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Corrections Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Derrin R. Owens
House Sponsor:

2

LONG TITLE

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General Description:

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This bill addresses provisions related to correctional facilities.

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Highlighted Provisions:

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This bill:

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- ▶ amends provisions related to direct supervision;
- ▶ amends the criminal offense of unlawful operation of an unmanned aircraft near a correctional facility by prohibiting an individual from removing any item from inside the property of a correctional facility;
- ▶ removes unpaid probation and parole supervision fees from an offender's criminal accounts receivable and requires the Department of Corrections to turn any unpaid supervision fees to the Office of State Debt Collection; and
- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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64-13-1, as last amended by Laws of Utah 2023, Chapters 177, 322 and 414

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64-13-6, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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64-13-14, as last amended by Laws of Utah 2024, Chapter 16

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64-13-24, as last amended by Laws of Utah 2021, Chapter 246

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

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72-10-903, as last amended by Laws of Utah 2023, Chapter 16 and renumbered and amended by Laws of Utah 2023, Chapter 216

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77-32b-102, as last amended by Laws of Utah 2025, Chapter 214

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77-38b-304, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

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

Section 1. Section 64-13-1 is amended to read:

64-13-1 . Definitions.

As used in this chapter:

(1) "Behavioral health transition facility" means a nonsecure correctional facility operated by the department for the purpose of providing a therapeutic environment for offenders receiving mental health services.

(2) "Case action plan" means a document developed by the Department of Corrections that identifies:

(a) the program priorities for the treatment of the offender, including the criminal risk factors as determined by risk, needs, and responsivity assessments conducted by the department; and

(b) clearly defined completion requirements.

(3) "Community correctional center" means a nonsecure correctional facility operated by the department, but does not include a behavioral health transition facility for the purposes of Section 64-13f-103.

(4) "Correctional facility" means any facility operated to house offenders in a secure or nonsecure setting:

(a) by the department; or

(b) under a contract with the department.

(5) "Criminal risk factors" means an individual's characteristics and behaviors that:

(a) affect the individual's risk of engaging in criminal behavior; and

(b) are diminished when addressed by effective treatment, supervision, and other support resources, resulting in a reduced risk of criminal behavior.

(6) "Department" means the Department of Corrections.

[7) "Direct supervision" means a housing and supervision system that is designed to meet the goals described in Subsection 64-13-14(5) and has the elements described in Subsection 64-13-14(6).]

[8] (7) "Emergency" means any riot, disturbance, homicide, inmate violence occurring in any correctional facility, or any situation that presents immediate danger to the safety, security, and control of the department.

[9] (8) "Evidence-based" means a program or practice that has had multiple randomized control studies or a meta-analysis demonstrating that the program or practice is effective

65 for a specific population or has been rated as effective by a standardized program
66 evaluation tool.

67 [40] (9) "Evidence-informed" means a program or practice that is based on research and
68 the experience and expertise of the department.

69 [41] (10) "Executive director" means the executive director of the Department of
70 Corrections.

71 [42] (11) "Inmate" means an individual who is:

- 72 (a) committed to the custody of the department; and
- 73 (b) housed at a correctional facility or at a county jail at the request of the department.

74 [43] (12) "Offender" means an individual who has been convicted of a crime for which the
75 individual may be committed to the custody of the department and is at least one of the
76 following:

- 77 (a) committed to the custody of the department;
- 78 (b) on probation; or
- 79 (c) on parole.

80 [44] (13) "Recidivism" means a return to criminal activity after a previous criminal
81 conviction.

82 [45] (14) "Restitution" means the same as that term is defined in Section 77-38b-102.

83 [46] (15) "Risk and needs assessment" means an actuarial tool validated on criminal
84 offenders that determines:

- 85 (a) an individual's risk of reoffending; and
- 86 (b) the criminal risk factors that, when addressed, reduce the individual's risk of
87 reoffending.

88 [47] (16) "Secure correctional facility" means any prison, penitentiary, or other institution
89 operated by the department or under contract for the confinement of offenders, where
90 force may be used to restrain an offender if the offender attempts to leave the institution
91 without authorization.

92 [48] (17) "Serious illness" means, as determined by the inmate's physician, an illness that
93 substantially impairs the inmate's quality of life.

94 [49] (18) "Serious injury" means, as determined by the inmate's physician, bodily injury
95 that involves a substantial risk of death, prolonged unconsciousness, prolonged and
96 obvious disfigurement, or prolonged loss or impairment of the function of a bodily
97 member, organ, or mental faculty.

98 [50] (19) "State-issued driver license" means a driver license issued in accordance with

99 Title 53, Chapter 3, Part 2, Driver Licensing Act, or an equivalent issued by another
100 state.

101 [(21)] (20) "State-issued identification card" means an identification card issued in
102 accordance with Title 53, Chapter 3, Part 8, Identification Card Act, or an equivalent
103 issued by another state.

104 Section 2. Section **64-13-6** is amended to read:

105 **64-13-6 . Department duties.**

106 (1) The department shall:

- 107 (a) protect the public through institutional care and confinement, and supervision in the
108 community of offenders where appropriate;
- 109 (b) implement court-ordered punishment of offenders;
- 110 (c) provide evidence-based and evidence-informed program opportunities for offenders
111 designed to reduce offenders' criminogenic and recidivism risks, including
112 behavioral, cognitive, educational, and career-readiness program opportunities;
- 113 (d) ensure that offender participation in all program opportunities described in
114 Subsection (1)(c) is voluntary;
- 115 (e) where appropriate, utilize offender volunteers as mentors in the program
116 opportunities described in Subsection (1)(c);
- 117 (f) provide treatment for sex offenders who are found to be treatable based upon criteria
118 developed by the department;
- 119 (g) provide the results of ongoing clinical assessment of sex offenders and objective
120 diagnostic testing to sentencing and release authorities;
- 121 (h) manage programs that take into account the needs and interests of victims, where
122 reasonable;
- 123 (i) through the Division of Adult Probation and Parole created in Section 64-14-202,
124 supervise probationers and parolees as directed by statute and implemented by the
125 courts and the Board of Pardons and Parole;
- 126 (j) subject to Subsection (2), investigate criminal conduct involving offenders
127 incarcerated in a state correctional facility;
- 128 (k) cooperate and exchange information with other state, local, and federal law
129 enforcement agencies to achieve greater success in prevention and detection of crime
130 and apprehension of criminals;
- 131 (l) implement the provisions of Title 77, Chapter 28c, Interstate Compact for Adult
132 Offender Supervision;

133 (m) establish a case action plan based on appropriate validated risk, needs, and
134 responsibility assessments for each offender as follows:

135 (i)(A) if an offender is to be supervised in the community, the department shall
136 establish a case action plan for the offender no later than 60 days after the day
137 on which the department's community supervision of the offender begins; and
138 (B) if the offender is committed to the custody of the department, the department
139 shall establish a case action plan for the offender no later than 90 days after the
140 day on which the offender is committed to the custody of the department;

141 (ii) each case action plan shall:

142 (A) integrate an individualized, evidence-based, and evidence-informed treatment
143 and program plan with clearly defined completion requirements; and
144 (B) require that a case manager will:

145 (I) ensure that an assessment of the education level, occupational interests, and
146 aptitudes of the inmate has been completed;

147 (II) refer the inmate to a higher education student advisor at an institution
148 offering programs consistent with the inmate's interests and aptitudes for
149 advisement on educational preferences and plans;

150 (III) incorporate the inmate's interests, aptitudes, and student advisement into
151 an education plan consistent with the guidance provided by the Higher
152 Education and Corrections Council created in Section 53H-1-604; and
153 (IV) refer the inmate to the student advisor at the institution called for in the
154 case action plan for guidance and assistance with the education process;

155 (iii) the department shall share each newly established case action plan with the
156 sentencing and release authority within 30 days after the day on which the case
157 action plan is established; and

158 (iv) the department shall share any changes to a case action plan, including any
159 change in an offender's risk assessment, with the sentencing and release authority
160 within 30 days after the day of the change;

161 (n) ensure that an inmate has reasonable access to legal research;

162 (o) ensure that any training or certification required of a public official or public
163 employee, as those terms are defined in Section 63G-22-102, complies with Title
164 63G, Chapter 22, State Training and Certification Requirements, if the training or
165 certification is required:

166 (i) under this title;

- (ii) by the department; or
- (iii) by an agency or division within the department;
- (p) when reporting on statewide recidivism, include the metrics and requirements described in Section 63M-7-102;
- (q) create a reentry division that focuses on the successful reentry of inmates into the community, which shall include:
 - (i) screening and assessments for an inmate's risks and needs;
 - (ii) individualized plans and case management;
 - (iii) quality treatment, education, and job preparation;
 - (iv) community partnerships; and
 - (v) comprehensive release planning before the inmate's release, including:
 - (A) coordination with support services; and
 - (B) coordination with one or more family members or friends, if the inmate has given permission to contact specific individuals for this purpose;
- (r) coordinate with the Board of Pardons and Parole regarding inmate records that are necessary for the Board of Pardons and Parole to make necessary determinations regarding an inmate; and
- (s) ensure that inmate records regarding discipline, programs, and other relevant metrics are:
 - (i) complete and updated in a timely manner; and
 - (ii) when applicable, shared with the Board of Pardons and Parole in a timely manner.

In accordance with department policy, the department may conduct criminal investigations regarding an allegation that:

- (a) an offender has committed a criminal offense; or
- (b) an employee of the department has committed a criminal offense.
- (a) The executive director of the department, or the executive director's designee if the designee possesses expertise in correctional programming, shall consult at least annually with cognitive and career-readiness staff experts from the Utah system of higher education and the State Board of Education to review the department's evidence-based and evidence-informed treatment and program opportunities.
- (b) Beginning in the 2022 interim, the department shall provide an annual report to the Law Enforcement and Criminal Justice Interim Committee regarding:
 - (i) the department's implementation of and offender participation in evidence-based and evidence-informed treatment and program opportunities designed to reduce

201 the criminogenic and recidivism risks of offenders over time; and

202 (ii) the progress of the department's implementation of the inmate program
203 requirements described in Section 64-13-50.

204 (4)(a) As used in this Subsection (4):

205 (i)(A) "Accounts receivable" means any amount owed by an offender arising from
206 a criminal judgment that has not been paid.

207 [(ii)] (B) "Accounts receivable" includes unpaid fees, overpayments, fines,
208 forfeitures, surcharges, costs, interest, penalties, restitution to victims,
209 third-party claims, claims, reimbursement of a reward, and damages that an
210 offender is ordered to pay.

211 (C) "Accounts receivable" does not include unpaid supervision fees.

212 (ii) "Supervision fee" means the monthly fee collected under Subsection 64-14-204(6)
213 from an offender on probation or parole by the Division of Adult Probation and
214 Parole created in Section 64-14-202.

215 (b) The department shall collect and disburse, with any interest and any other costs
216 assessed under Section 64-14-204, an accounts receivable for an offender during:

217 (i) the parole period and any extension of that period in accordance with Subsection
218 (4)(c); and
219 (ii) the probation period for which the court orders supervised probation and any
220 extension of that period by the department in accordance with Subsection
221 77-18-105(7).

222 (c)(i) If an offender has an unpaid balance of the offender's accounts receivable at the
223 time that the offender's sentence expires or terminates, the department shall be
224 referred to the sentencing court for the sentencing court to enter a civil judgment
225 of restitution and a civil accounts receivable as described in Section 77-18-114.

226 (ii) If the board makes an order for restitution within 60 days from the day on which
227 the offender's sentence expires or terminates, the board shall refer the order for
228 restitution to the sentencing court to be entered as a civil judgment of restitution as
229 described in Section 77-18-114.

230 (d) This Subsection (4) only applies to offenders sentenced before July 1, 2021.

231 (5)(a) The department may procure or adopt technology services to facilitate the
232 coordination of services and enhance accountability with agencies, local partners, and
233 community-based organizations that are involved with assisting individuals on
234 probation or parole.

235 (b) If possible, the technology services described in Subsection (5)(a) shall:

236 (i) maintain a single, secure client record with a unique identifier to ensure seamless
237 coordination and reduce duplication of services;

238 (ii) notify authorized users of incoming service requests or referrals;

239 (iii) provide secure access to information necessary to understanding and addressing
240 the needs of an individual, including the individual's service and care history;

241 (iv) allow authorized users to exchange information with referring or collaborating
242 organizations through a secure and live chat feature; and

243 (v) send and track individual referrals, store referral outcomes, and document
244 services provided.

245 Section 3. Section **64-13-14** is amended to read:

246 **64-13-14 . Secure correctional facilities.**

247 (1) The department shall maintain and operate secure correctional facilities for the
248 incarceration of offenders.

249 (2) For each compound of secure correctional facilities, as established by the executive
250 director, wardens shall be appointed as the chief administrative officers by the executive
251 director.

252 (3) The department may transfer offenders from one correctional facility to another and
253 may, with the consent of the sheriff, transfer any offender to a county jail.

254 (4) Where new or modified facilities are designed appropriately, the department [shall] may
255 implement an evidence-based direct supervision system in accordance with [Subseetions
256 (5) and (6)] Subsection (5).

257 (5) [A-] If the department chooses to implement a direct supervision system in accordance
258 with Subsection (4), the direct supervision system shall:

259 (a) ~~[be designed to]~~ meet the goals of:

260 [(a)] (i) reducing offender violence;

261 [(b)] (ii) enhancing offenders' participation in treatment, program, and work
262 opportunities;

263 [(c)] (iii) managing and reducing offender risk;

264 [(d)] (iv) promoting pro-social offender behaviors;

265 [(e)] (v) providing a tiered-housing structure that:

266 [(f)] (A) rewards an offender's pro-social behaviors and progress toward the
267 completion requirements of the offender's individual case action plan with less
268 restrictive housing and increased privileges; and

[(ii)] (B) houses similarly behaving offenders together; and

[f)] (vi) reducing departmental costs[.]; and

[(6)] (b) [A direct supervision system shall] include the following elements:

[a] (i) department staff will interact continuously with offenders to actively manage offenders' behavior and to identify problems at early stages;

[**(b)**] **(ii)** department staff will use management techniques designed to prevent and discourage negative offender behavior and encourage positive offender behavior;

[e] (iii) department staff will establish and maintain a professional supervisory relationship with offenders; and

[d] (iv) barriers separating department staff and offenders shall be removed.

[(7)(a) Notwithstanding Subsection (4), the department may implement a supervision model other than the direct supervision model described in Subsection (4) if the executive director:]

[(i) determines that the direct supervision model endangers:]

[(A) the health and safety of the inmates or correctional facility staff; or]

[~~(B) the security of the correctional facility; and~~]

[ii) creates a policy detailing what the supervision model will be and why that model will increase the health and safety of the inmates or correctional facility staff or the security of the correctional facility over a direct supervision model.]

[**(b)** The department shall post on the department's website:]

[i) the executive director's determinations regarding the dangers of using a direct supervision model as described in Subsection (7)(a)(i); and]

[ii) the policy detailing the supervision model to be used as described in Subsection (7)(a)(ii).]

[8) The department shall provide an annual report to the Law Enforcement and Criminal Justice Interim Committee regarding:]

[(a) the status of the implementation of direct supervision; and]

[b) if applicable, the implementation of a supervision model other than the direct supervision model as described in Subsection (7).]

Section 4. Section **64-13-24** is amended to read:

64-13-24 . Standards for staff training.

(1) To assure the safe and professional operation of correctional programs, the department shall establish policies setting minimum standards for the basic training of all staff upon employment, and the subsequent regular training of staff, including

303 training on [direct] appropriate supervision and trauma-informed care.

304 (2) [-]The training standards of correctional officers who are designated as peace officers
305 shall be not less than those established by the Peace Officer Standards and Training
306 Council.

307 Section 5. Section **64-14-204** is amended to read:

308 **64-14-204 . Supervision of sentenced offenders placed in community --**

309 **Rulemaking -- POST certified parole or probation officers and peace officers -- Duties --**
310 **Supervision fee -- Coordination with local mental health authority.**

311 (1)(a) The division, except as otherwise provided by law, shall supervise a sentenced
312 offender placed in the community if the offender:

- 313 (i)(A) is placed on probation by a court;
- 314 (B) is released on parole by the Board of Pardons and Parole; or
- 315 (C) is accepted for supervision under the terms of the Interstate Compact for the
316 Supervision of Parolees and Probationers; and

- 317 (ii) has been convicted of:
 - 318 (A) a felony;
 - 319 (B) a class A misdemeanor when an element of the offense is the use or attempted
320 use of physical force against an individual or property; or
 - 321 (C) notwithstanding Subsection (1)(a)(ii)(B), a class A misdemeanor if the
322 division is ordered by a court to supervise the offender under Section 77-18-105.

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

327 (c) The department shall establish standards for:

- 328 (i) the supervision of offenders in accordance with the adult sentencing and
329 supervision length guidelines, as defined in Section 63M-7-401.1, giving priority,
330 based on available resources, to felony offenders and offenders sentenced under
331 Subsection 58-37-8 (2)(b)(ii); and
- 332 (ii) the monitoring described in Subsection (1)(b).

333 (2) The division shall apply the graduated and evidence-based responses established in the
334 adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1,
335 to facilitate a prompt and appropriate response to an individual's violation of the terms of
336 probation or parole, including:

337 (a) sanctions to be used in response to a violation of the terms of probation or parole; and
338 (b) requesting approval from the court or Board of Pardons and Parole to impose a
339 sanction for an individual's violation of the terms of probation or parole, for a period
340 of incarceration of not more than three consecutive days and not more than a total of
341 six days within a period of 30 days.

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

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

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

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

358 (a) monitoring, investigating, and supervising a parolee's or probationer's compliance
359 with the conditions of the parole or probation agreement;
360 (b) investigating or apprehending any offender who has escaped from the custody of the
361 department or absconded from supervision by the division;
362 (c) supervising any offender during transportation; or
363 (d) collecting DNA specimens when the specimens are required under Section 53-10-404.

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

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

369 (b)(i) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
370 Administrative Rulemaking Act, specifying the criteria for suspension or waiver

371 of the supervision fee and the circumstances under which an offender may request
372 a hearing.

373 (ii) In determining whether the imposition of the supervision fee would constitute a
374 substantial hardship, the division shall consider the financial resources of the
375 offender and the burden that the fee would impose, with regard to the offender's
376 other obligations.

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

381 (d) Upon the termination or expiration of an offender's sentence who is on probation or
382 parole and has unpaid supervision fees, the department shall turn over the unpaid
383 supervision fees to the Office of State Debt Collection.

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

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

395 (ii) The program under Subsection (7)(b)(i) may include a credit towards the
396 reduction of the length of supervision for an offender at a rate of up to 30 days for
397 each month that the offender maintains eligible employment, as defined in Section
398 64-13g-101.

399 (iii) A court, or the Board of Pardons and Parole, is not required to grant a request for
400 termination of supervision under the program described in this Subsection (7)(b) if
401 the court, or the Board of Pardons and Parole, finds that:
402 (A) the offender presents a substantial risk to public safety;
403 (B) termination would prevent the offender from completing risk reduction
404 programming or treatment; or

405 (C) the eligibility criteria for termination of supervision, as established in the adult
406 sentencing and supervision length guidelines, as defined in Section
407 63M-7-401.1, have not been met.

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

412 (c) The division shall:

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

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

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

425 (f) The department shall report annually to the State Commission on Criminal and
426 Juvenile Justice on or before August 31:

427 (i) the number of offenders who have earned probation or parole credits under this
428 Subsection (7) in one or more months of the preceding fiscal year and the
429 percentage of the offenders on probation or parole during that time that this
430 number represents;

431 (ii) the average number of credits earned by those offenders who earned credits;

432 (iii) the number of offenders who earned credits by county of residence while on
433 probation or parole;

434 (iv) the cost savings associated with sentencing reform programs and practices; and

435 (v) a description of how the savings will be invested in treatment and
436 early-intervention programs and practices at the county and state levels.

437 (8)(a) The department shall coordinate with a local mental health authority to complete
438 the requirements of this Subsection (8) for an offender who:

439 (i) is a habitual offender as that term is defined in Section 77-18-102;
440 (ii) has a mental illness as that term is defined in Section 26B-5-301; and
441 (iii) based on a risk and needs assessment:
442 (A) is at a high risk of reoffending; and
443 (B) has risk factors that may be addressed by available community-based services.

444 (b) For an offender described in Subsection (8)(a), at any time clinically appropriate or
445 at least three months before termination of an offender's parole or expiration of an
446 offender's sentence, the department shall coordinate with the Department of Health
447 and Human Services and the relevant local mental health authority to provide
448 applicable clinical assessments and transitional treatment planning and services for
449 the offender so that the offender may receive appropriate treatment and support
450 services after the termination of parole or expiration of sentence.

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

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

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

467 Section 6. Section **72-10-903** is amended to read:

468 **72-10-903 . Unlawful operation of an unmanned aircraft near a correctional
469 facility.**

470 (1) An individual may not operate an unmanned aircraft system:
471 (a) to carry or drop any item to or inside the property of a correctional facility;[-or]
472 (b) in a manner that interferes with the operations or security of a correctional facility; or

473 (c) to remove any item from inside the property of a correctional facility.

474 (2)(a) A violation of Subsection (1)(a) or (c) is a third degree felony.

475 (b) A violation of Subsection (1)(b) is a class B misdemeanor.

476 (3) An operator of an unmanned aircraft system does not violate Subsection (1) if the
477 operator is:

478 (a) an employee or contractor working on behalf of a mosquito abatement district
479 created pursuant to Title 17B, Limited Purpose Local Government Entities - Special
480 Districts, or Title 17D, Limited Purpose Local Government Entities - Other Entities;
481 and

482 (b) acting in the course and scope of the operator's employment.

483 Section 7. Section **77-32b-102** is amended to read:

484 **77-32b-102 . Definitions.**

485 As used in this chapter:

486 (1) "Board" means the Board of Pardons and Parole.

487 (2)(a) "Civil accounts receivable" means any amount of the criminal accounts receivable
488 that is owed by the defendant that has not been paid on or before the day on which:

489 (i) the defendant's sentence is terminated; or
490 (ii) the court enters an order for a civil accounts receivable under Subsection
491 77-18-114(1) or (2).

492 (b) "Civil accounts receivable" does not include any amount of the criminal accounts
493 receivable that is owed by the defendant for restitution.

494 (3) "Civil judgment of restitution" means any amount of the criminal accounts receivable
495 that is owed by the defendant for restitution that has not been paid on or before the day
496 on which the defendant's sentence is terminated.

497 (4)(a) "Criminal accounts receivable" means any amount owed by a defendant that arises
498 from a criminal judgment until:

499 (i) the defendant's sentence terminates;
500 (ii) the court enters an order for a civil accounts receivable under Subsection
501 77-18-114(1) or (2); or
502 (iii) if the court requires the defendant, upon termination of the probation period for
503 the defendant, to continue to make payments on the criminal accounts as
504 described in Subsection 77-18-105(8), the defendant's sentence expires.

505 (b) "Criminal accounts receivable" includes any unpaid:

506 (i) fee[~~, including the monthly supervision fee described in Subsection 64-14-204(6)~~];

- (ii) forfeiture;
- (iii) surcharge;
- (iv) cost;
- (v) interest;
- (vi) penalty;
- (vii) restitution;
- (viii) third party claim;
- (ix) reimbursement of a reward; and
- (x) damages.

(c) "Criminal accounts receivable" does not include any unpaid monthly supervision fee collected under Subsection 64-14-204(6) from an offender on probation or parole by the Division of Adult Probation and Parole created in Section 64-14-202.

"Default" means a civil accounts receivable, a civil judgment of restitution, or a criminal accounts receivable that is overdue by at least 90 days.

"Delinquent" means a civil accounts receivable, a civil judgment of restitution, or a criminal account receivable that is overdue by more than 28 days but less than 90 days.

"Payment schedule" means the amount that is to be paid by a defendant in installments, or by a certain date, to satisfy a criminal accounts receivable for the defendant.

"Remit" or "remission" means to forgive or to excuse, in whole or in part, any unpaid amount of a criminal accounts receivable.

"Restitution" means the same as that term is defined in Section 77-38b-102.

Section 8. Section **77-38b-304** is amended to read:

77-38b-304 . Priority of payment disbursement.

The court, or the office, shall disburse a payment for restitution within 60 days after the day on which the payment is received from the defendant if:

- (a) the victim has complied with Subsection 77-38b-203(2);
- (b) if the defendant has tendered a negotiable instrument, funds from the financial institution are actually received;
- (c) the payment to the victim is at least \$25, unless the payment is the final payment; and
- (d) there is no pending legal issue that would affect an order for restitution or the distribution of restitution.

The court shall disburse money collected from a defendant for a criminal accounts receivable in the following order of priority:

- (a) first, and except as provided in Subsection (4)(b), to restitution owed by the

541 defendant in accordance with Subsection (4);

542 (b) second, to the cost of obtaining a DNA specimen from the defendant as described in

543 Subsection (4)(b);

544 (c) third, to any criminal fine or surcharge owed by the defendant;

545 (d) fourth, to the cost owed by the defendant for a reward described in Section

546 77-32b-104;

547 (e) fifth, to the cost owed by the defendant for medical care, treatment, hospitalization,

548 and related transportation paid by a county correctional facility under Section

549 17-63-706; and

550 (f) sixth, to any other amount owed by the defendant.

551 (3) When the office collects money from a defendant for a criminal accounts receivable, a

552 civil accounts receivable, or a civil judgment of restitution, the office shall disburse the

553 money in the following order of priority:

554 [~~(a) first, to any past due amount owed to the department for the monthly supervision fee~~

555 ~~under Subsection 64-14-204(6);~~]

556 [~~(b)~~] (a) second, and except as provided in Subsection (4)(b), to restitution owed by the

557 defendant in accordance with Subsection (4);

558 [~~(e)~~] (b) third, to the cost of obtaining a DNA specimen from the defendant in accordance

559 with Subsection (4)(b);

560 [~~(d)~~] (c) fourth, to any criminal fine or surcharge owed by the defendant;

561 [~~(e)~~] (d) fifth, to the cost owed by the defendant for a reward described in Section

562 77-32b-104;

563 [~~(f)~~] (e) sixth, to the cost owed by the defendant for medical care, treatment,

564 hospitalization and related transportation paid by a county correctional facility under

565 Section 17-63-706; and

566 [~~(g)~~] (f) seventh, to any other amount owed by the defendant.

567 (4)(a) If a defendant owes restitution to more than one person or government agency at

568 the same time, the court, or the office, shall disburse a payment for restitution in the

569 following order of priority:

570 (i) first, to the victim of the offense;

571 (ii) second, to the Utah Office for Victims of Crime;

572 (iii) third, any other government agency that has provided reimbursement to the

573 victim as a result of the defendant's criminal conduct; and

574 (iv) fourth, any insurance company that has provided reimbursement to the victim as

575 a result of the defendant's criminal conduct.

576 (b) If a defendant is required under Section 53-10-404 to reimburse the department for
577 the cost of obtaining the defendant's DNA specimen, the reimbursement for the cost
578 of obtaining the defendant's DNA specimen is the next priority after restitution to the
579 victim of the offense under Subsection (4)(a)(i).

580 (c) If a defendant is required to pay restitution to more than one victim, the court or the
581 office shall disburse a payment for restitution proportionally to each victim.

582 (5) Notwithstanding the requirements for the disbursement of a payment under Subsection
583 (3) or (4), the office shall disburse money collected from a defendant to a debt that is a
584 part of a civil accounts receivable or civil judgment of restitution if:

585 (a) a defendant has provided a written request to the office to apply the payment to the
586 debt; and

587 (b)(i) the payment will eliminate the entire balance of the debt, including any interest;
588 or

589 (ii) after reaching a settlement, the payment amount will eliminate the entire agreed
590 upon balance of the debt, including any interest.

591 [({6}) For a criminal accounts receivable, the department shall collect the current and past due
592 amount owed by a defendant for the monthly supervision fee under Subsection
593 64-14-204(6)(a) until the court enters a civil accounts receivable on the civil judgment
594 docket under Section 77-18-114.]

595 [({7})] (6) Notwithstanding any other provision of this section:

596 (a) the office may collect a fee, as described in Subsection 63A-3-502(4), from each
597 payment for a criminal accounts receivable, a civil accounts receivable, or a civil
598 judgment of restitution before disbursing the payment as described in this section; and

599 (b) the office shall apply any payment collected through garnishment to the case for
600 which the garnishment was issued.

601 **Section 9. Effective Date.**

602 This bill takes effect on May 6, 2026.