

1 **DUI PROBATION AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karen Mayne**

5 House Sponsor: Ryan D. Wilcox

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7 **LONG TITLE**

8 **General Description:**

9 This bill requires a court to order supervised probation for certain DUI offenses to be  
10 provided by Adult Probation and Parole in certain circumstances.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires a court to order supervised probation for certain DUI offenses to be  
14 provided by Adult Probation and Parole if the individual is already subject to  
15 supervised probation from Adult Probation and Parole for a different offense; and  
16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **41-6a-507**, as enacted by Laws of Utah 2005, Chapter 2

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

26 Section 1. Section **41-6a-507** is amended to read:

27 **41-6a-507. Supervised probation for certain driving under the influence**



28 **violations.**

29 (1) If supervised probation is ordered under Section [41-6a-505](#) or [41-6a-517](#):

30 (a) the court shall specify the period of the probation;

31 (b) the person shall pay all of the costs of the probation; and

32 (c) the court may order any other conditions of the probation.

33 (2) (a) [~~The~~ Subject to Subsection (2)(b), the court shall provide the probation  
34 described in this section by contract with a probation monitoring agency or a private probation  
35 provider.

36 (b) If a court determines that a person is subject to supervised probation provided by  
37 Adult Probation and Parole for an offense other than the offense for which probation is ordered  
38 under Section [41-6a-505](#) or [41-6a-517](#), the court shall order supervised probation to be  
39 provided by Adult Probation and Parole.

40 (3) The probation provider described in Subsection (2) shall monitor the person's  
41 compliance with all conditions of the person's sentence, conditions of probation, and court  
42 orders received under this part and shall notify the court of any failure to comply with or  
43 complete that sentence or those conditions or orders.

44 (4) (a) The court may waive all or part of the costs associated with probation if the  
45 person is determined to be indigent by the court.

46 (b) The probation provider described in Subsection (2) shall cover the costs of waivers  
47 by the court under Subsection (4)(a).