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Repealed 5/7/2025

77-41-105 Registration of offenders -- Offender responsibilities.

- (1)
- (a) An offender who enters this state from another jurisdiction is required to register under Subsection (3) and Subsection 77-41-102(1), (11), or (19).
 - (b) The offender shall 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.
- (2)
- (a) An offender required to register under Subsection 77-41-102(1), (11), or (19) who is under supervision by the department shall register in person with the Division of Adult Probation and Parole.
 - (b) An offender required to register under Subsection 77-41-102(1), (11), or (19) who is no longer under supervision by the department shall register in person with the police department or sheriff's office that has jurisdiction over the area where the offender resides.
- (3)
- (a) Except as provided in Subsections (3)(b), (3)(c), and (4), an offender shall, for the duration of the sentence and for 10 years after termination of sentence or custody of the division, register each year during the month of the offender's date of birth, during the month that is the sixth month after the offender's birth month, and 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 required to be submitted under Subsection (7).
 - (b) Except as provided in Subsections (3)(c)(iii), (4), and (5), an offender who is convicted in another jurisdiction of an offense listed in Subsection 77-41-102(1), (11), or (19), a substantially similar offense, another offense that requires registration in the jurisdiction of conviction, or an offender who is ordered by a court of another jurisdiction to register as an offender shall register for the time period required by the jurisdiction where the offender was convicted or ordered to register.
- (c)
- (i) An offender convicted as an adult of an offense listed in Section 77-41-106 shall, for the offender's lifetime, register each year during the month of the offender's birth, during the month that is the sixth month after the offender's birth month, and also 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 required to be submitted under Subsection (7).
 - (ii) Except as provided in Subsection (3)(c)(iii), the registration requirement described in Subsection (3)(c)(i) is not subject to exemptions and may not be terminated or altered during the offender's lifetime, unless a petition is granted under Section 77-41-112.
- (iii)
- (A) If the sentencing court at any time after conviction determines that the offense does not involve force or coercion, lifetime registration under Subsection (3)(c)(i) does not apply to an offender who commits the offense when the offender is under 21 years old.
 - (B) For an offense listed in Section 77-41-106, an offender who commits the offense when the offender is under 21 years old shall register for the registration period required under Subsection (3)(a), unless a petition is granted under Section 77-41-112.
- (d) For the purpose of establishing venue for a violation of this Subsection (3), the violation is considered to be committed:

- (i) at the most recent registered primary residence of the offender or at the location of the offender, if the actual location of the offender at the time of the violation is not known; or
 - (ii) at the location of the offender at the time the offender is apprehended.
- (4) Notwithstanding Subsection (3) and Section 77-41-106, an offender who is confined in a secure facility or in a state mental hospital is not required to register during the period of confinement.
- (5)
 - (a) Except as provided in Subsection (5)(b), 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).
 - (b) If the jurisdiction of the offender's adjudication does not publish the offender's information on a public website, the department shall maintain, but not publish the offender's information on the registration website.
- (6) A sex offender who violates Section 77-27-21.8 regarding being in the presence of a child while required to register under this chapter shall register for an additional five years subsequent to the registration period otherwise required under this chapter.
- (7) An offender shall provide the department or the registering entity with the following information:
 - (a) all names and aliases by which the offender is or has been known;
 - (b) the addresses of the offender's primary and secondary residences;
 - (c) a physical description, including the offender's date of birth, height, weight, eye and hair color;
 - (d) 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;
 - (e) a current photograph of the offender;
 - (f) a set of fingerprints, if one has not already been provided;
 - (g) a DNA specimen, taken in accordance with Section 53-10-404, if one has not already been provided;
 - (h) telephone numbers and any other designations used by the offender for routing or self-identification in telephonic communications from fixed locations or cellular telephones;
 - (i) Internet identifiers and the addresses the offender uses for routing or self-identification in Internet communications or postings;
 - (j) 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;
 - (k) a copy of the offender's passport, if a passport has been issued to the offender;
 - (l) if the offender is an alien, all documents establishing the offender's immigration status;
 - (m) 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;
 - (n) each educational institution in Utah at which the offender is employed, carries on a vocation, or is a student, and a change of enrollment or employment status of the offender at an educational institution;
 - (o) the name, the telephone number, and the address of a place where the offender is employed or will be employed;
 - (p) 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
 - (q) the offender's social security number.
- (8)
 - (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 changed, the department shall publish on the registration website the offender's former name, and the offender's changed name as an alias.
- (9) Notwithstanding Subsections (7)(i) and (j) and 77-41-103(1)(c), 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.