

Representative Brad L. Dee proposes the following substitute bill:

WARRANT PROCESS AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: Brad L. Dee

LONG TITLE

General Description:

This bill requires additional agency information to be included in the statewide warrant system.

Highlighted Provisions:

This bill:

► requires specified additional information to be included in the statewide warrant system.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-10-208, as last amended by Laws of Utah 2009, Chapters 292 and 356

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

Section 1. Section **53-10-208** is amended to read:

53-10-208. Definition -- Offenses included on statewide warrant system --



26 **Transportation fee to be included -- Statewide warrant system responsibility -- Quality**
27 **control -- Training -- Technical support -- Transaction costs.**

28 (1) "Statewide warrant system" means the portion of the state court computer system
29 that is accessible by modem from the state mainframe computer and contains:

30 (a) records of criminal warrant information; and

31 (b) after notice and hearing, records of protective orders issued pursuant to:

32 (i) Title 77, Chapter 36, Cohabitant Abuse Procedures Act; or

33 (ii) Title 78B, Chapter 7, Part 1, Cohabitant Abuse Act.

34 (2) ~~(a)~~ The division shall include on the statewide warrant system;

35 (a) all warrants issued for felony offenses and class A, B, and C misdemeanor offenses
36 in the state[-];

37 ~~(b) [The division shall include on the statewide warrant system] all warrants issued for~~
38 ~~failure to appear on a traffic citation as ordered by a magistrate under Subsection 77-7-19(3)[-];~~
39 and

40 (c) the most recent address, the date the address was collected, and identifying
41 information for individuals who have a Utah warrant from the following:

42 (i) vehicle registration records collected by the Motor Vehicle Division under Section
43 41-1a-202;

44 (ii) driver license records collected by the Driver License Division under Section
45 53-3-205;

46 (iii) hunting and fishing license, certificate of registration, tag, and permit records
47 collected by the Division of Wildlife Resources under Title 23, Chapter 19, Licenses, Permits,
48 and Tags; and

49 (iv) any other record collected or maintained by a governmental entity or political
50 subdivision of this state if the sharing of the record is authorized by Section 63G-2-206 and the
51 record will assist the bureau to locate the address or contact information of an individual with a
52 warrant.

53 ~~(c)~~ (3) For each warrant, the division shall indicate whether the magistrate ordered
54 under Section 77-7-5 and Rule 6, Utah Rules of Criminal Procedure, that the accused appear in
55 court.

56 ~~(3)~~ (4) The division is the agency responsible for the statewide warrant system and

57 shall:

58 (a) ensure quality control of all warrants of arrest or commitment and protective orders
59 contained in the statewide warrant system by conducting regular validation checks with every
60 clerk of a court responsible for entering the information on the system;

61 (b) upon the expiration of the protective orders and in the manner prescribed by the
62 division, purge information regarding protective orders described in Subsection 53-10-208.1(4)
63 within 30 days of the time after expiration;

64 (c) establish system procedures and provide training to all criminal justice agencies
65 having access to information contained on the state warrant system;

66 (d) provide technical support, program development, and systems maintenance for the
67 operation of the system; [~~and~~]

68 (e) pay data processing and transaction costs for state, county, and city law
69 enforcement agencies and criminal justice agencies having access to information contained on
70 the state warrant system[~~;~~];

71 (f) prepare reports upon the request of the Legislature, a legislative committee, or a
72 state or local law enforcement agency regarding the number and dollar amount of outstanding
73 warrants in any specified geographical region within the state; and

74 (g) make recommendations as requested to the Judiciary, Law Enforcement, and
75 Criminal Justice Interim Committee to improve the collection of outstanding warrants through
76 use of the statewide warrant system.

77 [~~(4)~~] (5) (a) Any data processing or transaction costs not funded by legislative
78 appropriation shall be paid on a pro rata basis by all agencies using the system during the fiscal
79 year.

80 (b) This Subsection [~~(4)~~] (5) supersedes any conflicting provision in Subsection [~~(3)~~]
81 (4)(e).