

Effective 5/3/2023

53-10-102 Definitions.

As used in this chapter:

- (1) "Administration of criminal justice" means performance of any of the following: detection, apprehension, detention, pretrial release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.
- (2) "Alcoholic beverage" means the same as that term is defined in Section 32B-1-102.
- (3) "Alcoholic product" means the same as that term is defined in Section 32B-1-102.
- (4) "Bureau" means the Bureau of Criminal Identification within the department, created in Section 53-10-201.
- (5) "Commission" means the Alcoholic Beverage Services Commission.
- (6) "Communications services" means the technology of reception, relay, and transmission of information required by a public safety agency in the performance of the public safety agency's duty.
- (7) "Conviction record" means criminal history information indicating a record of a criminal charge that has led to a declaration of guilt of an offense.
- (8) "Criminal history record information" means information on an individual consisting of identifiable descriptions and notations of:
 - (a) arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising from any of them; and
 - (b) sentencing, correctional supervision, and release.
- (9) "Criminal justice agency" means a court or a government agency or subdivision of a government agency that administers criminal justice under a statute, executive order, or local ordinance and that allocates greater than 50% of its annual budget to the administration of criminal justice.
- (10) "Criminalist" means the scientific discipline directed to the recognition, identification, individualization, and evaluation of physical evidence by application of the natural sciences in law-science matters.
- (11) "Department" means the Department of Public Safety.
- (12) "Director" means the division director appointed under Section 53-10-103.
- (13) "Division" means the Criminal Investigations and Technical Services Division created in Section 53-10-103.
- (14) "Executive order" means an order of the president of the United States or the chief executive of a state that has the force of law and that is published in a manner permitting regular public access to the order.
- (15) "Forensic" means dealing with the application of scientific knowledge relating to criminal evidence.
- (16) "Mental defective" means an individual who, by a district court, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease, is found:
 - (a) to be a danger to himself or herself or others;
 - (b) to lack the mental capacity to contract or manage the individual's own affairs;
 - (c) to be incompetent by a court in a criminal case; or
 - (d) to be incompetent to stand trial or found not guilty by reason or lack of mental responsibility.
- (17) "Missing child" means an individual under 18 years old who is missing from the individual's home environment or a temporary placement facility for any reason and whose location cannot be determined by the person responsible for the individual's care.
- (18) "Missing person" means the same as that term is defined in Section 26B-8-130.
- (19) "Pathogens" means disease-causing agents.

(20) "Physical evidence" means something submitted to the bureau to determine the truth of a matter using scientific methods of analysis.

(21) "Qualifying entity" means a business, organization, or a governmental entity that employs persons or utilizes volunteers who deal with:

(a) national security interests;

(b) fiduciary trust over money; or

(c) the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities.

Amended by Chapter 328, 2023 General Session