

76-9-1004 Grounds for presumption of lawful presence in United States -- Statement to officer.

- (1) A person is presumed to be lawfully present in the United States for the purposes of this part if the person provides one of the following documents to the law enforcement officer, unless the law enforcement officer has a reasonable suspicion that the document is false or identifies a person other than the person providing the document:
 - (a) a valid Utah driver license issued on or after January 1, 2010;
 - (b) a valid Utah identification card issued under Section 53-3-804 and issued on or after January 1, 2010;
 - (c) a valid tribal enrollment card or other valid form of tribal membership identification that includes photo identification;
 - (d) a valid identification document that:
 - (i) includes a photo or biometric identifier of the holder of the document; and
 - (ii) is issued by a federal, state, or local governmental agency that requires proof or verification of legal presence in the United States as a condition of issuance of the document; or
 - (e) a valid resident immigrant permit issued under Section 63G-14-204.
- (2) A person is presumed to be a citizen or national of the United States for purposes of this part if the person makes a statement or affirmation to the law enforcement officer that the person is a United States citizen or national, unless the officer has a reasonable suspicion that the statement or affirmation is false.

Amended by Chapter 20, 2011 General Session, (Coordination Clause)

Enacted by Chapter 21, 2011 General Session