

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

27 Section 1. Section **78A-6-308.5** is enacted to read:

28 **78A-6-308.5. Outstanding arrest warrant check before return of custody.**

29 (1) For purposes of this section, "immediate family member" means a spouse, child,
30 parent, sibling, grandparent, or grandchild.

31 (2) Before recommending the return of a child who is in the custody, protective
32 custody, or temporary custody of the state to the custody of a parent or guardian of the child,
33 the division shall determine whether the parent or guardian has an outstanding felony arrest
34 warrant in any state where the parent or guardian has resided or in any state where the parent or
35 guardian has an immediate family member.

36 (3) The division shall file the results of the felony arrest warrant check with the court.

37 (4) ~~H~~→ If the court determines that it is in the best interest of the child,

37a [The] the ~~←H~~ court may deny the return of a child who is in the custody, protective custody,
38 or temporary custody of the state to the custody of a parent or guardian of the child if the parent
39 or guardian has an outstanding felony arrest warrant in any state ~~H~~→ [where the parent or guardian
40 has resided or in any state where the parent or guardian has an immediate family member] ~~←H~~ .