

336 for any peace officer to incarcerate the offender if:

337 (a) the probationers are supervised by a local law enforcement agency; and

338 (b) the appropriate officer or officers determine that there is probable cause to believe  
339 that the offender has violated the conditions of probation.

340 (8) If a probationer supervised by a local law enforcement agency commits a violation  
341 outside of the jurisdiction of the supervising agency, the arresting agency is not required to  
342 hold or transport the probationer for the supervising agency.

343 Section 6. Section **77-18-103** is amended to read:

344 **77-18-103. Presentence investigation report -- Classification of presentence**  
345 **investigation report -- Evidence or other information at sentencing.**

346 (1) Before the imposition of a sentence, the court may:

347 (a) upon agreement of the defendant, continue the date for the imposition of the  
348 sentence for a reasonable period of time for the purpose of obtaining a presentence  
349 investigation report from the department [~~or information from other sources~~], a law  
350 enforcement agency, or **§→ information from ←§** any other source about the defendant; and

351 (b) if the defendant is convicted of a felony or a class A misdemeanor, request that the  
352 department or a law enforcement agency prepare a presentence investigation report for the  
353 defendant.

354 (2) If a presentence investigation report is required under the standards established by  
355 the department described in Section **77-18-109**, the presentence investigation report under  
356 Subsection (1) shall include:

357 (a) any impact statement provided by a victim as described in Subsection  
358 **77-38b-203(3)(c)**;

359 (b) information on restitution as described in [~~Subsection~~] Subsections  
360 **77-38b-203(3)(a)** and (b);

361 (c) findings from any screening and any assessment of the defendant conducted under  
362 Section **77-18-104**;

363 (d) recommendations for treatment for the defendant; and

364 (e) the number of days since the commission of the offense that the defendant has spent  
365 in the custody of the jail and the number of days, if any, the defendant was released to a  
366 supervised release program or an alternative incarceration program under Section **17-22-5.5**.

460 misdemeanor or any felony; or

461 (B) a private organization to supervise the probation for an individual convicted of a  
462 class ~~Š~~→ [B or C] A, B, or C ←Š misdemeanor or an infraction.

463 (6) (a) If a defendant is placed on probation, the court may order the defendant as a  
464 condition of the defendant's probation:

465 (i) to provide for the support of persons for whose support the defendant is legally  
466 liable;

467 (ii) to participate in available treatment programs, including any treatment program in  
468 which the defendant is currently participating if the program is acceptable to the court;

469 (iii) be voluntarily admitted to the custody of the Division of Substance Abuse and  
470 Mental Health for treatment at the Utah State Hospital in accordance with Section 77-18-106;

471 (iv) if the defendant is on probation for a felony offense, to serve a period of time as an  
472 initial condition of probation that does not exceed one year in a county jail designated by the  
473 department, after considering any recommendation by the court as to which jail the court finds  
474 most appropriate;

475 (v) to serve a term of home confinement in accordance with Section 77-18-107;

476 (vi) to participate in compensatory service programs, including the compensatory  
477 service program described in Section 76-6-107.1;

478 (vii) to pay for the costs of investigation, probation, or treatment services;

479 (viii) to pay a criminal accounts receivable established for the defendant under Section  
480 77-32b-103; or

481 (ix) to comply with other terms and conditions the court considers appropriate to  
482 ensure public safety or increase a defendant's likelihood of success on probation.

483 (b) (i) Notwithstanding Subsection (6)(a)(iv), the court may modify the probation of a  
484 defendant to include a period of time that is served in a county jail immediately before the  
485 termination of probation as long as that period of time does not exceed one year.

486 (ii) If a defendant is ordered to serve time in a county jail as a sanction for a probation  
487 violation, the one-year limitation described in Subsection (6)(a)(iv) or (6)(b)(i) does not apply  
488 to the period of time that the court orders the defendant to serve in a county jail under this  
489 Subsection (6)(b)(ii).

490 (7) (a) Except as provided in Subsection (7)(b), probation of an individual placed on