

CITATION AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

Senate Sponsor: John L. Valentine

LONG TITLE

General Description:

This bill provides that a person who receives a citation may be required to appear at the court of the magistrate who has territorial jurisdiction.

Highlighted Provisions:

This bill:

- ▶ allows a peace officer, in addition to taking a person into custody, to require the person to appear at the court of the magistrate who has territorial jurisdiction; and
- ▶ makes organizational and technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

77-7-18, as last amended by Laws of Utah 2008, Chapter 360

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **77-7-18** is amended to read:

77-7-18. Citation on misdemeanor or infraction charge.

~~[A peace officer, in lieu of taking a person into custody, any public official of any~~



28 ~~county or municipality charged with the enforcement of the law, a port-of-entry agent as~~
29 ~~defined in Section 72-1-102, an animal control officer of a special service district under Title~~
30 ~~17D, Chapter 1, Special Service District Act, that is authorized to provide animal control~~
31 ~~service, and a volunteer authorized to issue a citation under Section 41-6a-213 may issue and~~
32 ~~deliver a citation requiring any]~~

33 Any person subject to arrest or prosecution on a misdemeanor or infraction charge [to
34 appear at the court of the magistrate before whom the person should be taken pursuant to law if
35 the person had been arrested.] may be issued and delivered a citation that requires the person to
36 appear at the court of the magistrate with territorial jurisdiction. The citation may be issued
37 by:

- 38 (1) a peace officer, in lieu of or in addition to taking the person into custody;
- 39 (2) any public official of any county or municipality charged with the enforcement of
40 the law;
- 41 (3) a port-of-entry agent as defined in Section 72-1-102;
- 42 (4) an animal control officer of a special service district under Title 17D, Chapter 1,
43 Special Service District Act, who is authorized to provide animal control service; and
- 44 (5) a volunteer authorized to issue a citation under Section 41-6a-213.

Legislative Review Note
as of 2-10-12 6:09 AM

Office of Legislative Research and General Counsel