

77-30-26.5 Person who has violated parole or probation agreement with demanding state.

- (1) A law enforcement agency that is holding a person subject to extradition based on having allegedly violated the terms of the person's probation, parole, bail, or other terms of release in the demanding state shall immediately release the person to the authorized agent of the demanding state. A governor's warrant is not required in order to return the person if:
 - (a) the person has previously signed a waiver of extradition as a term of the person's probation, parole, bail, or other terms of release in the demanding state;
 - (b) the law enforcement agency holding the person has received:
 - (i) an authenticated copy of the prior waiver of extradition signed by the person; and
 - (ii) a photograph and fingerprints identifying the person as the person who signed the waiver.
- (2) Utah may, prior to releasing a person to the authorized agent of the demanding state, prosecute the person for any criminal offense committed in Utah.
- (3) This section does not affect or limit:
 - (a) the right of the person sought by the demanding state to return to the demanding state voluntarily and without governmental action;
 - (b) the authority of the law enforcement or parole officers of Utah or the demanding state; or
 - (c) any procedures regarding waiver of extradition under Title 77, Chapter 30, Extradition.

Enacted by Chapter 156, 2007 General Session