

Stephanie Pitcher proposes the following substitute bill:

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

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

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

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

- (1) Subject to Subsection (2), a sheriff shall allow an attorney to enter a jail under the sheriff's control for the purpose of meeting with a prisoner at the jail if the attorney:
 - (a) is currently licensed in good standing by any state; and
 - (b) informs the sheriff that the attorney wishes to meet with a prisoner who is at the jail.
- (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 and the meeting:
32 (i) was requested by the prisoner, the prisoner's family, or by a person on behalf of
33 the prisoner; or
34 (ii) relates to potential representation for a civil rights matter;
35 (c) a potential witness to a criminal case that the attorney is prosecuting or defending; or
36 (d) an individual who may have information pertinent to a criminal case that the attorney
37 is prosecuting or defending.
- 38 (3)(a) Subject to Subsection (3)(b), a sheriff may designate another person at a jail under
39 the sheriff's control to act on behalf of the sheriff for purposes of this section.
- 40 (b) If a sheriff makes a designation under Subsection (3)(a), the sheriff shall provide the
41 name of the designee on:
42 (i) the sheriff's public website;
43 (ii) the jail's website; and
44 (iii) any other location that the sheriff determines would assist an attorney to locate
45 the information.
- 46 (c) A sheriff or a sheriff's designee may provide an online form or other method for an
47 attorney to request:
48 (i) a meeting under Subsection (1); or
49 (ii) a meeting outside of the regular hours described in Subsection (4)(b).
- 50 (4) A sheriff or a sheriff's designee:
51 (a) shall provide a private and confidential space at the jail in which an attorney can
52 meet with a prisoner; and
53 (b) may require a meeting described in Subsection (1) to occur between 8 a.m. and 5
54 p.m., Monday through Friday, excluding holidays, unless:
55 (i) the attorney presents special circumstances demonstrating that a meeting outside
56 the days or times described in this Subsection (4)(b) is necessary:
57 (A) to avoid a legal disadvantage or undue hardship to a prisoner or undue
58 hardship to the attorney; or
59 (B) in an emergency; and
60 (ii) the sheriff or the sheriff's designee determines that the special circumstances
61 presented under Subsection (4)(b)(i) are sufficient to warrant a meeting outside
62 the days or times described in this Subsection (4)(b).
- 63 (5) An attorney who meets with a prisoner under Subsection (1) and leaves discovery,

64 evidence, or other documents with the prisoner shall ensure that the attorney complies
65 with the requirements described in Subsection 17-72-301(3)(b).

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

68 Section 2. **Effective Date.**

69 This bill takes effect on May 6, 2026.