

HB0402S01 compared with HB0402

~~text~~ shows text that was in HB0402 but was deleted in HB0402S01.

inserted text shows text that was not in HB0402 but was inserted into HB0402S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ken Ivory proposes the following substitute bill:

EXTRADITION TOLLING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ ~~allows a defendant's waiver of extradition to be tolled while a defendant~~ concerns extradition tolling for a defendant subject to criminal charges in this state; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

HB0402S01 compared with HB0402

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

(1) If a criminal prosecution has been instituted against [~~such person~~] a defendant under the laws of this state and is still pending, the governor[~~, in his discretion,~~] may either surrender [~~him~~] the defendant on demand of the executive authority of another state or hold [~~him until he~~] the defendant until the defendant has been tried and [~~discharged or~~] either convicted and [~~punished~~] sentenced, ~~for~~ acquitted, or otherwise discharged in this state.

(2) ~~{The}~~ Unless tolling is contrary to state or federal law, the period of time for extradition shall be tolled when local charges are pending in this state. ~~{The defendant's waiver is unenforceable until the defendant is timely tried and either convicted and sentenced, or acquitted in this state.}~~