

**Effective 5/10/2016**

**77-18-1.1 Screening, assessment, and treatment.**

- (1) As used in this section:
  - (a) "Assessment" has the same meaning as in Section 41-6a-501.
  - (b) "Convicted" means:
    - (i) a conviction by entry of a plea of guilty or nolo contendere, guilty with a mental illness, or no contest; and
    - (ii) conviction of any crime or offense.
  - (c) "Screening" has the same meaning as in Section 41-6a-501.
  - (d) "Substance use disorder treatment" means treatment obtained through a substance use disorder program that is licensed by the Office of Licensing within the Department of Human Services.
- (2) On or after July 1, 2009, the courts of the judicial districts where the Drug -Related Offenses Reform Act under Section 63M-7-305 is implemented shall, in coordination with the local substance abuse authority regarding available resources, order convicted persons determined to be eligible in accordance with the implementation plan developed by the Utah Substance Use and Mental Health Advisory Council under Section 63M-7-305 to:
  - (a) participate in a screening prior to sentencing;
  - (b) participate in an assessment prior to sentencing if the screening indicates an assessment to be appropriate; and
  - (c) participate in substance use disorder treatment if:
    - (i) the assessment indicates treatment to be appropriate;
    - (ii) the court finds treatment to be appropriate for the convicted person; and
    - (iii) the court finds the convicted person to be an appropriate candidate for community-based supervision.
- (3) The findings from any screening and any assessment conducted under this section shall be part of the presentence investigation report submitted to the court before sentencing of the convicted person.
- (4) Money appropriated by the Legislature to assist in the funding of the screening, assessment, substance use disorder treatment, and supervision provided under this section is not subject to any requirement regarding matching funds from a state or local governmental entity.

Amended by Chapter 158, 2016 General Session