Subsection (6)(a)(i) may be suspended or waived by the division upon a showing by the offender that imposition would create a substantial hardship or if the offender owes restitution to a victim.
- (b)(i) The department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, specifying the criteria for suspension or waiver of the supervision fee and the circumstances under which an offender may request a hearing.
- (ii) In determining whether the imposition of the supervision fee would constitute a substantial hardship, the division shall consider the financial resources of the 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

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

(c) The local mental health authority may determine whether the offender:

- (i) meets the criteria for civil commitment;
- (ii) meets the criteria for assisted outpatient treatment; or
- (iii) would benefit from assignment to an assertive community treatment team or available community-based services.

(d) Based on the local mental health authority's determination under Subsection (8)(c), the local mental health authority shall, as appropriate:

- (i) initiate an involuntary commitment court proceeding;
- (ii) file a written application for assisted outpatient treatment; or
- (iii) seek to have the offender assigned to an assertive community treatment team or available community-based services.

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

**Section 2. Effective Date.**

This bill takes effect on May 6, 2026.