

Todd Weiler proposes the following substitute bill:

Digital Evidence Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill concerns digital evidence examination of a mobile device.

Highlighted Provisions:

This bill:

- defines terms;
- requires local law enforcement agencies to:
 - have mobile device forensics services;
 - have a contract, partnership, or agreement with another entity that allows the law enforcement agency to share in the use of mobile device forensics services, not including the Regional Computer Forensics Laboratory; or
 - provide specified support to the Regional Computer Forensics Laboratory;
- allows a law enforcement agency to access the Regional Computer Forensics Laboratory mobile device forensics services under certain circumstances; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53-10-105.1, Utah Code Annotated 1953

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

Section 1. Section **53-10-105.1** is enacted to read:

53-10-105.1 . Requirements for mobile device forensics services by a local law

29 **enforcement agency.**

30 (1) As used in this section:

31 (a) "Law enforcement interlocal entity" means an interlocal entity under Title 11,
32 Chapter 13, Interlocal Cooperation Act, that provides law enforcement services.

33 (b) "Law enforcement special district" means a district that provides law enforcement
34 services under:

35 (i) Title 17B, Limited Purpose Local Government Entities - Special Districts; or
36 (ii) Title 17D, Chapter 1, Special Service District Act.

37 (c) "Local law enforcement agency" means an entity that:

38 (i) exists primarily to prevent and detect crime and enforce criminal laws, statutes, or
39 ordinances; and

40 (ii) is operated by:

41 (A) a municipality;

42 (B) a county;

43 (C) a law enforcement interlocal entity; or

44 (D) a law enforcement special district.

45 (d) "Mobile device" means a phone or general purpose tablet that:

46 (i) provides cellular or wireless connectivity;

47 (ii) is capable of connecting to the internet;

48 (iii) runs a mobile operating system; and

49 (iv) is capable of running a software application or electronic service through the
50 mobile operating system.

51 (e) "Mobile device forensics services" means a facility, equipment, or other type of
52 capability that provides digital forensic evidence services by collecting and
53 examining digital evidence on a mobile device.

54 (f) "Municipality" means the same as that term is defined in Section 10-1-104.

55 (g) "Participating agency" means a local law enforcement agency that is providing, or
56 otherwise paying for, adequately trained personnel to staff the Regional Computer
57 Forensics Laboratory for at least 2,000 hours per year, either directly through the
58 local law enforcement agency or through the entity that operates the local law
59 enforcement agency.

60 (h) "Regional Computer Forensics Laboratory" means the digital forensics laboratory
61 that is operated by the Federal Bureau of Investigation in partnership with other
62 federal, state, and local law enforcement agencies, for the region that includes Utah.

63 (2) On or before January 1, 2027, a local law enforcement agency shall:
64 (a) have the local law enforcement agency's own mobile device forensics services;
65 (b) have a contract, partnership, or agreement with another entity that allows the local
66 law enforcement agency to share in the use of mobile device forensics services, not
67 including the Regional Computer Forensics Laboratory; or
68 (c) qualify as a participating agency.

69 (3) Notwithstanding Subsection (2), a local law enforcement agency may use the Regional
70 Computer Forensics Laboratory to access:

71 (a) self-serve equipment that provides mobile device forensics services; and
72 (b) advanced mobile device forensics services in a situation when standard mobile
73 device forensics services have failed, or would fail, to access digital evidence on a
74 mobile device.

75 **Section 2. Effective Date.**

76 This bill takes effect on May 6, 2026.