

1 EXTRADITION TOLLING AMENDMENTS

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Ken Ivory

5 Senate Sponsor: Daniel W. Thatcher

6

7 LONG TITLE

8 General Description:

9 This bill provides for the tolling for an extradition waiver if a defendant is subject to
10 criminal charges in this state.

11 Highlighted Provisions:

12 This bill:

13 ► allows a defendant's waiver of extradition to be tolled while a defendant is subject
14 to criminal charges in this state.

15 Money Appropriated in this Bill:

16 None

17 Other Special Clauses:

18 None

19 Utah Code Sections Affected:

20 AMENDS:

21 77-30-19, as enacted by Laws of Utah 1980, Chapter 15

22

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

24 Section 1. Section 77-30-19 is amended to read:

25 77-30-19. Procedure if prosecution pending in this state.

26 (1) If a criminal prosecution has been instituted against ~~[such person]~~ a defendant
27 under the laws of this state and is still pending, the governor~~[, in his discretion,]~~ may either



28 surrender ~~[him]~~ the defendant on demand of the executive authority of another state or hold
29 ~~[him until he]~~ the defendant until the defendant has been tried and ~~[discharged or]~~ either
30 convicted and ~~[punished]~~ sentenced, or acquitted in this state.

31 (2) The period of time for extradition shall be tolled when local charges are pending in
32 this state. The defendant's waiver is unenforceable until the defendant is timely tried and either
33 convicted and sentenced, or acquitted in this state.