

274 (b)(8) a statement of a declarant that is written, recorded, or transcribed verbatim  
275 which is:

276 (b)(8)(A) under oath or affirmation; or

277 (b)(8)(B) pursuant to a notification to the declarant that a false statement made therein  
278 is punishable; and

279 (b)(9) other hearsay evidence with similar indicia of reliability, regardless of  
280 admissibility at trial under Rules 803 and 804 of the Utah Rules of Evidence.

281 (c) Continuance for Production of Additional Evidence. If hearsay evidence is  
282 proffered or admitted in the preliminary examination, a continuance of the hearing may be  
283 granted for the purpose of furnishing additional evidence if:

284 (c)(1) The magistrate finds that the hearsay evidence proffered or admitted is not  
285 sufficient and additional evidence is necessary for a bindover; or

286 (c)(2) The defense establishes that it would be so substantially and unfairly  
287 disadvantaged by the use of the hearsay evidence as to outweigh the interests of the declarant  
288 and the efficient administration of justice.

289 (d)(1) Except as provided in paragraph (d)(2), a prosecutor, or any staff for the office  
290 of the prosecutor, may transcribe a declarant's statement verbatim or assist a declarant in  
291 drafting a statement.

292 (d)(2) A prosecutor, or any staff for the office of the prosecutor, may not draft a  
293 statement for a declarant or tamper with a witness in violation of Utah Code section 76-8-508.

294 Section 5. **Effective date.**

295 ~~§→ [As provided in Utah Constitution Article VIII, Section 4, this resolution takes effect~~  
296 ~~upon a two-thirds vote of all members elected to each house.]~~

296a **(1) In accordance with Utah Constitution Article VIII, Section 4, the amendments in this**  
296b **resolution pass upon approval by a two-thirds vote of all members elected to each house.**

296c **(2) After passage of this resolution under Subsection (1), the amendments in this resolution**  
296d **take effect on May 3, 2023. ←§**