

1 **Attorney Admission to Jail Facilities Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

LONG TITLE**General Description:**

This bill addresses the admission of attorneys to county jail facilities.

Highlighted Provisions:

This bill:

- ▶ requires a sheriff to allow an attorney to enter a county jail in order to meet with a prisoner under certain circumstances;
- ▶ provides requirements and procedures for a meeting between an attorney and a prisoner; and
- ▶ allows a sheriff to designate another person to act on behalf of the sheriff regarding the process for a meeting between an attorney and a prisoner.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**ENACTS:**

17-72-411, Utah Code Annotated 1953

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

23 Section 1. Section **17-72-411** is enacted to read:

24 **17-72-411 . Attorney access to prisoners at a county jail.**

25 **(1) Subject to Subsection (2), a sheriff shall allow an attorney to enter a jail under the**

26 **sheriff's control for the purpose of meeting with a prisoner at the jail if the attorney:**

27 **(a) is currently licensed in good standing by any state; and**

28 **(b) informs the sheriff that the attorney wishes to meet with a prisoner who is at the jail.**

29 **(2) An attorney may meet with a prisoner under Subsection (1) if the prisoner is:**

30 **(a) the attorney's current or former client;**

31 (b) a prospective client;
32 (c) a potential witness to a criminal case that the attorney is prosecuting or defending; or
33 (d) an individual who may have information pertinent to a criminal case that the attorney
34 is prosecuting or defending.

35 (3)(a) Subject to Subsection (3)(b), a sheriff may designate another person at a jail under
36 the sheriff's control to act on behalf of the sheriff for purposes of this section.

37 (b) If a sheriff makes a designation under Subsection (3)(a), the sheriff shall provide the
38 name of the designee on:
39 (i) the sheriff's public website;
40 (ii) the jail's website, and
41 (iii) any other location that the sheriff determines would assist an attorney to locate
42 the information.

43 (c) A sheriff or a sheriff's designee may provide an online form or other method for an
44 attorney to request:
45 (i) a meeting under Subsection (1); or
46 (ii) a meeting outside of the regular hours described in Subsection (4)(b).

47 (4) A sheriff or a sheriff's designee:

48 (a) shall provide a private and confidential space at the jail in which an attorney can
49 meet with a prisoner; and
50 (b) may require a meeting described in Subsection (1) to occur between 8 a.m. and 5
51 p.m., Monday through Friday, excluding holidays, unless:
52 (i) the attorney presents special circumstances demonstrating that a meeting outside
53 the days or times described in this Subsection (4)(b) is necessary:
54 (A) to avoid a legal disadvantage or undue hardship to a prisoner or undue
55 hardship to the attorney; or
56 (B) in an emergency; and
57 (ii) the sheriff or the sheriff's designee determines that the special circumstances
58 presented under Subsection (4)(b)(i) are sufficient to warrant a meeting outside
59 the days or times described in this Subsection (4)(b).

60 (5) An attorney who meets with a prisoner under Subsection (1) and leaves discovery,
61 evidence, or other documents with the prisoner shall ensure that the attorney complies
62 with the requirements described in Subsection 17-72-301(3)(b).

63 (6) Nothing in this section prevents an attorney from visiting a prisoner at a jail during
64 normal visitation hours.

65 **Section 2. Effective Date.**

66 This bill takes effect on May 6, 2026.