Effective 5/7/2025

Chapter 29
Sex, Kidnap, and Child Abuse Offender Registry

Part 1
General Provisions

53-29-101 Definitions.

As used in this chapter:

(1) "Bureau" means the Bureau of Criminal Identification of the Department of Public Safety established in Section 53-10-201.

(2) "Certificate of eligibility" means the certificate issued by the bureau described in Section 53-29-207.

(3) "Child" means an individual who is younger than 18 years old.

(4) "Child abuse offender" means an individual who meets the requirements under Subsection 53-29-202(2)(a).

(5)

(a) "Convicted" means a plea or conviction of:

(i) guilty;

(ii) guilty with a mental illness; or

(iii) no contest.

(b) "Convicted" includes, except as provided in Subsection 53-29-202(4), the period a plea is held in abeyance pursuant to a plea in abeyance agreement as defined in Section 77-2a-1.

(c) "Convicted" does not include:

(i) a withdrawn or dismissed plea in abeyance;

(ii) a diversion agreement; or

(iii) an adjudication of a minor for an offense under Section 80-6-701.

(6) "Division" means the Division of Juvenile Justice and Youth Services.

(7) "Employed" means employment that is full time or part time, whether financially compensated, volunteered, or for the purpose of government or educational benefit.

(8) "Kidnap offender" means an individual who meets the requirements under Subsection 53-29-202(2)(c).

(9) "Offender" means an individual who qualifies as a sex offender, a kidnap offender, or a child abuse offender as described in Section 53-29-202.

(10)

(a) "Online identifier" means any electronic mail, chat, instant messenger, social networking, or similar name used for internet communication.

(b) "Online identifier" does not include date of birth, social security number, PIN number, or internet passwords.

(11)

(a) "Parent" means, with respect to a child, an individual who has a parent-child relationship, as defined in Section 81-5-102, with the child.

(b) "Parent" includes a noncustodial parent of the child.

(12) "Primary residence" means the residence where an offender regularly resides, even if the offender intends to move to another residence or return to another residence at a future date.

(13) "Registrable offense" means an offense described in Subsection 53-29-202(1).

(14) "Registration website" means the Sex, Kidnap, and Child Abuse Offender Notification and Registration website described in Section 53-29-404.
(15) "Registry" means the Sex, Kidnap, and Child Abuse Offender Registry maintained by the department and created in Section 53-29-102 to monitor and track offenders.
(16) "Registry office" means the office within the department that manages the Sex, Kidnap, and Child Abuse Offender Registry.
(17)
(a) "Residence" means a structure, or a portion of a structure, that is designed and intended for occupancy as a dwelling by one or more individuals.
(b) "Residence" does not include a temporary structure, a vehicle, or an area of unimproved real property.
(18) "Sex offender" means an individual who meets the requirements under Subsection 53-29-202(2)(b).
(19) "Vehicle" means a motor vehicle, an aircraft, or a watercraft subject to registration in any jurisdiction.

Amended by Chapter 331, 2026 General Session

53-29-102 Sex, Kidnap, and Child Abuse Offender Registry -- Creation -- Purpose.
(1) The department, to assist law enforcement in investigating kidnapping and sex-related crimes and in apprehending offenders, shall:
(a) develop and operate a system known as the Sex, Kidnap, and Child Abuse Offender Registry to collect, analyze, maintain, and disseminate information on offenders and registrable offenses; and
(b) make information listed in Subsection 53-29-404(3) available to the public.
(2) This chapter does not create or impose any duty on any individual to request or obtain information regarding any offender from the department.

Enacted by Chapter 291, 2025 General Session

Part 2
Registrable Offenses, Timelines for Registration, and Petitions for Removal

53-29-201 Definitions.
As used in this part:
(1) "Court" means a state, federal, or military court.
(2) "External jurisdiction" means:
(a) a state of the United States not including Utah;
(b) the United States federal government;
(c) Indian country;
(d) a United States territory;
(e) the United States military; or
(f) Canada, Australia, New Zealand, or the United Kingdom.
(3) "Indian country" means:

(a) all land within the limits of an Indian reservation under the jurisdiction of the United States government, regardless of the issuance of any patent, and includes rights-of-way running through the reservation;
(b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory, and whether within the limits of a state; and
(c) all Indian allotments, including the Indian allotments to which the Indian titles have not been extinguished, including rights-of-way running through the allotments.
(4) "Traffic offense" does not include a violation of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving.

Amended by Chapter 155, 2026 General Session

53-29-202 Registrable offenses -- Status as a sex offender, kidnap offender, and child abuse offender established.
(1) An individual is an offender described in Subsection (2) and subject to the requirements, restrictions, and penalties described in this chapter if the individual:
(a) has been convicted in this state of:
(i) aggravated child abuse under Subsection 76-5-109.2(3)(a) or (b);
(ii) child torture under Section 76-5-109.4;
(iii) a felony or class A misdemeanor violation of enticing a minor under Section 76-5-417;
(iv) sexual exploitation of a vulnerable adult under Section 76-5b-202;
(v) human trafficking for commercial sexual exploitation under Section 76-5-308.1;
(vi) human trafficking of a child for commercial sexual exploitation under Section 76-5-308.6;
(vii) aggravated human trafficking for commercial sexual exploitation under Section 76-5-310.2;
(viii) human trafficking of a vulnerable adult for commercial sexual exploitation under Section 76-5-312;
(ix) unlawful sexual activity with a minor under Section 76-5-401, except as provided in Subsection 76-5-401(3)(b) or (c);
(x) sexual abuse of a minor under Section 76-5-401.1, on the individual's first offense unless the individual was younger than 21 years old at the time of the offense then on the individual's second offense;
(xi) unlawful sexual conduct with a 16 or 17 year old under Section 76-5-401.2;
(xii) rape under Section 76-5-402;
(xiii) rape of a child under Section 76-5-402.1;
(xiv) object rape under Section 76-5-402.2;
(xv) object rape of a child under Section 76-5-402.3;
(xvi) a felony violation of forcible sodomy under Section 76-5-403;
(xvii) sodomy on a child under Section 76-5-403.1;
(xviii) forcible sexual abuse under Section 76-5-404;
(xix) sexual abuse of a child under Section 76-5-404.1;
(xx) aggravated sexual abuse of a child under Section 76-5-404.3;
(xxi) aggravated sexual assault under Section 76-5-405;
(xxii) custodial sexual relations under Section 76-5-412, if the victim in custody is younger than 18 years old and the offense is committed on or after May 10, 2011;
(xxiii) sexual exploitation of a minor under Section 76-5b-201;
(xxiv) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
(xxv) sexual extortion under Section 76-5b-204;
(xxvi) aggravated sexual extortion under Section 76-5b-204.1;

(xxvii) possession of apparent child sexual abuse material under Section 76-5b-207;
(xxviii) distribution of apparent child sexual abuse material under Section 76-5b-208;
(xxix) unlawful activity regarding obscene material depicting the sexual abuse of a minor under Section 76-5b-209;
(xxx) incest under Section 76-7-102;
(xxxi) lewdness under Section 76-5-419, if the individual has been convicted of the offense four or more times;
(xxxii) sexual battery under Section 76-5-418, if the individual has been convicted of the offense four or more times;
(xxxiii) any combination of convictions of lewdness under Section 76-5-419, and of sexual battery under Section 76-5-418, that total four or more convictions;
(xxxiv) lewdness involving a child under Section 76-5-420;
(xxxv) a felony or class A misdemeanor violation of:
(A) voyeurism under Section 76-12-306;
(B) recorded or photographed voyeurism under Section 76-12-307; or
(C) distribution of images obtained through voyeurism under Section 76-12-308;
(xxxvi) aggravated exploitation of prostitution under Section 76-5d-208;
(xxxvii) kidnapping under Subsection 76-5-301(2)(c) or (d), if the offender was not the parent of the child victim;
(xxxviii) child kidnapping under Section 76-5-301.1, if the offender was not the parent of the child victim;
(xxxix) aggravated kidnapping under Section 76-5-302, if the offender was not the parent of the child victim;
(xl) human trafficking for labor under Section 76-5-308, if the offender was not the parent of the child victim;
(xli) human trafficking of a child for labor under Section 76-5-308.5, if the offender was not the parent of the child victim;
(xlii) aggravated human trafficking for labor under Section 76-5-310, if the offender was not the parent of the child victim;
(xliii) human trafficking of a vulnerable adult for labor under Section 76-5-311, if the offender was not the parent of the child victim;
(xliv) human smuggling under Section 76-5-316, if the offender was not the parent of the child victim;
(xlv) aggravated human smuggling under Section 76-5-317, if the offender was not the parent of the child victim; or
(xlvi) attempting, soliciting, or conspiring to commit a felony violation of an offense listed in Subsections (1)(a)(i) through (xlv);

(b)
(i) has been convicted of a criminal offense, or an attempt, solicitation, or conspiracy to commit a criminal offense in an external jurisdiction that is substantially equivalent to the offense listed in Subsection (1)(a); and
(ii)
(A) is a Utah resident; or
(B) is not a Utah resident and is in this state for a total of 10 days in a 12-month period, regardless of whether the individual intends to permanently reside in this state;

(c)
(i)

(A) is required to register on a registry in an external jurisdiction for individuals who have committed an offense listed in Subsection (1)(a) or a substantially equivalent offense;
(B) is ordered by a court to register on a registry for individuals who have committed an offense listed in Subsection (1)(a) or a substantially equivalent offense; or
(C) would be required to register on a registry in an external jurisdiction for individuals who have committed an offense listed in Subsection (1)(a), or a substantially equivalent offense, if residing in the external jurisdiction of the conviction regardless of the date of the conviction or a previous registration requirement; and
(ii) is in this state for a total of 10 days in a 12-month period, regardless of whether the individual intends to permanently reside in this state;
(d)
(i)
(A) is a nonresident regularly employed or working in this state; or
(B) is a student in this state; and
(ii)
(A) is convicted of an offense listed in Subsection (1)(a) or a substantially equivalent offense in an external jurisdiction; or
(B) is required to register on a sex, kidnap, and child abuse registry, or an equivalent registry, in the individual's state of residence based on a conviction for an offense that is not substantially equivalent to an offense listed in Subsection (1)(a);
(e) is found not guilty by reason of insanity in this state or in an external jurisdiction of an offense listed in Subsection (1)(a) or a substantially equivalent offense; or
(f)
(i) is adjudicated under Section 80-6-701 for one or more offenses listed in Subsection (1)(a); and
(ii) has been committed to the division for secure care, as defined in Section 80-1-102, for that offense if:
(A) the individual remains in the division's custody until 30 days before the individual's 21st birthday;
(B) the juvenile court extended the juvenile court's jurisdiction over the individual under Section 80-6-605 and the individual remains in the division's custody until 30 days before the individual's 25th birthday; or
(C) the individual is moved from the division's custody to the custody of the department before expiration of the division's jurisdiction over the individual.
(2) Subject to Subsection (3), an individual is:
(a) a child abuse offender if the individual:
(i) has committed, attempted, solicited, or conspired to commit an offense described in Subsection (1)(a)(i) through (ii); or
(ii) meets a requirement described in Subsections (1)(b) through (e) for an offense described in Subsection (1)(a)(i) through (ii) or a substantially equivalent offense;
(b) a sex offender if the individual:
(i) has committed, attempted, solicited, or conspired to commit an offense described in Subsections (1)(a)(iii) through (xxxvi); or
(ii) meets a requirement described in Subsections (1)(b) through (e) for an offense described in Subsections (1)(a)(iii) through (xxxvi) or a substantially equivalent offense; or
(c) a kidnap offender if the individual:
(i) has committed, attempted, solicited, or conspired to commit an offense described in Subsections (1)(a)(xxxvii) through (xlv); or

(ii) meets a requirement described in Subsections (1)(b) through (e) for an offense described in Subsections (1)(a)(xxxvii) through (xlv) or a substantially equivalent offense.

(3) An individual who has committed a registrable offense described in Subsection (1)(d)(ii)(B) in an external jurisdiction that is not substantially equivalent to an offense described in Subsection (1)(a) and is required to register on a sex, kidnap, and child abuse registry, or an equivalent registry, in the individual's state of residence is a child abuse offender, sex offender, or kidnap offender based on the individual's status on the registry in the individual's state of residence.

(4) Notwithstanding Subsection 53-29-101(5)(a), a plea of guilty or nolo contendere to a charge of sexual battery or lewdness that is held in abeyance under Title 77, Chapter 2a, Pleas in Abeyance, is the equivalent of a conviction even if the charge is subsequently reduced or dismissed in accordance with the plea in abeyance agreement.

Amended by Chapter 330, 2026 General Session

53-29-203 Registration lengths -- 10 years -- Lifetime.

(1) Except as provided in Subsection (2)(a), (3), or (4), an individual who commits a registrable offense is required to register on the registry for:

(a) 10 years after the day on which the offender's sentence for the offense has been terminated if the registrable offense is for:

(i) a felony or class A misdemeanor violation of enticing a minor under Section 76-5-417, if the offender enticed the minor to engage in sexual activity that is one of the offenses described in Subsections (1)(a)(ii) through (xxiv);

(ii) aggravated child abuse under Subsection 76-5-109.2(3)(a) or (b);

(iii) child torture under Section 76-5-109.4;

(iv) kidnapping under Subsection 76-5-301(2)(c) or (d), if the offender was not the parent of the child victim;

(v) human trafficking for labor under Section 76-5-308, if the offender was not the parent of the child victim;

(vi) human trafficking of a child for labor under Section 76-5-308.5, if the offender was not the parent of the child victim;

(vii) aggravated human trafficking for labor under Section 76-5-310, if the offender was not the parent of the child victim;

(viii) human trafficking of a vulnerable adult for labor under Section 76-5-311;

(ix) human smuggling under Section 76-5-316, if the offender was not the parent of the child victim;

(x) aggravated human smuggling under Section 76-5-317;

(xi) a felony violation of unlawful sexual activity with a minor under Section 76-5-401;

(xii) sexual abuse of a minor under Section 76-5-401.1;

(xiii) unlawful sexual conduct with a 16 or 17 year old under Section 76-5-401.2;

(xiv) forcible sexual abuse under Section 76-5-404;

(xv) custodial sexual relations under Section 76-5-412;

(xvi) sexual exploitation of a vulnerable adult under Section 76-5b-202;

(xvii) sexual extortion under Section 76-5b-204;

(xviii) incest under Section 76-7-102;

(xix) four to seven convictions of lewdness under Section 76-5-419;

(xx) four to seven convictions of sexual battery under Section 76-5-418;

(xxi) any combination of convictions of lewdness under Section 76-5-419, and of sexual battery under Section 76-5-418, that total four to seven convictions;

(xxii) lewdness involving a child under Section 76-5-420;
(xxiii) a felony or class A misdemeanor violation of:
(A) voyeurism under Section 76-12-306;
(B) recorded or photographed voyeurism under Section 76-12-307; or
(C) distribution of images obtained through voyeurism under Section 76-12-308;
(xxiv) aggravated exploitation of prostitution under Section 76-5d-208, committed on or before May 9, 2011;
(xxv) attempting, soliciting, or conspiring to commit an offense listed in Subsections(1)(a)(i) through (xxiv) if the attempt, solicitation, or conspiracy is a registrable offense; or
(xxvi) attempting, soliciting, or conspiring to commit:
(A) aggravated kidnapping under Section 76-5-302, if the offender was not the parent of the child victim;
(B) human trafficking for commercial sexual exploitation under Section 76-5-308.1, if the offender was not the parent of the child victim;
(C) human trafficking of a child for commercial sexual exploitation under Section 76-5-308.6, if the offender was not the parent of the child victim;
(D) aggravated human trafficking for commercial sexual exploitation under Section 76-5-310.2, if the offender was not the parent of the child victim;
(E) human trafficking of a vulnerable adult for commercial sexual exploitation under Section 76-5-312, if the offender was not the parent of the child victim;
(F) forcible sodomy under Section 76-5-403;
(G) sexual abuse of a child under Section 76-5-404.1;
(H) sexual exploitation of a minor under Section 76-5b-201;
(I) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
(J) aggravated sexual extortion under Section 76-5b-204.1;
(K) possession of apparent child sexual abuse material under Section 76-5b-207;
(L) distribution of apparent child sexual abuse material under Section 76-5b-208;
(M) unlawful activity regarding obscene material depicting the sexual abuse of a minor under Section 76-5b-209; or
(N) aggravated exploitation of prostitution under Section 76-5d-208, on or after May 10, 2011; or
(b) the offender's lifetime if the registrable offense is:
(i) a conviction for an offense described in Subsection (1)(a), if the offender has, at the time of conviction for the offense:
(A) previously been convicted of an offense described in Subsection (1)(a), or a substantially equivalent offense in an external jurisdiction; or
(B) previously been required to register as an offender for an offense described in Subsection (1)(a) committed as a juvenile;
(ii) a following offense, including attempting, soliciting, or conspiring to commit a felony violation of:
(A) child kidnapping under Section 76-5-301.1, if the offender was not the parent of the child victim;
(B) rape under Section 76-5-402;
(C) rape of a child under Section 76-5-402.1;
(D) object rape under Section 76-5-402.2;
(E) object rape of a child under Section 76-5-402.3;
(F) sodomy on a child under Section 76-5-403.1;
(G) aggravated sexual abuse of a child under Section 76-5-404.3; or

(H) aggravated sexual assault under Section 76-5-405;
(iii) aggravated kidnapping under Section 76-5-302, if the offender was not the parent of the child victim;
(iv) human trafficking for commercial sexual exploitation under Section 76-5-308.1, if the offender was not the parent of the child victim;
(v) human trafficking of a child for commercial sexual exploitation under Section 76-5-308.6, if the offender was not the parent of the child victim;
(vi) aggravated human trafficking for commercial sexual exploitation under Section 76-5-310.2, if the offender was not the parent of the child victim;
(vii) human trafficking of a vulnerable adult for commercial sexual exploitation under Section 76-5-312, if the offender was not the parent of the child victim;
(viii) forcible sodomy under Section 76-5-403;
(ix) sexual abuse of a child under Section 76-5-404.1;
(x) sexual exploitation of a minor under Section 76-5b-201;
(xi) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
(xii) aggravated sexual extortion under Section 76-5b-204.1;
(xiii) aggravated exploitation of prostitution under Section 76-5d-208, on or after May 10, 2011; or
(xiv) a felony violation of enticing a minor under Section 76-5-417, if the offender enticed the minor to engage in sexual activity that is one of the offenses described in Subsections (1)(b)(ii) through (xiii).

(2) An individual who qualifies as an offender based on a conviction in an external jurisdiction for a registrable offense is required to register:
(a) for the time period required by the external jurisdiction if the offender:
(i) is on, or required to be on, the external jurisdiction's sex, kidnap, and child abuse registry, or an equivalent registry; or
(ii) would otherwise be on the external jurisdiction's sex, kidnap, and child abuse registry, or an equivalent registry, if the individual still resided in the external jurisdiction; or
(b) for the applicable time period required under Subsection (1) if the offender is not on, or required to be on, the external jurisdiction's sex, kidnap, and child abuse registry, or an equivalent registry.

(3)
(a) If the sentencing court at any time after an offender is convicted of an offense requiring lifetime registration described in Subsection (1)(b), and after considering the factors described in Subsection (3)(b), determines that the offender was under 21 years old at the time the offense was committed and the offense did not involve force or coercion, the requirement that the offender register for the offender's lifetime does not apply and the offender shall register for 10 years after the day on which the offender's sentence for the offense has been terminated.
(b) In determining whether an offense committed by an offender involves force or coercion under Subsection (3)(a), the sentencing court shall consider:
(i) the age of the victim;
(ii) the vulnerability of the victim;
(iii) the physical, mental, psychological, or emotional harm the victim suffered from the offense;
(iv) whether the offender used fraud or deception to commit the offense;
(v) if any child sexual abuse material, apparent child sexual abuse material, or obscene child sexual abuse material, as those terms are defined in Section 76-5b-103, was:
(A) distributed to the victim by the offender; or

(B) distributed, produced, or possessed by the offender at the time of the offense, that involved force or coercion against a victim depicted in the child sexual abuse material; and

(vi) any other factor the sentencing court determines is relevant.

(4) Except for an individual who is adjudicated for a registrable offense and is an offender who meets the requirements under Subsection 53-29-202(1)(f), an individual who is under 18 years old and commits a registrable offense after May 3, 2023, is not subject to registration requirements under this chapter unless the offender:

(a) is charged by criminal information in juvenile court under Section 80-6-503;

(b) is bound over to district court in accordance with Section 80-6-504; and

(c) is convicted of a registrable offense.

(5) An offender subject to the 10-year or lifetime registration requirements under Subsection (1) may petition the court for an order of removal from the registry in accordance with Section 53-29-204, 53-29-205, or 53-29-206.

Amended by Chapter 458, 2026 General Session

53-29-204 Five-year petition for removal from registry -- Eligibility.

(1) An offender who is required to register on the registry for a registrable offense described in Subsection (2) that is subject to a 10-year registration period, as described in Section 53-29-203, is eligible to petition the court under Section 53-29-207 for an order of removal from the registry after five years after the day on which the offender's sentence for the offense has been terminated if:

(a) the offense is the only offense for which the offender was required to register;

(b) the offender has not been convicted of another offense, excluding a traffic offense, after the day on which the offender was convicted of the offense for which the offender is required to register, as evidenced by a certificate of eligibility issued by the bureau;

(c) the offender successfully completed all treatment ordered by the court or the Board of Pardons and Parole relating to the offense; and

(d) the offender has paid all restitution ordered by the court or the Board of Pardons and Parole relating to the offense.

(2) The offenses that qualify for a five-year petition for an order of removal from the registry referenced in Subsection (1) are:

(a) a class A misdemeanor violation of enticing a minor under Section 76-5-417;

(b) kidnapping under Subsection 76-5-301(2)(c) or (d);

(c) a felony violation of unlawful sexual activity with a minor under Section 76-5-401, if, at the time of the offense, the offender is not more than 10 years older than the victim;

(d) sexual abuse of a minor under Section 76-5-401.1, if, at the time of the offense, the offender is not more than 10 years older than the victim;

(e) unlawful sexual conduct with a 16 or 17 year old under Section 76-5-401.2, if at the time of the offense, the offender is not more than 15 years older than the victim;

(f) a class A misdemeanor violation of:

(i) voyeurism under Section 76-12-306;

(ii) recorded or photographed voyeurism under Section 76-12-307; or

(iii) distribution of images obtained through voyeurism under Section 76-12-308;

(g) attempting, soliciting, or conspiring to commit an offense listed in Subsections (2)(a) through (f) if the attempt, solicitation, or conspiracy is a registrable offense; and

(h) an offense committed in an external jurisdiction that is not substantially equivalent to a registrable offense described in Subsection 53-29-202(1)(a).

Enacted by Chapter 291, 2025 General Session

53-29-205 Ten-year petition for removal from registry -- Eligibility.

(1) An offender who is required to register on the registry for a registrable offense described in Subsection (3) subject to a 10-year registration period as described in Section 53-29-203 is eligible to petition the court under Section 53-29-207 for an order of removal from the registry at a 10-year after entrance into the community period described in Subsection (2) if:
  (a) the offender has not been convicted of another offense that is a class A misdemeanor, felony, or capital felony within the most recent 10-year period after the date described in Subsection (2), as evidenced by a certificate of eligibility issued by the bureau;
  (b) the offender successfully completed all treatment ordered by the court or the Board of Pardons and Parole relating to the offense; and
  (c) the offender has paid all restitution ordered by the court or the Board of Pardons and Parole relating to the offense.

(2) An offender who qualifies under Subsection (1) may petition the court under Section 53-29-207 for an order of removal from the registry if 10 years have passed after the later of the following events in which the offender entered into the community:
  (a) the day on which the offender was placed on probation;
  (b) the day on which the offender was released from incarceration to parole;
  (c) the day on which the offender's sentence was terminated without parole;
  (d) the day on which the offender entered a community-based residential program; or
  (e) for a minor, as defined in Section 80-1-102, the day on which the division's custody of the offender was terminated.

(3) The offenses that qualify for a 10-year petition for an order of removal from the registry referenced in Subsection (1) are:
  (a) a felony violation of enticing a minor under Section 76-5-417, if the offender enticed the minor to engage in sexual activity that is one of the offenses described in Subsections (3)(b) through (v);
  (b) aggravated child abuse under Subsection 76-5-109.2(3)(a) or (b);
  (c) child torture under Section 76-5-109.4;
  (d) human trafficking for labor under Section 76-5-308;
  (e) human trafficking of a child for labor under Section 76-5-308.5;
  (f) aggravated human trafficking for labor under Section 76-5-310;
  (g) human trafficking of a vulnerable adult for labor under Section 76-5-311;
  (h) human smuggling under Section 76-5-316;
  (i) aggravated human smuggling under Section 76-5-317;
  (j) a felony violation of unlawful sexual activity with a minor under Section 76-5-401, if, at the time of the offense, the offender is more than 10 years older than the victim;
  (k) sexual abuse of a minor under Section 76-5-401.1, if, at the time of the offense, the offender is more than 10 years older than the victim;
  (l) unlawful sexual conduct with a 16 or 17 year old under Section 76-5-401.2, if, at the time of the offense, the offender is more than 15 years older than the victim;
  (m) forcible sexual abuse under Section 76-5-404;
  (n) custodial sexual relations under Section 76-5-412, if the victim in custody is younger than 18 years old and the offense is committed on or after May 10, 2011;
  (o) sexual exploitation of a vulnerable adult under Section 76-5b-202;
  (p) sexual extortion under Section 76-5b-204;

(q) incest under Section 76-7-102;
(r) four or more convictions of lewdness under Section 76-5-419;
(s) four or more convictions of sexual battery under Section 76-5-418;
(t) any combination of convictions of lewdness under Section 76-5-419, and of sexual battery under Section 76-5-418, that total four or more convictions;
(u) lewdness involving a child under Section 76-5-420;
(v) a felony violation of:
(i) recorded or photographed voyeurism under Section 76-12-307; or
(ii) distribution of images obtained through voyeurism under Section 76-12-308;
(w) aggravated exploitation of prostitution under Section 76-5d-208, committed on or before May 9, 2011;
(x) attempting, soliciting, or conspiring to commit an offense listed in Subsections (3)(a) through (v) if the attempt, solicitation, or conspiracy is a registrable offense;
(y) attempting, soliciting, or conspiring to commit:
(i) human trafficking for commercial sexual exploitation under Section 76-5-308.1;
(ii) human trafficking of a child for commercial sexual exploitation under Section 76-5-308.6;
(iii) aggravated human trafficking for commercial sexual exploitation under Section 76-5-310.2;
(iv) human trafficking of a vulnerable adult for commercial sexual exploitation under Section 76-5-312;
(v) aggravated kidnapping under Section 76-5-302, except if the offender is a parent of the victim;
(vi) forcible sodomy under Section 76-5-403;
(vii) sexual abuse of a child under Section 76-5-404.1;
(viii) sexual exploitation of a minor under Section 76-5b-201;
(ix) aggravated sexual exploitation of a minor under Section 76-5b-201.1;
(x) aggravated sexual extortion under Section 76-5b-204.1;
(xi) possession of apparent child sexual abuse material under Section 76-5b-207;
(xii) distribution of apparent child sexual abuse material under Section 76-5b-208;
(xiii) unlawful activity regarding obscene material depicting the sexual abuse of a minor under Section 76-5b-209; or
(xiv) aggravated exploitation of prostitution under Section 76-5d-208, on or after May 10, 2011; or
(z) an offense described in Subsection 53-29-203(1)(b) that would otherwise be subject to a 20-year petition for removal as described in Section 53-29-206, if:
(i) the sentencing court determines that the offender was under 21 years old at the time the offense was committed; and
(ii) the offense did not involve force or coercion as described in Subsection 53-29-203(3).
(4) An individual who is as an offender under Section 53-29-202 based on a conviction in an external jurisdiction for a registrable offense, or a substantially equivalent offense, and is required to register on the external jurisdiction's sex, kidnap, or child abuse offender registry, or an equivalent registry, may petition for removal from the registry in accordance with the requirements of this section if the individual:
(a) does not have a lifetime registration requirement on the external jurisdiction's sex, kidnap, or child abuse offender registry, or an equivalent registry;
(b) meets the requirements described in Subsections (1)(a) through (c);
(c) has resided in this state for at least 183 days in a year for two consecutive years;
(d) intends to primarily reside in this state; and

(e) has received an order from a court in the external jurisdiction where the offender was initially required to register on a sex, kidnap, and child abuse registry, or an equivalent registry, that authorizes the offender to be removed from the Sex, Kidnap, and Child Abuse Offender Registry.

Amended by Chapter 330, 2026 General Session

53-29-206 Twenty-year petition for removal from registry -- Eligibility.

(1) An offender who is required to register on the registry for a registrable offense subject to a lifetime registration period described in Subsection 53-29-203(1)(b) is eligible to petition the court under Section 53-29-207 for an order of removal from the registry at a 20-year entrance into the community period described in Subsection (2) if:
  (a) the offender has not been convicted of another offense that is a class A misdemeanor, felony, or capital felony within the most recent 20-year period after the date described in Subsection (2), as evidenced by a certificate of eligibility issued by the bureau;
  (b) the offender successfully completed all treatment ordered by the court or the Board of Pardons and Parole relating to the offense;
  (c) the offender has paid all restitution ordered by the court or the Board of Pardons and Parole relating to the offense; and
  (d) the offender submits to an evidence-based risk assessment that:
    (i) meets the standards for the current risk assessment, score, and risk level required by the Board of Pardons and Parole for parole termination requests;
    (ii) is completed within the six months before the date on which the petition is filed; and
    (iii) describes the evidence-based risk assessment of the current level of risk to the safety of the public posed by the offender.
(2) An offender who qualifies under Subsection (1) may petition the court under Section 53-29-207 for an order of removal from the registry if 20 years have passed after the later of the following events in which the offender has entered into the community:
  (a) the day on which the offender was placed on probation;
  (b) the day on which the offender was released from incarceration to parole;
  (c) the day on which the offender's sentence was terminated without parole;
  (d) the day on which the offender entered a community-based residential program; or
  (e) for a minor, as defined in Section 80-1-102, the day on which the division's custody of the offender was terminated.
(3) An individual who is an offender under Section 53-29-202 based on a conviction in an external jurisdiction for a registrable offense or a substantially equivalent offense, and is required to register on the external jurisdiction's sex, kidnap, or child abuse offender registry, or an equivalent registry, may petition for removal from the registry in accordance with the requirements of this section if the individual:
  (a) is required to register on the external jurisdiction's sex, kidnap, or child abuse offender registry, or an equivalent registry, for the individual's lifetime;
  (b) meets the requirements described in Subsections (1)(a) through (d);
  (c) has resided in this state for at least 183 days in a year for two consecutive years;
  (d) intends to primarily reside in this state; and
  (e) the offender has received an order from a court in the external jurisdiction where the offender was initially required to register on a sex, kidnap, and child abuse registry, or an equivalent registry, that authorizes the offender to be removed from the Sex, Kidnap, and Child Abuse Offender Registry.

Enacted by Chapter 291, 2025 General Session

53-29-207 Process to petition for removal from registry -- Offender, bureau, court, and prosecutor responsibilities.

(1) Before an offender who is eligible to petition for an order of removal from the registry as described in Section 53-29-204, 53-29-205, or 53-29-206 may file a petition with the court for an order of removal from the registry, the offender shall apply to the bureau for a certificate of eligibility for removal from the registry that states that the offender has met certain qualifications for removal.

(2) After the bureau receives an offender's application for a certificate of eligibility for removal from the registry, the bureau shall:

(a) perform a check of records of governmental agencies, including national criminal databases, to determine whether an offender meets the requirements described in:

(i) Subsection 53-29-204(1), if the offender is seeking a five-year petition for removal;

(ii) Subsections 53-29-205(1) and (2), if the offender is seeking a 10-year petition for removal; or

(iii) Subsections 53-29-206(1) and (2), if the offender is seeking a 20-year petition for removal; and

(b) if the bureau determines that the offender meets the requirements described in Subsection (2)(a), issue a certificate of eligibility for removal from the registry to the offender, which is valid for 90 days after the day on which the bureau issues the certificate.

(3)

(a) After an offender has received the certificate of eligibility for removal from the registry described in Subsection (2), the offender may petition the court for an order of removal from the registry, and shall include in the petition:

(i) the original information or indictment regarding the registrable offense that the offender committed;

(ii) the court docket; and

(iii) the certificate of eligibility for removal from the registry.

(b) An offender who files a petition with the court as described in Subsection (3)(a) shall provide a copy of the petition to:

(i) if the offender is required to register on the Sex, Kidnap, and Child Abuse Offender Registry for a conviction of an offense committed in this state, the office of the prosecutor that prosecuted the offender for the offense; or

(ii) if the offender is required to register on the Sex, Kidnap, and Child Abuse Offender Registry for a conviction of an offense committed in another jurisdiction, the attorney general's office.

(4)

(a) Subject to Subsections (4)(c) and (d), a prosecutor, upon receipt of a petition described in Subsection (3)(b)(i), shall provide notice of the petition by first-class mail to the victim at the most recent address of record on file or, if the victim is still a minor under 18 years old, to the most recent address of record on file for the victim's parent or guardian.

(b) Subject to Subsections (4)(c) and (d), the attorney general, upon receipt of a petition described in Subsection (3)(b)(ii), shall, if reasonably practicable, provide notice of the petition by first-class mail to the most recent address of record for the victim or, if the victim is still a minor under 18 years old, to the most recent address of record for the victim's parent or guardian.

(c) The notice described in Subsection (4)(a) or (b) shall include:

(i) a copy of the petition;
(ii) an explanation that the victim has a right to object to the removal of the offender from the registry or make other recommendations to the court; and
(iii) instructions for how the victim can file an objection or recommendation with the court.
(d) A prosecutor or the attorney general shall provide the following, if available, to the court within 30 days after the day on which the prosecutor or attorney general receives the petition:
(i) the presentencing report created for the offender based on the registrable offense committed by the offender;
(ii) any evaluation done as part of sentencing for the registrable offense; and
(iii) other information the prosecutor determines the court should consider.
(5) A victim, or the victim's parent or guardian if the victim is a minor under 18 years old, may respond to a petition described in Subsection (3) by filing a recommendation or objection with the court within 45 days after the day on which the petition is mailed to the victim.
(6)
(a) A court receiving a petition under this section shall:
(i) review the petition and all documents submitted with the petition; and
(ii) hold a hearing if requested by the prosecutor or the victim.
(b)
(i) Except as provided in Subsection (6)(b)(ii) or (iii), the court may grant the petition for removal and order the removal of the offender from the registry if the court determines that the offender has met the requirements for issuance of a certificate of eligibility for removal issued under Subsection (2) and removal is not contrary to the interests of the public.
(ii) When considering a petition filed by an offender subject to a lifetime registration requirement and eligible for a 20-year petition for removal from the registry as described in Section 53-29-206, the court shall determine whether the offender has demonstrated, by clear and convincing evidence, that the offender is rehabilitated and does not pose a threat to the safety of the public.
(iii) In making the determination described in Subsection (6)(b)(ii), the court may consider:
(A) the nature and degree of violence involved in the registrable offense;
(B) the age and number of victims of the registrable offense;
(C) the age of the offender at the time the registrable offense was committed;
(D) the offender's performance while on supervision for the registrable offense;
(E) the offender's stability in employment and housing;
(F) the offender's community and personal support system;
(G) other criminal and relevant noncriminal behavior of the offender both before and after the offender committed the registrable offense;
(H) if applicable, the level of risk posed by the offender as evidenced by the evidence-based risk assessment described in Subsection 53-29-206(1)(d); and
(I) any other relevant factors.
(c) In determining whether removal from the registry is contrary to the interests of the public, the court may not consider removal unless the offender has substantially complied with all registration requirements under this chapter at all times.
(d) If the court grants the petition, the court shall forward a copy of the order directing removal of the offender from the registry to the department and the office of the prosecutor.
(e)
(i) Except as provided in Subsection (6)(e)(ii), if the court denies the petition, the offender may not submit another petition for three years after the day on which the court denied the petition.

(ii) If the offender is an offender subject to a lifetime registration requirement and eligible for a 20-year petition for removal from the registry as described in Section 53-29-206 and files a petition for removal that is denied by the court, the offender may not submit another petition for eight years after the day on which the court denied the petition.

(f) The court shall notify the victim and the registry office of the court's decision under this Subsection (6) within three days after the day on which the court issues the court's decision.

(7)

(a) An offender who intentionally or knowingly provides false or misleading information to the bureau when applying for a certificate of eligibility under this section is guilty of a class B misdemeanor and subject to prosecution under Section 76-8-504.6.

(b) The bureau may, even if the offender is not prosecuted for providing the false or misleading information, deny a certificate of eligibility to an offender who provides false or misleading information on an application.

(8)

(a)

(i) The bureau shall charge application and issuance fees for a certificate of eligibility for removal from the registry under this section in accordance with the process in Section 63J-1-504.

(ii) The application fee shall be paid at the time the offender submits an application to the bureau for a certificate of eligibility for removal from the registry.

(iii) If the bureau determines that the issuance of a certificate of eligibility for removal from the registry is appropriate, the offender will be charged an additional fee for the issuance of the certificate.

(b) Funds generated under this Subsection (8) shall be deposited into the General Fund as a dedicated credit by the department to cover the costs incurred in determining eligibility.

Enacted by Chapter 291, 2025 General Session

Part 3
Offender, Court, and Law Enforcement Responsibilities

53-29-301 Definitions.

As used in this part:

(1) "Business day" means a day on which state offices are open for regular business.

(2) "Correctional facility" means:

(a) a county jail;

(b) a secure correctional facility as defined by Section 64-13-1; or

(c) a secure care facility as defined in Section 80-1-102.

(3) "Secondary residence" means real property that an offender owns or has a financial interest in, or a residence where the offender stays overnight a total of 10 or more nights in a 12-month period when not staying at the offender's primary residence.

Amended by Chapter 331, 2026 General Session

53-29-302 Law enforcement and agency responsibilities related to the registry.

(1) As used in this section:

(a) "Dynamic factors" means an individual's individual characteristics, issues, resources, or circumstances that:
(i) can change or be influenced; and
(ii) affect the risk of:
(A) recidivism; or
(B) violating conditions of probation or parole.
(b) "Multi-domain assessment" means an evaluation process or tool that reports in quantitative and qualitative terms an offender's condition, stability, needs, resources, dynamic factors, and static factors that affect the offender's transition into the community and compliance with conditions of probation or parole.
(c) "Static factors" means an individual's individual characteristics, issues, resources, or circumstances that:
(i) are unlikely to be changeable or influenced; and
(ii) affect the risk of:
(A) recidivism; or
(B) violating conditions of probation or parole.
(2) A law enforcement agency shall:
(a) in the manner prescribed by the department, inform the department of:
(i) the receipt of a report or complaint of a registrable offense, within three business days after the day on which the law enforcement agency received the report or complaint; and
(ii) the arrest of an individual suspected of a registrable offense, within five business days after the day on which the law enforcement agency arrested the individual;
(b) comply with Subsection (10); and
(c) comply with the requirements described in Section 53-29-308.
(3) The Department of Corrections shall:
(a) register an offender in the custody of the Department of Corrections with the department upon:
(i) placement on probation;
(ii) commitment to a secure correctional facility operated by or under contract with the Department of Corrections;
(iii) release from confinement to parole status, termination or expiration of sentence, or escape;
(iv) entrance to and release from any community-based residential program operated by or under contract with the Department of Corrections; or
(v) termination of probation or parole;
(b)
(i) for an offender convicted after May 7, 2025, of an offense committed in this state that requires the individual to register as a sex offender, conduct, if available, multi-domain assessments that are validated for the population and offense type of the offender to inform the treatment and supervision needs of the offender; and
(ii) 30 days after the day on which a calendar quarterly period ends, submit the results of any risk assessments completed under Subsection (3)(b)(i) during the preceding quarter to the Department of Criminal Justice;
(c) comply with Subsection (10); and
(d) ensure the Division of Adult Probation and Parole created in Section 64-14-202 complies with the requirements described in Sections 53-29-309 and 64-14-203.
(4) The sheriff of the county in which an offender is confined shall:

(a) register an offender with the department, as required under this chapter, if the offender is not in the custody of the Department of Corrections and is confined in a correctional facility not operated by or under contract with the Department of Corrections upon:
(i) commitment to the correctional facility; and
(ii) release from confinement;
(b) comply with Subsection (10); and
(c) comply with the requirements described in Sections 17-72-301 and 53-29-308.

(5)
(a) Except as provided in Subsection (5)(b), if an offender is sent on an assignment outside a secure facility, including being assigned for firefighting or disaster control, the official who has physical custody of the offender shall, within a reasonable time after the day of the offender's removal from the secure facility, notify the local law enforcement agencies where the offender is assigned.
(b) Subsection (5)(a) does not apply to an offender temporarily released from a secure facility setting who is under the supervision of a correctional facility official.

(6) The division shall:
(a) register an offender in the custody of the division with the department, as required under this chapter, before the offender's release from custody of the division; and
(b) comply with Subsection (10).

(7) A state mental hospital shall:
(a) register an offender committed to the state mental hospital with the department, as required under this chapter, upon the offender's admission and upon the offender's discharge; and
(b) comply with Subsection (10).

(8)
(a) A municipal or county law enforcement agency shall:
(i) register an offender who resides within the agency's jurisdiction and is not under the supervision of the Division of Adult Probation and Parole within the Department of Corrections;
(ii) comply with Subsection (10); and
(iii) comply with the requirements described in Section 53-29-308.
(b) A municipal or county law enforcement agency may conduct offender registration under this chapter, if the agency ensures that the agency's staff responsible for registration:
(i) have received initial training by the department and have been certified by the department as qualified and authorized to conduct registrations and enter offender registration information into the registry database; and
(ii) annually certifies with the department.

(9) An agency in the state that registers with the department an offender on probation, an offender who has been released from confinement to parole status or termination, or an offender whose sentence has expired, shall inform the offender of the duty to comply with the continuing registration requirements of this chapter during the period of registration required in Section 53-29-203, including:
(a) notification to the state agencies in the states where the registrant presently resides and plans to reside when moving across state lines;
(b) verification of address at least every 60 days in accordance with a parole agreement for lifetime parolees; and
(c) notification to the out-of-state agency where the offender is living, regardless of whether the offender is a resident of that state.

(10) If an entity that is required to register an offender under this section discovers that a sex offender does not have a residential address to provide under Subsection 53-29-304(4)(a)(ii), the entity shall, within one business day after the day on which the entity discovers the information, coordinate with the department, in accordance with Section 53-29-406, to ensure that:
(a) the sex offender will begin to be monitored under the monitoring program described in Section 53-29-406; or
(b) the responsible entity under Section 53-29-406 seeks an arrest warrant for the sex offender.

Amended by Chapter 291, 2026 General Session

53-29-303 Court responsibilities related to the registry.
(1) The court shall, after an offender is convicted of a registrable offense, within three business days after the day on which the conviction is entered, forward a signed copy of the judgment and sentence to the registry office.
(2) Upon modifying, withdrawing, setting aside, vacating, or otherwise altering a conviction for a registrable offense, the court shall, within three business days, forward a signed copy of the order to the registry office.
(3)
(a) An offender may change the offender's name in accordance with Title 42, Chapter 1, Change of Name, if the name change is not contrary to the interests of the public.
(b) Notwithstanding Section 42-1-2, an offender shall provide notice to the department at least 30 days before the day on which the hearing for the name change is held.
(c) The court shall provide a copy of the order granting the offender's name change to the department within 10 days after the day on which the court issues the order.
(d) If the court orders an offender's name to be changed, the department shall publish on the registration website the offender's former name and the offender's changed name as an alias.
(4) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, information under Subsection (2) that is collected and released under Subsection 53-29-404(3)(a) is public information, unless otherwise restricted under this chapter.
(5) The department shall redact information regarding the identity or location of a victim from information provided under Subsection (2).
(6) In accordance with Section 77-7-5, upon receipt of an affidavit seeking an arrest warrant described in Section 53-29-308 or 53-29-309 for a sex offender, the court shall, within a reasonable time, consider and, if the court determines that there is probable cause that the sex offender has committed the violation described in the affidavit seeking the arrest warrant, issue a warrant for the arrest of the sex offender.

Amended by Chapter 331, 2026 General Session

53-29-304 Offender responsibilities related to the registry.
(1) An offender shall:
(a) if the offender is on probation or parole under the supervision of the Department of Corrections, register in person with the Division of Adult Probation and Parole; or
(b) if the offender is not on probation or parole under the supervision of the Department of Corrections, register in person with the police department or sheriff's office that has jurisdiction over the area where the offender resides.

(2) An offender registering under Subsection (1) shall register for the duration of the offender's applicable registration period described in Section 53-29-203:
(a) each year during the month of the offender's date of birth;
(b) during the month that is the sixth month after the offender's birth month; and
(c) within three business days after the day on which there is a change of the offender's primary residence, any secondary residences, place of employment, vehicle information, or educational information described in Subsection (4).
(3) An offender who enters this state from another jurisdiction is required to register with the department within 10 days after the day on which the offender enters the state, regardless of the offender's length of stay.
(4)
(a) When registering under Subsection (1), an offender shall provide the following information:
(i) all names and aliases by which the offender is or has been known;
(ii) except as provided in Subsection (4)(c), the addresses of the offender's primary and secondary residences;
(iii) a physical description, including the offender's date of birth, height, weight, eye color, and hair color;
(iv) the make, model, color, year, plate number, and vehicle identification number of a vehicle or vehicles the offender owns or drives more than 12 times per year;
(v) a current photograph of the offender;
(vi) a set of fingerprints, if a set has not already been provided;
(vii) a DNA specimen, taken in accordance with Section 53-10-404, if a set has not already been provided;
(viii) telephone numbers and any other designations used by the offender for routing or self-identification in telephonic communications from fixed locations or cellular telephones;
(ix) online identifiers and the addresses the offender uses for routing or self-identification in Internet communications or postings;
(x) the name and Internet address of all websites on which the offender is registered using an online identifier, including all online identifiers used to access those websites;
(xi) a copy of the offender's passport, if a passport has been issued to the offender;
(xii) if the offender is an alien, all documents establishing the offender's immigration status;
(xiii) all professional licenses that authorize the offender to engage in an occupation or carry out a trade or business, including any identifiers, such as numbers;
(xiv) each educational institution in Utah at which the offender is employed or is a student, and a change of enrollment or employment status of the offender at an educational institution;
(xv) the name, the telephone number, and the address of a place where the offender is employed or will be employed;
(xvi) the name, the telephone number, and the address of a place where the offender works as a volunteer or will work as a volunteer; and
(xvii) the offender's social security number.
(b) The department shall redact information regarding the identity or location of a victim from information provided under Subsection (4)(a).
(c) If an offender is a sex offender and does not have a residential address to provide under Subsection (4)(a)(ii), the sex offender shall comply with the monitoring program described in Section 53-29-406.
(5) Notwithstanding Subsections (4)(a)(ix) and (x) and 53-29-404(7), an offender is not required to provide the department with:

(a) the offender's online identifier and password used exclusively for the offender's employment on equipment provided by an employer and used to access the employer's private network; or
(b) online identifiers for the offender's financial accounts, including a bank, retirement, or investment account.

(6) Notwithstanding Title 77, Chapter 40a, Expungement of Criminal Records, an offender convicted of a registrable offense is required to register in accordance with this section unless the offender is removed from the registry under Section 53-29-207.

(7) Except as provided in Subsection 53-29-404(7), in the case of an offender adjudicated in another jurisdiction as a juvenile and required to register under this chapter, the offender shall register in the time period and in the frequency consistent with the requirements of Subsection (3).

(8)
(a) An offender required to register on the registry shall, in the month of the offender's birth:
(i) pay to the department each year the offender is subject to the registration requirements of this chapter:
(A) before July 1, 2026, an annual fee of $125; and
(B) on or after July 1, 2026, an annual fee determined by the department in accordance with the process in Section 63J-1-504; and
(ii) pay to the registering agency, if the registering agency is an agency other than the department, an annual fee of not more than $25, which may be assessed by that agency for providing registration.
(b) Notwithstanding Subsection (8)(a), an offender who is confined in a secure facility or in a state mental hospital is not required to pay the annual fee.
(c) The department shall deposit fees collected in accordance with this chapter into the General Fund as a dedicated credit, to be used by the department for maintaining the offender registry under this chapter and monitoring offender registration compliance, including the costs of:
(i) data entry;
(ii) processing registration packets;
(iii) updating registry information; and
(iv) reporting an offender not in compliance with registration requirements to a law enforcement agency.

Amended by Chapter 331, 2026 General Session

53-29-305 Failing to register or providing false or incomplete information -- Failing to comply with monitoring program -- Penalties.

(1) An offender who knowingly fails to register under this chapter, knowingly provides false or incomplete information, or knowingly fails to comply with the sex offender monitoring program described in Section 53-29-406, is guilty of:
(a) a third degree felony and shall be sentenced to serve a term of incarceration of not less than 30 days and also at least one year of probation if:
(i) the offender is required to register for a registrable offense that is a felony or adjudicated delinquent for a registrable offense committed before May 3, 2023, that would be a felony if the juvenile were an adult; or
(ii) the offender is required to register for the offender's lifetime as described in Subsection 53-29-203(1)(b); or
(b) a class A misdemeanor and shall be sentenced to serve a term of incarceration of not less than 30 days and also at least one year of probation if the offender is required to register

for a misdemeanor conviction that is a registrable offense or is adjudicated delinquent for a registrable offense committed before May 3, 2023, that would be a misdemeanor if the juvenile were an adult.

(2)

(a) The court or Board of Pardons and Parole may not release an individual who violates this chapter from serving the term required under Subsection (1).

(b) This Subsection (2) supersedes any other provision of the law contrary to this chapter.

(3) The offender shall register for an additional year for every year in which the offender does not comply with the registration requirements of this chapter.

Amended by Chapter 331, 2026 General Session

53-29-306 Sex offender restrictions.

(1) As used in this section:

(a) "Condominium project" means the same as that term is defined in Section 57-8-3.

(b) "Minor" means an individual who is younger than 18 years old.

(c)

(i) "Protected area" means the premises occupied by:

(A) a licensed day care or preschool facility;

(B) a public swimming pool or a swimming pool maintained, operated, or owned by a homeowners' association, condominium project, or apartment complex;

(C) a public or private primary or secondary school that is not on the grounds of a correctional facility;

(D) a community park that is open to the public or a park maintained, operated, or owned by a homeowners' association, condominium project, or apartment complex;

(E) a public playground or a playground maintained, operated, or owned by a homeowners' association, condominium project, or apartment complex, including those areas designed to provide minors with space, recreational equipment, or other amenities intended to allow minors to engage in physical activity; and

(F) except as provided in Subsection (1)(c)(ii), an area that is 1,000 feet or less from the residence of a victim of the sex offender if the sex offender is subject to a victim requested restriction.

(ii) "Protected area" does not include:

(A) the area described in Subsection (1)(c)(i)(F) if the victim is a member of the immediate family of the sex offender and the terms of the sex offender's agreement of probation or parole allow the sex offender to reside in the same residence as the victim;

(B) a park, playground, or swimming pool located on the property of a residential home;

(C) a park or swimming pool that prohibits minors at all times from using the park or swimming pool; or

(D) a park or swimming pool maintained, operated, or owned by a homeowners' association, condominium project, or apartment complex established for residents 55 years old or older if no minors are present at the park or swimming pool at the time the sex offender is present at the park or swimming pool.

(2) For purposes of Subsection (1)(c)(i)(F), a sex offender who has committed a registrable offense against an individual younger than 18 years old is subject to a victim requested restriction if:

(a) the sex offender is on probation or parole for an offense that requires the offender to register in accordance with this chapter;

(b) the victim or the victim's parent or guardian advises the department that the victim elects to restrict the sex offender from the area and authorizes the department to advise the sex offender of the area where the victim resides; and
(c) the department notifies the sex offender in writing that the sex offender is prohibited from being in the area described in Subsection (1)(c)(i)(F) and provides a description of the location of the protected area to the sex offender.
(3) A sex offender who has committed a registrable offense against an individual younger than 18 years old may not:
(a) be in a protected area except:
(i) when the sex offender must be in a protected area to perform the sex offender's parental responsibilities;
(ii)
(A) when the protected area is a public or private primary or secondary school; and
(B) the school is open and being used for a public activity other than a school-related function that involves a minor; or
(iii)
(A) if the protected area is a licensed day care or preschool facility located within a building that is open to the public for purposes other than the operation of the day care or preschool facility; and
(B) the sex offender does not enter a part of the building that is occupied by the day care or preschool facility; or
(b) serve as an athletic coach, manager, or trainer for a sports team of which a minor who is younger than 18 years old is a member.
(4) A sex offender who violates this section is guilty of:
(a) a class A misdemeanor; or
(b) if previously convicted of violating this section within the last ten years, a third degree felony.

Renumbered and Amended by Chapter 291, 2025 General Session

53-29-307 Sex offender in presence of a child -- Definitions -- Penalties.
(1) As used in this section:
(a) "Accompany" means:
(i) to be in the presence of an individual; and
(ii) to move or travel with that individual from one location to another, whether outdoors, indoors, or in or on any type of vehicle.
(b) "Child" means an individual younger than 14 years old.
(2) A sex offender subject to registration in accordance with this chapter, for a registrable offense committed or attempted to be committed against a child younger than 14 years old is guilty of a class A misdemeanor if the sex offender requests, invites, or solicits a child to accompany the sex offender, under circumstances that do not constitute an attempt to violate Section 76-5-301.1, child kidnapping, unless:
(a)
(i) the sex offender, before accompanying the child:
(A) verbally advises the child's parent or legal guardian that the sex offender is on the state sex offender registry and is required by state law to obtain written permission in order for the sex offender to accompany the child; and
(B) requests that the child's parent or legal guardian provide written authorization for the sex offender to accompany the child, including the specific dates and locations;

(ii) the child's parent or legal guardian has provided to the sex offender written authorization, including the specific dates and locations, for the sex offender to accompany the child; and
(iii) the sex offender has possession of the written authorization and is accompanying the child only at the dates and locations specified in the authorization;
(b) the child's parent or guardian has verbally authorized the sex offender to accompany the child either in the child's residence or on property appurtenant to the child's residence, but in no other locations; or
(c) the child is the child of the sex offender, and the offender is not prohibited by any court order, or probation or parole provision, from contact with the child.
(3)
(a) A sex offender convicted of a violation of Subsection (2) is subject to registration in accordance with this chapter, for an additional five years after the required registration described in Section 53-29-203.
(b) The period of additional registration imposed under Subsection (3)(a) is also in addition to any period of registration imposed under Subsection 53-29-305(3) for failure to comply with registration requirements.
(4) It is not a defense to a prosecution under this section that the defendant mistakenly believed the individual to be 14 years old or older at the time of the offense or was unaware of the individual's true age.
(5) This section does not apply if a sex offender is acting to rescue a child who is in an emergency and life-threatening situation.

Amended by Chapter 155, 2026 General Session

53-29-308 Local law enforcement agency responsibilities for sex offender registrant monitoring and arrest.
(1) As used in this section:
(a) "Law enforcement interlocal entity" means an interlocal entity under Title 11, Chapter 13, Interlocal Cooperation Act, that provides law enforcement services.
(b) "Law enforcement special district" means a district that provides law enforcement services under:
(i) Title 17B, Limited Purpose Local Government Entities - Special Districts; or
(ii) Title 17D, Chapter 1, Special Service District Act.
(c) "Monitoring program" means the same as the term "program" is defined in Section 53-29-406.
(d) "Municipal law enforcement agency" means a law enforcement agency that is operated by:
(i) a municipality;
(ii) a law enforcement interlocal entity; or
(iii) a law enforcement special district.
(e) "Municipality" means the same as that term is defined in Section 10-1-104.
(2) Except as provided in Subsection (3), a sheriff shall accept and begin monitoring program oversight responsibility for a sex offender who is on the monitoring program if the sheriff receives notice from:
(a) the department under Section 53-29-406; or
(b) a sheriff of a different county, or a municipal law enforcement agency, that is transferring monitoring program oversight responsibility for a sex offender based on the sex offender's change in jurisdiction as described in Subsection (7).
(3)

(a) A municipal law enforcement agency shall accept and begin monitoring program oversight responsibility as described in Subsection (3)(b) if the municipal law enforcement agency has accepted responsibility for the monitoring program for sex offenders in the municipal law enforcement agency's jurisdiction under a written agreement with the sheriff of the county in which the municipal law enforcement agency is located.

(b) A municipal law enforcement agency described in Subsection (3)(a) shall accept and begin monitoring program oversight responsibility for a sex offender who is on the monitoring program if the municipal law enforcement agency receives notice from:

(i) the department under Section 53-29-406; or

(ii) a sheriff or another municipal law enforcement agency that is transferring monitoring program oversight responsibility for a sex offender based on the sex offender's change in jurisdiction as described in Subsection (7).

(4) A sheriff or a municipal law enforcement agency described in Subsection (3) that has monitoring program oversight responsibility for a sex offender under Subsection (2) or (3) shall:

(a) monitor the sex offender as required by the department;

(b) if the sex offender leaves the sheriff's or municipal law enforcement agency's area of jurisdiction as described in Subsection (7), notify:

(i) the department; and

(ii) the sheriff or the municipal law enforcement agency described in Subsection (3) that has jurisdiction over the sex offender's current or last known location;

(c) follow the procedures described in Subsection (5); and

(d) comply with other procedures established by the department.

(5) A sheriff or a municipal law enforcement agency described in Subsection (3) shall comply with the requirements established by the department in Subsection 53-29-406(6), including:

(a) submitting an affidavit requesting an arrest warrant in accordance with Section 77-7-5; and

(b) in coordination with other state and local law enforcement agencies, attempting to locate and arrest the sex offender who is the subject of the warrant described in Subsection (5)(a).

(6) A civilian employee of a sheriff or a municipal law enforcement agency may conduct the monitoring required by this section.

(7) Unless the department specifies a different time frame by rule, a sex offender is considered to have transferred jurisdictions for purposes of the monitoring program after spending seven consecutive days in a different jurisdiction.

Enacted by Chapter 331, 2026 General Session

53-29-309 Division of Adult Probation and Parole responsibilities for sex offender registrant monitoring and arrest.

(1) As used in this section:

(a) "Division" means the Division of Adult Probation and Parole created in Section 64-14-202.

(b) "Monitoring program" means the same as the term "program" is defined in Section 53-29-406.

(2) The division shall accept and begin monitoring program oversight responsibility for an offender who is a sex offender on the monitoring program if the division receives notice from:

(a) the department under Section 53-29-406; or

(b) another entity in accordance with monitoring program procedures established by the department.

(3) For a sex offender described in Subsection (2), the division shall:

(a) monitor the sex offender as required by the department; and

(b) comply with other procedures established by the department.

(4) The division shall comply with the requirements established by the department in Subsection 53-29-406(6), including:
(a) submitting an affidavit requesting an arrest warrant in accordance with Section 77-7-5; and
(b) in coordination with other state and local law enforcement agencies, attempting to locate and arrest the sex offender who is the subject of the warrant described in Subsection (4)(a).

Enacted by Chapter 331, 2026 General Session

Part 4
Department Functions Related to the Registry

53-29-401 Definitions.
Reserved.

Enacted by Chapter 291, 2025 General Session

53-29-402 Department responsibilities related to the registry.
(1) The department shall:
(a) maintain the registration website;
(b) establish and maintain the monitoring program described in Section 53-29-406;
(c) develop and provide an online training program for an individual who, as part of the individual's regular job responsibilities:
(i) registers sex offenders;
(ii) provides probation or parole supervision of sex offenders; or
(iii) investigates sex offender compliance with existing laws and requirements;
(d) ensure that the registration information collected regarding an offender's enrollment or employment at an educational institution is:
(i)
(A) promptly made available to any law enforcement agency that has jurisdiction where the institution is located if the educational institution is an institution of higher education; or
(B) promptly made available to the district superintendent of the school district where the offender is employed if the educational institution is an institution of primary education; and
(ii) entered into the appropriate state records or data system; and
(e) make available to an offender the name of the local law enforcement agency or state agency that the offender should contact to register, the location for registering, and the requirements of registration.
(2)
(a) When the department receives offender registration information regarding a change of an offender's primary residence, the department shall, within five days after the day on which the department receives the information, electronically notify the law enforcement agencies that have jurisdiction over the area where:
(i) the residence that the offender is leaving is located; and
(ii) the residence to which the offender is moving is located.
(b) The department shall provide notification under Subsection (2)(a) if the offender's change of address is:

(i) between law enforcement agency jurisdictions; or
(ii) within one law enforcement agency jurisdiction.
(3) The department may make administrative rules necessary to implement this chapter, including:
(a) the method for dissemination of the information; and
(b) instructions to the public regarding the use of the information.

Amended by Chapter 331, 2026 General Session

53-29-403 Intervention in legal action by the department.
(1) Subject to Subsection (2), the department may intervene in any matter, including a criminal action, where the matter purports to affect an individual's registration requirements under this chapter.
(2) The department may only file a motion to intervene under Subsection (1) within 60 days after the day on which:
(a) the sentencing court enters a judgment or sentence against an individual for a registrable offense, if the details of the written plea agreement, judgment, or sentence indicate that the individual's registration requirements under this chapter could be affected; or
(b) a court modifies, withdraws, sets aside, vacates, or otherwise alters an individual's conviction for a registrable offense, affecting the individual's registration requirement under this chapter if the written plea agreement, judgment, or sentence entered at the time the individual was sentenced did not indicate that the individual's registration requirement could be affected.

Enacted by Chapter 291, 2025 General Session

53-29-404 Sex, Kidnap, and Child Abuse Offender Notification and Registration website.
(1) The department shall maintain a Sex, Kidnap, and Child Abuse Offender Notification and Registration website on the Internet available to the public.
(2) The registration website shall be indexed by both the surname of the offender and by postal codes.
(3)
(a) Except as provided in Subsection (3)(b), the registration website shall include the following information:
(i) all names and aliases by which the offender is or has been known, but not including any online identifiers;
(ii) the addresses of the offender's primary, secondary, and temporary residences;
(iii) a physical description, including the offender's date of birth, height, weight, eye color, and hair color;
(iv) the make, model, color, year, and plate number of any vehicle or vehicles the offender owns or regularly drives;
(v) a current photograph of the offender;
(vi) a list of all professional licenses that authorize the offender to engage in an occupation or carry out a trade or business;
(vii) each educational institution in Utah at which the offender is employed or is a student;
(viii) a list of places where the offender works as a volunteer;
(ix) any registrable offenses for which the offender has been convicted or adjudicated; and
(x) other relevant identifying information of the offender as determined by the department.
(b) The department shall redact any information the department receives under Subsection (3)(a) that, if disclosed, could reasonably identify a victim.

(4)
(a) The department shall enable the public to search the registration website to determine if the following search criteria are linked to an offender:
(i) telephone numbers or other designations for an offender provided under Subsection 53-29-304(4)(a)(vii);
(ii) online identifiers or other addresses for an offender provided under Subsection 53-29-304(4)(a)(ix); and
(iii) names and Internet addresses of websites on which an offender is registered using an online identifier, including the online identifier used to access the website.
(b) The department shall ensure that a search performed using the criteria in Subsection (4)(a):
(i) provides the individual requesting the search with only information regarding whether the criteria are linked to an offender; and
(ii) does not return the name or any other identifying information about an offender.
(c) The department is not required to:
(i) report the results of the search under Subsection (4)(a) to a law enforcement agency; or
(ii) based on the results of a search under Subsection (4)(a), open an investigation.
(5)
(a) Subject to Subsection (5)(b), the department shall place a disclaimer on the registration website informing the public that:
(i) the information contained on the site is obtained from offenders and the department does not guarantee the information's accuracy or completeness;
(ii) members of the public are not allowed to use the information to harass or threaten an offender or a member of an offender's family; and
(iii) harassment, stalking, or threats against an offender or an offender's family are prohibited and may violate Utah criminal laws.
(b) Before a user may access the registry website, the department shall require the user to indicate that the user has read the disclaimer, understands the disclaimer, and agrees to comply with the disclaimer's terms.
(6)
(a) If an offender was under 18 years old at the time of committing a registrable offense described in Subsection 53-29-202(1)(a), (c), or (f), and as a result is required to register on the registry, the department shall maintain, but not publish, the offender's information on the registration website.
(b)
(i) If, based on the information provided to the department by the sentencing court, prosecuting entity, offender, or offender's counsel, the department cannot determine whether the offender is eligible for an exemption to publication on the registration website as described in Subsection (6)(a), the department shall continue to publish the offender's information on the registration website.
(ii) Information may be provided to the department at any time in order to clarify the offender's age at the time the offender committed the registrable offense.
(iii) This section does not prohibit the department from seeking or receiving information from individuals or entities other than those identified in Subsection (6)(b)(i).
(c) This Subsection (6):
(i) applies to an offender with a registration requirement on or after May 3, 2023, regardless of when the offender was first required to register; and
(ii) does not apply to an offender who is required to register for the offender's lifetime due to the offender being convicted of two or more registrable offenses or being convicted of

one registrable offense and, at the time of the conviction for the registrable offense, being previously required to register as an offender for an offense committed as a juvenile as described in Subsection 53-29-203(1)(b).

(7) In the case of an offender adjudicated in an external jurisdiction as a juvenile and required to register under this chapter the department shall maintain, but not publish, the offender's information on the registration website if the external jurisdiction where the juvenile offender was adjudicated does not publish the juvenile offender's information on a public website.

(8) Any information in the department's possession not listed in Subsection (3)(a) that is not available to the public shall be shared:

(a) for a purpose under this chapter; or

(b) in accordance with Section 63G-2-206.

Enacted by Chapter 291, 2025 General Session

53-29-405 Removal for offenses or convictions for which registration is no longer required.

(1) The department shall automatically remove an individual who is currently on the registry if:

(a) the only offense or offenses for which the individual is on the registry are listed in Subsection (2); or

(b) the department receives a formal notification or order from the court or the Board of Pardons and Parole that the conviction for the registrable offense for which the individual is on the registry has been reversed, vacated, or pardoned.

(2) The offenses described in Subsection (1)(a) are:

(a) a class B or class C misdemeanor for enticing a minor under Section 76-5-417;

(b) kidnapping under Subsection 76-5-301(2)(a) or (b);

(c) child kidnapping under Section 76-5-301.1, if the offender was the parent of the child victim;

(d) unlawful detention under Section 76-5-304;

(e) a third degree felony for unlawful sexual intercourse before 1986, or a class B misdemeanor for unlawful sexual intercourse, under Section 76-5-401; or

(f) sodomy, but not forcible sodomy, under Section 76-5-403.

(3) The department shall notify an individual who has been removed from the registry in accordance with Subsection (1) and inform the individual in the notice that the individual is no longer required to register as an offender.

(4) An individual who is currently on the registry may submit a request to the department to be removed from the registry if the individual believes that the individual qualifies for removal under Subsection (1).

(5) The department, upon receipt of a request for removal from the registry in accordance with this section, shall:

(a) check the registry for the individual's current status;

(b) determine whether the individual qualifies for removal based upon this section; and

(c) notify the individual in writing of the department's determination and whether the individual:

(i) qualifies for removal from the registry; or

(ii) does not qualify for removal.

(6) If the department determines that the individual qualifies for removal from the registry, the department shall remove the offender from the registry.

(7)

(a) If the department determines that the individual does not qualify for removal from the registry, the department shall provide an explanation in writing for the department's determination.

(b) The department's determination under Subsection (7)(a) is final and not subject to administrative review.

(8) The department or an employee of the department is not civilly liable for a determination made in good faith in accordance with this section.

(9)

(a) The department shall provide a response to a request for removal within 30 days after the day on which the department receives the request.

(b) If the response under Subsection (9)(a) cannot be provided within 30 days after the day on which the department receives the request, the department shall notify the individual that the response may be delayed up to 30 additional days.

Amended by Chapter 155, 2026 General Session

53-29-406 Monitoring program for sex offenders -- Arrest warrant procedures.

(1) As used in this section:

(a) "Division" means the Division of Adult Probation and Parole created in Section 64-14-202.

(b) "Monitoring" means time-correlated tracking of the geographic location of a monitored individual using GPS-based satellite or other location technology.

(c) "Program" means the monitoring program created under this section.

(2)

(a) To deter recidivism and protect the community, the department shall establish a program for the monitoring of sex offenders who are unable to provide the required residence information under Subsection 53-29-304(4)(a)(ii).

(b) The program described in Subsection (2)(a) shall apply to a sex offender if the sex offender's registrable offense is committed on or after July 1, 2026.

(3) The program shall include:

(a) a requirement that the monitoring of a sex offender under the program begin within one business day after the day on which a law enforcement officer, a probation or parole officer, the department, or an entity described in Section 53-29-302, discovers that the sex offender is unable to provide the required residence information under Subsection 53-29-304(4)(a)(ii);

(b) a procedure for the department to send notification of program oversight responsibility for a sex offender who is required to be monitored under the program to:

(i) if the sex offender is currently on probation or parole, the division, in accordance with Sections 53-29-309 and 64-14-203; or

(ii) if the sex offender is no longer on probation or parole, the law enforcement agency with jurisdiction over the sex offender's current or last known location, as determined under Section 53-29-308;

(c) except as provided in Subsection (4), a requirement that a sex offender is responsible for paying all or part of the cost incurred by the sex offender's participation in the program;

(d) a process for a sex offender who is in the program to request a redetermination by the department as to whether the sex offender is required to continue in the program;

(e) a requirement that the location of a sex offender under the program may only be tracked as often as once per 12-hour period;

(f) where possible, the use of monitoring systems and technology that have minimal charging, battery, or maintenance requirements; and

(g) a procedure for obtaining an arrest warrant for, and locating, a sex offender who:

(i) does not provide the required residence information under Subsection 53-29-304(4)(a)(ii); and

(ii) fails to comply with the program.

(4) A sex offender is not required to pay the cost described in Subsection (3)(c) if the sex offender demonstrates to the department that the sex offender does not have the ability to pay.

(5) A sex offender required to be monitored under this section who knowingly fails to comply with the program is guilty of a violation of Section 53-29-305.

(6)

(a) The procedure described in Subsection (3)(g) shall require the department, upon learning of a sex offender described in Subsection (3)(g), to notify, as soon as practicable:

(i) if the sex offender is currently on probation or parole, the division, in accordance with Sections 53-29-309 and 64-14-203; or

(ii) if the sex offender is no longer on probation or parole, the law enforcement agency with jurisdiction over the sex offender's current or last known location, as determined under Section 53-29-308.

(b) After receiving a notification from the department under Subsection (6)(a), the division or the law enforcement agency with jurisdiction under Section 53-29-308, as applicable, shall:

(i) submit an affidavit requesting an arrest warrant for the sex offender in accordance with Section 77-7-5; and

(ii) in coordination with other state and local law enforcement agencies, attempt to locate and arrest the sex offender who is the subject of the warrant described in Subsection (6)(b)(i).

(c) An arrest warrant described in Subsection (6)(b)(i) shall be enforceable by any law enforcement agency that locates the sex offender who is the subject of the arrest warrant.

(7) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish the requirements, procedures, and processes under this section.

Enacted by Chapter 331, 2026 General Session