

26-6b-3.2 Involuntary order of restriction -- Notice -- Effect of order during judicial review.

- (1) If the department cannot obtain consent to the order of restriction from an individual, or if an individual withdraws consent to an order under Subsection 26-6b-3.1(1)(b)(iv)(B), the department shall:
 - (a) give the individual or group of individuals subject to the order of restriction a written notice of:
 - (i) the order of restriction and any supporting documentation; and
 - (ii) the individual's right to a judicial review of the order of restriction; and
 - (b) file a petition for a judicial review of the order of restriction under Section 26-6b-4 in district court within:
 - (i) five business days after issuing the written notice of the order of restriction; or
 - (ii) if consent has been withdrawn under Subsection 26-6b-3.1(1)(b)(iv)(B), within five business days after receiving notice of the individual's withdrawal of consent.
- (2)
 - (a) An order of restriction remains in effect during any judicial proceedings to review the order of restriction if the department files a petition for judicial review of the order of restriction with the district within the period of time required by this section.
 - (b) Law enforcement officers with jurisdiction in the area where the individual who is subject to the order of restriction can be located shall assist the department with enforcing the order of restriction.

Enacted by Chapter 185, 2006 General Session