

**Evidence Declaration Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor:

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**LONG TITLE****General Description:**

This bill requires a signed statement regarding evidence collected in a criminal case.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires a government official who obtains or provides evidence in a criminal case to sign a statement that the evidence was obtained or provided in compliance with state and federal law;
- requires a prosecuting attorney to sign a statement in a criminal case with regard to disclosures; and
- makes it a crime for a government official or a prosecuting attorney to fail to comply with the requirements of a signed statement.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**77-4-202**, Utah Code Annotated 1953

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

Section 1. Section **77-4-202** is enacted to read:

**77-4-202 . Declaration requirement for evidence in a criminal case.**

(1) As used in this section:

(a) "Government official" means:

(i) a law enforcement officer as defined in Section 53-13-103;

(ii) an employee of a prosecuting agency;

(iii) a prosecuting attorney; or

(iv) an individual who collects evidence on behalf of a law enforcement agency or prosecuting agency.

(b) "Unsworn declaration" means the same as that term is defined in Section 78B-18a-102.

(2) If a government official provides or obtains evidence in a criminal case that will be used to prosecute an individual for an offense, the government official shall sign a statement attesting that the evidence was obtained or provided in compliance with state and federal law.

(3) When a prosecuting attorney discloses evidence to a defendant in a criminal case, the prosecuting attorney shall sign a statement attesting that the prosecuting attorney has complied with state and federal laws on the disclosure of evidence to a defendant, including Rule 16 of the Utah Rules of Criminal Procedure.

(4) A signed statement described in Subsection (2) or (3) shall include an unsworn declaration.

(5) A government official or prosecuting attorney who fails to comply with Subsection (2) or (3) is guilty of a class A misdemeanor.

**Section 2. Effective Date.**

This bill takes effect on May 6, 2026.