

# Outline of Juvenile Recodification, Part II

## Outline of House Bill 248 (2022 General Session)

Title/Chapter/Part	Section	Title	Changes
<b>Title 26</b>		<b>Utah Health Code</b>	
<b>Chapter 18</b>		<b>Medical Assistance Act</b>	
<b>Part 7</b>		<b>Medical Assistance Under Adoption Assistance Interstate Compact</b>	
	26-18-701	Definitions.	New section from Subsection 62A-4a-709(1)
	26-18-702	Division and Department of Workforce Services compliance with adoption assistance interstate compact.	New section from Subsection 62A-4a-709(2)
	26-18-703	Medical assistance from division or Department of Workforce Services under adoption assistance interstate compact – Penalty for fraudulent claim.	Renumbered and amended Section 62A-4a-709
<b>Title 36</b>		<b>Legislature</b>	
<b>Chapter 33</b>		<b>Child Welfare Legislative Oversight Panel</b>	
	36-33-101	Definitions.	New section
	36-33-102	Child Welfare Legislative Oversight Panel – Creation – Membership – Interim rules – Per diem – Staff support.	New section from Subsections 62A-4a-207(1) through (3), (9), and (10)
	36-33-103	Panel powers and duties – Record access and confidentiality.	Renumbered and amended Section 62A-4a-207
<b>Title 62A</b>		<b>Utah Human Services Code</b>	
<b>Chapter 2</b>		<b>Licensure of Programs and Facilities</b>	
	62A-2-101	Definitions.	Amended section
	62A-2-108.6	Child placing licensure requirements – Prohibited acts.	Renumbered and amended Section 62A-4a-602
	62A-2-115.1	Injunctive relief and civil penalty for unlawful child placing – Enforcement by county attorney or attorney general.	Renumbered and amended Section 62A-4a-603
	62A-2-115.2	Child-placing agency proof of authority in a proceeding.	Renumbered and amended Section 62A-4a-605
	62A-2-126	Child-placing agency regulation – Notice to potential adoptive parents.	Renumbered and amended Section 62A-4a-607 with the addition of Subsection 62A-4a-601(3) and Section 62A-4a-609
	62A-2-127	Child-placing agency responsibility for educational services – Payment of costs.	Renumbered and amended Section 62A-4a-606
<b>Chapter 4a</b>		<b>Juvenile Services</b>	
	62A-4a-101.5	Juvenile services.	New section

	62A-4a-1003.5	Use of Management Information System information at request of the Office of Guardian Ad Litem.	New section
<b>Title 63G</b>		<b>General Government</b>	
<b>Chapter 2</b>		<b>Government Records Access and Management Act</b>	
<b>Part 3</b>		<b>Classification</b>	
	63G-2-302	Private records.	Amended section
<b>Title 63I</b>		<b>Oversight</b>	
<b>Chapter 2</b>		<b>Repeal Dates by Title Act</b>	
<b>Part 2</b>		<b>Repeal Dates by Title</b>	
	63I-2-262	Repeal dates – 62A.	Amended section
<b>Title 76</b>		<b>Utah Criminal Code</b>	
<b>Chapter 7</b>		<b>Offenses Against the Family</b>	
<b>Part 2</b>		<b>Nonsupport and Custody of Children</b>	
	76-7-205	Unregulated custody transfer prohibition – Penalty.	Renumbered and amended Section 62A-4a-711
<b>Title 78A</b>		<b>Judiciary and Judicial Administration</b>	
<b>Chapter 2</b>		<b>Judicial Administration</b>	
<b>Part 8</b>		<b>Guardian Ad Litem</b>	
	78A-2-801	Definitions.	Amended section
	78A-2-802	Office of Guardian Ad Litem – Appointment of director – Duties of director – Contracts in second, third, and fourth districts.	Amended section
	78A-2-803	Appointment of attorney guardian ad litem – Duties and responsibilities – Training – Trained staff and court-appointed special advocate volunteers – Costs – Immunity – Annual report.	Amended section
<b>Chapter 6</b>		<b>Juvenile Court Act</b>	
<b>Part 3a</b>		<b>Juvenile Court Proceedings</b>	
	78A-6-351	Summons – Service and process – Issuance and contents – Notice to absent parent or guardian – Emergency medical or surgical treatment – Compulsory process for attendance of witnesses when authorized.	Amended section
	78A-6-356	Child support obligation when custody of a child is vested in an individual or institution.	Amended section with the addition of Subsections 62A-4a-114(2) and (3)
	78A-6-357	New hearings – Modification of order or decree – Requirements for changing or	Amended section

		terminating custody, probation, or protective supervision.	
<b>Title 80</b>		<b>Utah Juvenile Code</b>	
<b>Chapter 1</b>		<b>General Provisions</b>	
	80-1-102	Juvenile Code definitions.	Amended section with the addition of Subsections 62A-4a-101(4) through (6), (27), and (41), 62A-4a-601(1) and (2), 62A-4a-1002, 62A-4a-1004(2)
<b>Chapter 2</b>		<b>Child Welfare Services</b>	
<b>Part 1</b>		<b>General Provisions</b>	
	80-2-102	Definitions.	Renumbered and amended Section 62A-4a-101 with the addition of Subsections 62A-4a-117(1)(a), 62A-4a-302, and 62A-4a-402(1) and (3)
<b>Part 2</b>		<b>Division of Child and Family Services</b>	
	80-2-201	Creation of division.	Renumbered and amended Section 62A-4a-103
	80-2-202	Division director – Qualifications – Responsibilities.	Renumbered and amended Section 62A-4a-104
<b>Part 3</b>		<b>Division Responsibilities</b>	
	80-2-301	Division responsibilities.	Renumbered and amended Section 62A-4a-105 with the addition of Subsections 62A-4a-103(1)(b), 62A-4a-106(1) through (3), and 62A-4a-110(1), and (2)(b) through (d)
	80-2-302	Division rulemaking authority – Family impact statement.	Renumbered and amended Section 62A-4a-102 with the addition of Sections 62A-4a-119 and 62A-4a-120 and Subsection 62A-4a-303(6)

	80-2-303	Division enforcement authority – Attorney general responsibilities.	Renumbered and amended Section 62A-4a-113 with the addition of Subsection 62A-4a-114(4)
	80-2-304	Administrative proceedings.	Renumbered and amended Section 62A-4a-115
	80-2-305	Fraudulently obtained services – Division recovery – Agreement with Office of Recovery Services.	Renumbered and amended Section 62A-4a-111
	80-2-306	Division in-home services for the preservation of families.	Renumbered and amended Section 62A-4a-202
	80-2-307	Division reimbursement of motor vehicle insurance coverage for a foster child.	Renumbered and amended Section 62A-4a-121
	80-2-308	Division responsibility for normalizing lives of children – Requirements for caregiver decision making.	Renumbered and amended Section 62A-4a-212 with the addition of Sections 62A-4a-210 and 62A-4a-211
<b>Part 4</b>		<b>Division Employees and Volunteers</b>	
	80-2-401	Division employees – Failure to comply with law or division rule or policy – Termination.	Renumbered and amended Section 62A-4a-105.5
	80-2-402	Child welfare training coordinator – Mandatory education and training of child welfare caseworkers – Development of curriculum.	Renumbered and amended Section 62A-4a-107 with the addition of Subsection 62A-4a-205(8)(b)
	80-2-403	Child welfare caseworker safety and risk assessment.	Renumbered and amended Section 62A-4a-203.1
	80-2-404	Division volunteers – Reimbursement.	Renumbered and amended Section 62A-4a-110
	80-2-405	Private recruitment and training of foster care parents and child welfare volunteers – Extension of immunity.	Renumbered and amended Section 62A-4a-107.5
<b>Part 5</b>		<b>Funds, Accounts, and Grant Programs</b>	
	80-2-501	Children’s Account.	Renumbered and amended Section 62A-4a-309 with the addition of Section 62A-4a-310



	80-2-502	Choose Life Adoption Support Restricted Account.	Renumbered and amended Section 62A-4a-608
	80-2-503	Division contracts for prevention and treatment of child abuse and neglect – Requirements – Public hearing – Funding provided by contractor.	New section from Sections 62A-4a-301, and 62A-4a-303 through 308
	80-2-503.5	Psychotropic medication oversight pilot program.	Renumbered and amended Section 62A-4a-213
<b>Part 6</b>		<b>Child Abuse and Neglect Reports</b>	
	80-2-601	Legislative purpose.	Renumbered and amended Section 62A-4a-401
	80-2-602	Child abuse and neglect reporting requirements – Exceptions.	Renumbered and amended Section 62A-4a-403 with the addition of Subsection 62A-4a-412(5)
	80-2-603	Fetal alcohol syndrome or spectrum disorder and drug dependency reporting requirements.	Renumbered and amended Section 62A-4a-404 with the addition of Subsections 62A-4a-402(2) and 62A-4a-412(5)
	80-2-604	Death of a child reporting requirements.	Renumbered and amended Section 62A-4a-405
	80-2-605	Physician removal of a child – Reporting requirements.	Renumbered and amended Section 62A-4a-407
	80-2-606	Written reports.	Renumbered and amended Section 62A-4a-408
	80-2-607	Health care provider photographs of child abuse or neglect.	Renumbered and amended Section 62A-4a-406
	80-2-608	Confidential identity of a person who reports.	New section from Subsection 62A-4a-412(3)(a)
	80-2-609	Failure to report – Threats and intimidation – Penalty.	Renumbered and amended Section 62A-4a-411
	80-2-610	Immunity from liability for a report – Exception.	Renumbered and amended Section 62A-4a-410

	80-2-611	False reports – Investigation – Notice of penalty.	Renumbered and amended Section 62A-4a-1007
<b>Part 7</b>		<b>Child Abuse and Neglect Investigation</b>	
	80-2-701	Division pre-removal investigation – Supported or unsupported reports – Convening of child protection team – Coordination with law enforcement – Consultation with child protection team.	Renumbered and amended Section 62A-4a-409
	80-2-702	Division post-removal investigation – Supported or unsupported reports – Convening of child protection team – Cooperation with law enforcement – Close of investigation.	Renumbered and amended Section 62A-4a-202.3
	80-2-703	Conflict child protective services investigations – Authority of investigators.	Renumbered and amended Section 62A-4a-202.6
	80-2-704	Division interview of a child – Support person for the child – Notice – Recording.	Renumbered and amended Section 62A-4a-414 with the addition of Subsections 62A-4a-202.3(7) and 62A-4a-409(8)
	80-2-705	Law enforcement interview of a child in division’s custody.	Renumbered and amended Section 62A-4a-415
	80-2-706	Child protection team during division investigation – Coordination of team – Timing of team meetings.	Renumbered and amended Section 62A-4a-202.8 with the addition of Subsection 62A-4a-409(4)(d)
	80-2-707	Supported finding of child abuse or neglect after division investigation – Notice to alleged perpetrator – Rights of alleged perpetrator – Administrative review – Joinder in juvenile court.	Renumbered and amended Section 62A-4a-1009
	80-2-708	Supported finding of severe type of child abuse or neglect after division investigation – Notation in Licensing Information System – Juvenile court petition or notice to alleged perpetrator – Rights of alleged perpetrator.	Renumbered and amended Section 62A-4a-1005
	80-2-709	Division access to criminal background information for background screening and investigation.	Renumbered and amended Section 62A-4a-202.4
<b>Part 8</b>		<b>Division Child Placing and Adoption Services</b>	
	80-2-801	Definitions.	Renumbered and amended Section 62A-

			4a-902 with the addition of Subsections 62A-4a-101(2), 62A-4a-106(6)(a), and 62A-4a-205.5(1)
	80-2-802	Division child placing and adoptive services – Restrictions on placement of a child.	New section from Subsections 62A-4a-205.5(2) and (3), 62A-4a-205.6(4), and 62A-4a-602(6)(b) and (c)
	80-2-803	Division promotion of adoption – Adoption research and informational pamphlet.	New section from Subsections 62A-4a-607(1), (2), and (3)(d) and (e)
	80-2-804	Adoptive placement time frame – Division contracts with child-placing agencies.	Renumbered and amended Section 62A-4a-205.6
	80-2-805	Division post-adoption services and contracts – Access to health care for an adopted child.	Renumbered and amended Section 62A-4a-106 with the addition of Subsection 62A-4a-205.6(3)
	80-2-806	Division adoption assistance – Eligibility – Limitations.	Renumbered and amended Section 62A-4a-903 with the addition of Sections 62A-4a-901 and 62A-4a-904
	80-2-807	Division supplemental adoption assistance – Department advisory committee.	Renumbered and amended Section 62A-4a-905
	80-2-808	Division termination or modification of adoption assistance.	Renumbered and amended Section 62A-4a-906
	80-2-809	Interstate compact adoption assistance agreements.	Renumbered and amended Section 62A-4a-907
<b>Part 9</b>		<b>Interstate Compact on Placement of Children</b>	
	80-2-901	Definitions.	New section from Subsections 62A-4a-101(36) and (37)
	80-2-902	Division authority under Article III of Interstate Compact.	Renumbered and amended Section 62A-4a-703

	80-2-903	Director authority under Article V of Interstate Compact.	Renumbered and amended Section 62A-4a-704
	80-2-904	Executive director authority under Article VII of Interstate Compact.	Renumbered and amended Section 62A-4a-707
	80-2-905	Interstate Compact on Placement of Children – Text.	Renumbered and amended Section 62A-4a-701
	80-2-906	Financial responsibility for child placed under Interstate Compact.	Renumbered and amended Section 62A-4a-702
	80-2-907	Fulfillment of requirements under Interstate Compact.	Renumbered and amended Section 62A-4a-705
	80-2-908	Jurisdiction over delinquent children under Interstate Compact.	Renumbered and amended Section 62A-4a-706
	80-2-909	Existing authority for child placement continues.	Renumbered and amended Section 62A-4a-708
	80-2-910	Interjurisdictional home study report.	Renumbered and amended Section 62A-4a-710
<b>Part 10</b>		<b>Division and Child Welfare Records</b>	
	80-2-1001	Management Information System – Contents – Classification of records – Access.	Renumbered and amended Section 62A-4a-1003
	80-2-1002	Licensing Information System – Contents – Classification of records – Access – Unlawful release – Penalty.	Renumbered and amended Section 62A-4a-1006 with the addition of Subsection 62A-4a-1005(1)(b)
	80-2-1003	Deletion, expungement, or notation of information or reports in Management Information System or Licensing Information System.	Renumbered and amended Section 62A-4a-1008 with the addition of Subsections 62A-4a-1005(3)(b) and (e)
	80-2-1004	Request for division removal of name from Licensing Information System – Petition for evidentiary hearing or substantiation.	Renumbered and amended Section 62A-4a-1010
	80-2-1005	Classification of reports of alleged abuse or neglect – Confidential identity of a person who reports – Access –	Renumbered and amended Section 62A-4a-412



		Admitting reports into evidence – Unlawful release and use – Penalty.	
	80-2-1006	Sharing of records with Indian tribe under agreement.	New section from Subsection 62A-4a-105(1)(f)
	80-2-1007	Request to examine division services payment – Access to related records – Unlawful use – Penalty.	Renumbered and amended Section 62A-4a-112
<b>Part 11</b>		<b>Child Welfare Services Improvement and Oversight</b>	
	80-2-1101	Child Welfare Improvement Council – Creation – Membership – Expenses.	Renumbered and amended Section 62A-4a-311
	80-2-1102	Performance monitoring system – Report.	Renumbered and amended Section 62A-4a-117
	80-2-1103	Annual review of child welfare referrals and cases by department – Review by legislative auditor general – Reports.	Renumbered and amended Section 62A-4a-118
	80-2-1104	Child protection ombudsman – Responsibility – Authority – Report.	Renumbered and amended Section 62A-4a-208
<b>Chapter 2a</b>		<b>Removal and Protective Custody of a Child</b>	
<b>Part 1</b>		<b>General Provisions</b>	
	80-2a-101	Definitions	New Section
<b>Part 2</b>		<b>Warrants and Removal</b>	
	80-2a-201	Rights of parents – Children’s rights – Interest and responsibility of state.	Renumbered and amended Section 62A-4a-201
	80-2a-202	Removal of a child by a peace officer or child welfare caseworker – Search warrants – Protective custody and temporary care of a child.	Renumbered and amended Section 62A-4a-202.1
	80-2a-203	Notice upon issuance of a warrant or removal of a child – Locating noncustodial parent – Information provided to parent, guardian, or responsible relative.	Renumbered and amended Section 62A-4a-202.2 with the addition of Subsection 62A-4a-202.1(10)
<b>Part 3</b>		<b>Division Placement of a Child After Removal</b>	
	80-2a-301	Division’s emergency placement of a child – Background checks.	Renumbered and amended Section 62A-4a-209 with the addition of Subsection 62A-4a-202.1(7)(d)
	80-2a-302	Reasonable efforts to maintain a child in the home – Exception – Reasonable efforts for reunification.	Renumbered and amended Section 62A-4a-203

	80-2a-303	Child missing from division custody – Placement after locating child.	Renumbered and amended Section 62A-4a-206.5
	80-2a-304	Removal of a child from foster family placement – Procedural due process.	Renumbered and amended Section 62A-4a-206
<b>Chapter 3</b>		<b>Abuse, Neglect, and Dependency Proceedings</b>	
<b>Part 1</b>		<b>General Provisions</b>	
	80-3-102	Definitions.	Amended section
	80-3-104	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	Amended section
	80-3-109	Physical or mental health examination during proceedings – Division duties.	Amended section
<b>Part 2</b>		<b>Petition alleging abuse, neglect, or dependency.</b>	
	80-3-201	Petition – Who may file – Timing – Dismissal – Notice.	Amended section
<b>Part 3</b>		<b>Shelter Proceedings and Placement of a Child</b>	
	80-3-301	Shelter hearing – Court considerations.	Amended section
	80-3-302	Shelter hearing – Placement of a child.	Amended section with the addition of Section 62A-4a-206.1
	80-3-305	Criminal background checks necessary before out-of-home placement of a child.	Amended section
	80-3-307	Child and family plan developed by division – Parent-time and relative visitation.	Renumbered and amended Section 62A-4a-205
<b>Part 4</b>		<b>Adjudication, Disposition, and Permanency</b>	
	80-3-404	Finding of severe child abuse or neglect – Order delivered to division – Court records.	Amended section
	80-3-406	Permanency plan – Reunification services.	Amended section
<b>Part 5</b>		<b>Miscellaneous Hearings</b>	
	80-3-504	Petition for substantiation – Court findings – Expedited hearing – Records of an appeal.	New section from Subsections 80-3-404(3), (5), and (6)(b)
<b>Chapter 4</b>		<b>Termination and Restoration of Parental Rights</b>	
<b>Part 1</b>		<b>General Provisions</b>	
	80-4-105	Effect of decree.	Amended section
	80-4-106	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	Amended section
	80-4-107	Record of proceedings – Written reports and other materials – Statements of a child.	Amended section

<b>Part 3</b>		<b>Termination and Post-termination of Parental Rights</b>	
	80-4-305	Court disposition of a child upon termination of parental rights – Post-termination reunification.	Amended section
<b>Part 5</b>		<b>Safe Relinquishment of a Newborn Child</b>	
	80-4-501	Definitions.	Renumbered and amended Section 62A-4a-801
	80-4-502	Safe relinquishment of a newborn child – Termination of parental rights – Affirmative defense.	Renumbered and amended Section 62A-4a-802
<b>Chapter 5</b>		<b>Juvenile Justice Services</b>	
<b>Part 6</b>		<b>Runaways and Ungovernable Children</b>	
	80-5-601	Harboring a runaway – Reporting requirements – Division of Child and Family Services to provide assistance – Affirmative defense – Providing shelter after notice.	Amended section
<b>Chapter 6</b>		<b>Juvenile Justice</b>	
<b>Part 7</b>		<b>Adjudication and Disposition</b>	
	80-6-707	Suspension of driving privileges.	Amended section
	80-6-710	Restitution – Requirements.	Amended section
<b>Part 10</b>		<b>Juvenile Records and Expungement</b>	
	80-6-1002	Vacatur of adjudications.	Amended section
	80-6-1004	Requirements to apply to expunge an adjudication.	Amended section
<b>Part 11</b>		<b>Interstate Compact for Juveniles</b>	
	80-6-1101	Interstate Compact for Juveniles – Execution of compact.	Renumbered and amended Section 55-12-100
	80-6-1102	Article 1 – Purpose.	Renumbered and amended Section 55-12-101
	80-6-1103	Article 2 – Definitions.	Renumbered and amended Section 55-12-102
	80-6-1104	Article 3 – Interstate Commission for Juveniles.	Renumbered and amended Section 55-12-103
	80-6-1105	Article 4 – Powers and duties of the Interstate Commission.	Renumbered and amended Section 55-12-104
	80-6-1106	Article 5 – Organization and operation of the Interstate Commission.	Renumbered and amended Section 55-12-105

	80-6-1107	Article 6 – Rulemaking functions of the Interstate Commission.	Renumbered and amended Section 55-12-106
	80-6-1108	Article 7 – Oversight, enforcement, and dispute resolution by Interstate Commission.	Renumbered and amended Section 55-12-107
	80-6-1109	Article 8 – Finance.	Renumbered and amended Section 55-12-108
	80-6-1110	Article 9 – State council.	Renumbered and amended Section 55-12-109
	80-6-1111	Article 10 – Compacting states, effective date, and amendment.	Renumbered and amended Section 55-12-110
	80-6-1112	Article 11 – Withdrawal, default, termination, and judicial enforcement.	Renumbered and amended Section 55-12-111
	80-6-1113	Article 12 – Severability and construction.	Renumbered and amended Section 55-12-112
	80-6-1114	Article 13 – Binding effect of compact and other laws.	Renumbered and amended Section 55-12-113
	80-6-1115	Juvenile compact administrator.	Renumbered and amended Section 55-12-114
	80-6-1116	Supplementary agreements.	Renumbered and amended Section 55-12-115
	80-6-1117	Financial arrangements.	Renumbered and amended Section 55-12-116
	80-6-1118	Responsibility of parents.	Renumbered and amended Section 55-12-117
	80-6-1119	Responsibilities of state courts, departments, agencies, and officers.	Renumbered and amended Section 55-12-118