

41-6a-506 Electronic monitoring requirements for certain driving under the influence violations.

- (1) If the court orders a person to participate in home confinement through the use of electronic monitoring, the electronic monitoring shall alert the appropriate corrections, probation monitoring agency, law enforcement units, or contract provider of the defendant's whereabouts.
- (2) The electronic monitoring device shall be used under conditions which require:
 - (a) the person to wear an electronic monitoring device at all times;
 - (b) that a device be placed in the home or other specified location of the person, so that the person's compliance with the court's order may be monitored; and
 - (c) the person to pay the costs of the electronic monitoring.
- (3) The court shall order the appropriate entity described in Subsection (5) to place an electronic monitoring device on the person and install electronic monitoring equipment in the residence of the person or other specified location.
- (4) The court may:
 - (a) require the person's electronic home monitoring device to include a substance abuse testing instrument;
 - (b) restrict the amount of alcohol the person may consume during the time the person is subject to home confinement;
 - (c) set specific time and location conditions that allow the person to attend school educational classes, or employment and to travel directly between those activities and the person's home; and
 - (d) waive all or part of the costs associated with home confinement if the person is determined to be indigent by the court.
- (5) The electronic monitoring described in this section may either be administered directly by the appropriate corrections agency, probation monitoring agency, or by contract with a private provider.
- (6) The electronic monitoring provider shall cover the costs of waivers by the court under Subsection (4)(d).

Enacted by Chapter 2, 2005 General Session