

1                   **SALE OF SEXUAL ASSAULT TEST KITS PROHIBITED**

2                                   2021 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: Angela Romero**

5                                   Senate Sponsor: Luz Escamilla

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7 **LONG TITLE**

8 **General Description:**

9                   This bill prohibits over-the-counter sexual assault evidence kits.

10 **Highlighted Provisions:**

11                   This bill:

- 12                   ▶ prohibits selling or providing an over-the-counter sexual assault evidence kit; and
- 13                   ▶ imposes a penalty for a violation.

14 **Money Appropriated in this Bill:**

15                   None

16 **Other Special Clauses:**

17                   None

18 **Utah Code Sections Affected:**

19 ENACTS:

20                   **76-5-611**, Utah Code Annotated 1953

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

23                   Section 1. Section **76-5-611** is enacted to read:

24                   **76-5-611. Sale of over-the-counter sexual assault evidence kit prohibited.**

25                   (1) (a) As used in this section, "over-the-counter sexual assault evidence kit" means a  
26 sexual assault forensic exam kit or rape kit that:

27                   (i) is marketed or presented as over-the-counter, at-home, or self-collected;



28 (ii) is offered for sale or as a sample to members of the public; and

29 (iii) purports to allow an individual to independently collect evidence of a sexual  
30 assault outside of a collecting facility.

31 (b) An "over-the-counter sexual assault evidence kit" does not include a sexual assault  
32 kit sold or provided to law enforcement or medical personnel or a collecting facility.

33 (2) A person may not sell, offer for sale, or provide to an individual an  
34 over-the-counter sexual assault evidence kit.

35 (3) A violation of this section is an infraction, punishable by a fine not exceeding \$500.