

1 **Evidence Declaration Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor:

LONG TITLE**General Description:**

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

Highlighted Provisions:

7 This bill:

8 ▸ defines terms;

9 ▸ requires a government official who obtains or provides evidence in a criminal case to sign
10 a statement that the evidence was obtained or provided in compliance with state and
11 federal law;

12 ▸ requires a prosecuting attorney to sign a statement in a criminal case with regard to
13 disclosures; and
14 ▸ makes it a crime for a government official or a prosecuting attorney to fail to comply with
15 the requirements of a signed statement.

Money Appropriated in this Bill:

17 None

Other Special Clauses:

19 None

Utah Code Sections Affected:**ENACTS:**

22 **77-4-202**, Utah Code Annotated 1953

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

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

26 **77-4-202 . Declaration requirement for evidence in a criminal case.**

27 **(1) As used in this section:**

28 (b) **"Government official"** means:

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

30 (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.