

**Karianne Lisonbee** proposes the following substitute bill:

**Sex Offender Oversight Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karianne Lisonbee**

Senate Sponsor: Brady Brammer

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**LONG TITLE**

**General Description:**

This bill addresses oversight of sex offenders on the Sex, Kidnap, and Child Abuse Offender Registry.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires local law enforcement agencies to have specific responsibilities for certain sex offenders;
- revises definitions concerning a residence for purposes of the Sex, Kidnap, and Child Abuse Offender Registry (registry);
- requires the Department of Public Safety (department) to:
  - create a monitoring program for sex offenders who are unable to provide a required residential address to the registry;
  - delegate monitoring oversight responsibility to a local law enforcement agency or to the Division of Adult Probation and Parole;
  - establish a process for a local law enforcement agency or the Division of Adult Probation and Parole to be notified of the need for an arrest warrant for certain sex offenders; and
  - develop and provide an online training program for certain individuals who work with sex offenders;
- requires specific entities to coordinate with the department regarding the monitoring of, or seeking an arrest warrant for, certain sex offenders;
- requires a sex offender to comply with the monitoring program;
- creates criminal penalties for a sex offender's failure to comply with the monitoring program;

- 29           ▸ requires a court to consider and, if the court finds probable cause, issue an arrest warrant
- 30 for certain sex offenders;
- 31           ▸ requires the Division of Adult Probation and Parole to have specific responsibilities for
- 32 certain sex offenders;
- 33           ▸ provides a presumption for the issuance of an arrest warrant in lieu of a summons for
- 34 certain sex offenders; and
- 35           ▸ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-72-301 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
First Special Session, Chapter 13

**53-10-403 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 173,  
208 and 291

**53-29-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**53-29-301 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**53-29-302 (Effective 05/06/26) (Partially Repealed 01/01/30)**, as enacted by Laws of  
Utah 2025, Chapter 291

**53-29-303 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**53-29-304 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**53-29-305 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**53-29-402 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 291

**64-14-203 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 214

**77-7-5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 314

ENACTS:

**53-29-308 (Effective 05/06/26)**, Utah Code Annotated 1953

**53-29-309 (Effective 05/06/26)**, Utah Code Annotated 1953

**53-29-406 (Effective 05/06/26)**, Utah Code Annotated 1953

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

Section 1. Section **17-72-301** is amended to read:

63 **17-72-301 (Effective 05/06/26). General duties.**

- 64 (1) The sheriff shall:
- 65 (a) preserve the peace;
- 66 (b) make all lawful arrests;
- 67 (c)(i) attend in person or by deputy:
- 68 (A) the Supreme Court and the Court of Appeals when required; or
- 69 (B) when the court is held within the sheriff's county, all courts of record, and
- 70 court commissioner and referee sessions held within the sheriff's county;
- 71 (ii) obey a court's lawful orders and directions; and
- 72 (iii) comply with the court security rule, Rule 3-414, of the Utah Code of Judicial
- 73 Administration;
- 74 (d) upon request of the juvenile court, aid the court in maintaining order during hearings
- 75 and transport a minor to and from youth corrections facilities, other institutions, or
- 76 other designated places;
- 77 (e) attend county justice courts if the judge finds that the matter before the court requires
- 78 the sheriff's attendance for security, transportation, and escort of prisoners in the
- 79 sheriff's custody, or for the custody of jurors;
- 80 (f) command the aid of as many inhabitants of the sheriff's county as the sheriff
- 81 considers necessary in the execution of duties described in this section;
- 82 (g) take charge of and keep the county jail and prisoners in the county jail as described
- 83 in Part 4, County Jails, and Part 5, Responsibility for Prisoners;
- 84 (h)(i) receive and safely keep all prisoners committed to the sheriff's custody;
- 85 (ii) file and preserve the commitments of prisoners; and
- 86 (iii) record the name, age, place of birth, and description of each prisoner;
- 87 (i) release on the record all attachments of real property when the attachment the sheriff
- 88 receives has been released or discharged;
- 89 (j) endorse on all process and notices the year, month, day, hour, and minute of
- 90 reception, and, upon payment of fees, issue a certificate to the individual delivering
- 91 process or notice showing the names of the parties, title of paper, and the time of
- 92 receipt;
- 93 (k) serve all process and notices as prescribed by Part 7, Process Service and Duty to the
- 94 Court, or any other provision of law;
- 95 (l)(i) if the sheriff makes service of process or notice, certify on the process or notices
- 96 the manner, time, and place of service; or

- 97 (ii) if the sheriff fails to make service, certify the reason upon the process or notice,  
98 and return them without delay;
- 99 (m) extinguish fires occurring in the undergrowth, trees, or wooded areas on the public  
100 land within the sheriff's county;
- 101 (n) perform as required by any contracts between the county and private contractors for  
102 management, maintenance, operation, and construction of county jails entered into  
103 under the authority of Section 17-65-405;
- 104 (o) manage and direct search and rescue services in the sheriff's county, including  
105 emergency medical responders and other related incident response activities;
- 106 (p) obtain saliva DNA specimens as required under Section 53-10-404;
- 107 (q) on or before January 1, 2003, adopt a written policy that prohibits the stopping,  
108 detention, or search of any person when the action is solely motivated by  
109 considerations of race, color, ethnicity, age, or gender;
- 110 (r) as applicable, select a representative of law enforcement to serve as a member of a  
111 child protection team, as defined in Section 80-1-102;
- 112 (s) appoint a county security chief in accordance with Section 53-22-103 and ensure the  
113 county security chief fulfills the county security chief's duties;
- 114 (t) ensure that a prisoner who is awaiting trial, sentencing, or disposition of criminal  
115 charges has:
- 116 (i) a private and confidential space to review discovery and other evidence or  
117 documents related to the prisoner's criminal case with the prisoner's counsel; and  
118 (ii) the means to access and review discovery and other evidence or documents  
119 related to the prisoner's criminal case, with or without the prisoner's counsel,  
120 including the means to access and review digital, audio, video, or other  
121 technological evidence or documents; and
- 122 (u) perform any other duties that are required by law.
- 123 (2)(a) Violation of Subsection (1)(j) is a class C misdemeanor.
- 124 (b) Violation of any other subsection under Subsection (1) is a class A misdemeanor.
- 125 (3)(a) A prisoner may access or review discovery, evidence, or other documents under  
126 Subsection (1)(t) with:
- 127 (i) technology provided by the jail; or  
128 (ii) technology, including a computer, that is approved by the jail and is provided by  
129 the prisoner's counsel.
- 130 (b) If a prisoner's counsel leaves discovery, evidence, or other documents with the

131 prisoner at the jail, the prisoner's counsel shall ensure that the discovery, evidence, or  
132 other documents does not include:  
133 (i) any visual depiction of an individual who is younger than 18 years old;  
134 (ii) any personal identifying information of an individual other than the prisoner;  
135 (iii) any financial information of a person other than the prisoner;  
136 (iv) any child sexual abuse material as defined in Section 76-5b-103;  
137 (v) any intimate image as defined in Section 76-5b-203; or  
138 (vi) any visual depiction or information for which possession is prohibited, by policy,  
139 at the jail.

140 (4) A sheriff shall comply with the requirements described in Section 53-29-308 for  
141 specific registered sex offenders.

142 Section 2. Section **53-10-403** is amended to read:

143 **53-10-403 (Effective 05/06/26). DNA specimen analysis -- Application to**  
144 **offenders, including minors.**

145 (1) Sections 53-10-403.6, 53-10-404, 53-10-404.5, 53-10-405, and 53-10-406 apply to:  
146 (a) a person who has pled guilty to or has been convicted of any of the offenses under  
147 Subsection (2)(a) or (b) on or after July 1, 2002;  
148 (b) a person who has pled guilty to or has been convicted by any other state or by the  
149 United States government of an offense which if committed in this state would be  
150 punishable as one or more of the offenses listed in Subsection (2)(a) or (b) on or after  
151 July 1, 2003;  
152 (c) a person who has been booked on or after January 1, 2011, through December 31,  
153 2014, for any offense under Subsection (2)(c);  
154 (d) a person who has been booked:  
155 (i) by a law enforcement agency that is obtaining a DNA specimen on or after May  
156 13, 2014, through December 31, 2014, under Subsection 53-10-404(4)(b) for any  
157 felony offense; or  
158 (ii) on or after January 1, 2015, for any felony offense; or  
159 (e) a minor:  
160 (i)(A) who is adjudicated by the juvenile court for an offense described in  
161 Subsection (2) that is within the jurisdiction of the juvenile court on or after  
162 July 1, 2002; or  
163 (B) who is adjudicated by the juvenile court for an offense described in  
164 Subsection (2) and is in the legal custody of the Division of Juvenile Justice

- 165 and Youth Services for the offense on or after July 1, 2002; and
- 166 (ii) who is 14 years old or older at the time of the commission of the offense
- 167 described in Subsection (2).
- 168 (2) Offenses referred to in Subsection (1) are:
- 169 (a) any felony or class A misdemeanor under the Utah Code;
- 170 (b) any offense under Subsection (2)(a):
- 171 (i) for which the court enters a judgment for conviction to a lower degree of offense
- 172 under Section 76-3-402; or
- 173 (ii) regarding which the court allows the defendant to enter a plea in abeyance as
- 174 defined in Section 77-2a-1; or
- 175 (c)(i) any violent felony as defined in Section 53-10-403.5;
- 176 (ii) sale or use of body parts, Section 26B-8-315;
- 177 (iii) failure to stop at an accident that resulted in death, Section 41-6a-401.5;
- 178 (iv) operating a motor vehicle with any amount of a controlled substance in an
- 179 individual's body and causing serious bodily injury or death, as codified before
- 180 May 4, 2022, Laws of Utah 2021, Chapter 236, Section 1, Subsection
- 181 58-37-8(2)(g);
- 182 (v) a felony violation of enticing a minor, Section 76-5-417;
- 183 (vi) negligently operating a vehicle resulting in injury, Subsection 76-5-102.1(2)(b);
- 184 (vii) a felony violation of propelling a substance or object at a correctional officer, a
- 185 peace officer, or an employee or a volunteer, including health care providers,
- 186 Section 76-5-102.6;
- 187 (viii) automobile homicide, Subsection 76-5-207(2)(b);
- 188 (ix) aggravated human trafficking, Section 76-5-310, and aggravated human
- 189 smuggling, Section 76-5-310.1;
- 190 (x) a felony violation of unlawful sexual activity with a minor, Section 76-5-401;
- 191 (xi) a felony violation of sexual abuse of a minor, Section 76-5-401.1;
- 192 (xii) unlawful sexual contact with a 16 or 17-year old, Section 76-5-401.2;
- 193 (xiii) sale of a child, Section 76-7-203;
- 194 (xiv) aggravated escape, Section 76-8-309.3;
- 195 (xv) a felony violation of threatened or attempted assault on an elected official,
- 196 Section 76-8-313;
- 197 (xvi) threat with intent to impede, intimidate, interfere, or retaliate against a judge or
- 198 a member of the Board of Pardons and Parole or acting against a family member

- 199 of a judge or a member of the Board of Pardons and Parole, Section 76-8-316;  
 200 (xvii) assault with intent to impede, intimidate, interfere, or retaliate against a judge  
 201 or a member of the Board of Pardons and Parole or acting against a family  
 202 member of a judge or a member of the Board of Pardons and Parole, Section  
 203 76-8-316.2;
- 204 (xviii) aggravated assault with intent to impede, intimidate, interfere, or retaliate  
 205 against a judge or a member of the Board of Pardons and Parole or acting against  
 206 a family member of a judge or a member of the Board of Pardons and Parole,  
 207 Section 76-8-316.4;
- 208 (xix) attempted murder with intent to impede, intimidate, interfere, or retaliate  
 209 against a judge or a member of the Board of Pardons and Parole or acting against  
 210 a family member of a judge or a member of the Board of Pardons and Parole,  
 211 Section 76-8-316.6;
- 212 (xx) advocating criminal syndicalism or sabotage, Section 76-8-902;
- 213 (xxi) assembling for advocating criminal syndicalism or sabotage, Section 76-8-903;
- 214 (xxii) a felony violation of sexual battery, Section 76-5-418;
- 215 (xxiii) a felony violation of lewdness involving a child, Section 76-5-420;
- 216 (xxiv) a felony violation of abuse or desecration of a dead human body, Section  
 217 76-5-802;
- 218 (xxv) manufacture, possession, sale, or use of a weapon of mass destruction, Section  
 219 76-15-302;
- 220 (xxvi) manufacture, possession, sale, or use of a hoax weapon of mass destruction,  
 221 Section 76-15-303;
- 222 (xxvii) possession of a concealed firearm in the commission of a violent felony,  
 223 Subsection 76-11-202(3)(c);
- 224 (xxviii) assault with the intent to commit bus hijacking with a dangerous weapon as  
 225 described in Subsection 76-9-1503(3)(b);
- 226 (xxix) aggravated commercial obstruction, Section 76-9-114;
- 227 (xxx) a felony violation of failure to register as a sex or kidnap offender or comply  
 228 with the sex offender monitoring program, Section 53-29-305;
- 229 (xxxii) repeat violation of a protective order, Subsection 77-36-1.1(4); or
- 230 (xxxii) violation of condition for release after arrest under Section 78B-7-802.

231 Section 3. Section **53-29-101** is amended to read:

232 **53-29-101 (Effective 05/06/26). Definitions.**

233 As used in this chapter:

- 234 (1) "Bureau" means the Bureau of Criminal Identification of the Department of Public  
235 Safety established in Section 53-10-201.
- 236 (2) "Certificate of eligibility" means the certificate issued by the bureau described in  
237 Section 53-29-207.
- 238 (3) "Child abuse offender" means an individual who meets the requirements under  
239 Subsection 53-29-202(2)(a).
- 240 (4)(a) "Convicted" means a plea or conviction of:
- 241 (i) guilty;
- 242 (ii) guilty with a mental illness; or
- 243 (iii) no contest.
- 244 (b) "Convicted" includes, except as provided in Subsection 53-29-202(4), the period a  
245 plea is held in abeyance pursuant to a plea in abeyance agreement as defined in  
246 Section 77-2a-1.
- 247 (c) "Convicted" does not include:
- 248 (i) a withdrawn or dismissed plea in abeyance;
- 249 (ii) a diversion agreement; or
- 250 (iii) an adjudication of a minor for an offense under Section 80-6-701.
- 251 (5) "Division" means the Division of Juvenile Justice and Youth Services.
- 252 (6) "Employed" means employment that is full time or part time, whether financially  
253 compensated, volunteered, or for the purpose of government or educational benefit.
- 254 (7) "Kidnap offender" means an individual who meets the requirements under Subsection  
255 53-29-202(2)(c).
- 256 (8) "Offender" means an individual who qualifies as a sex offender, a kidnap offender, or a  
257 child abuse offender as described in Section 53-29-202.
- 258 (9)(a) "Online identifier" means any electronic mail, chat, instant messenger, social  
259 networking, or similar name used for Internet communication.
- 260 (b) "Online identifier" does not include date of birth, social security number, PIN  
261 number, or Internet passwords.
- 262 (10) "Primary residence" means the [~~location~~] residence where an offender regularly resides,  
263 even if the offender intends to move to another [~~location~~] residence or return to another [  
264 ~~location~~] residence at a future date.
- 265 (11) "Registrable offense" means an offense described in Subsection 53-29-202(1).
- 266 (12) "Registration website" means the Sex, Kidnap, and Child Abuse Offender Notification

267 and Registration website described in Section 53-29-404.  
 268 (13) "Registry" means the Sex, Kidnap, and Child Abuse Offender Registry maintained by  
 269 the department and created in Section 53-29-102 to monitor and track offenders.

270 (14) "Registry office" means the office within the department that manages the Sex,  
 271 Kidnap, and Child Abuse Offender Registry.

272 (15)(a) "Residence" means a structure, or a portion of a structure, that is designed and  
 273 intended for occupancy as a dwelling by one or more individuals.

274 (b) "Residence" does not include a temporary structure, a vehicle, or an area of  
 275 unimproved real property.

276 [(15)] (16) "Sex offender" means an individual who meets the requirements under  
 277 Subsection 53-29-202(2)(b).

278 [(16)] (17) "Vehicle" means a motor vehicle, an aircraft, or a watercraft subject to  
 279 registration in any jurisdiction.

280 Section 4. Section **53-29-301** is amended to read:

281 **53-29-301 (Effective 05/06/26). Definitions.**

282 As used in this part:

283 (1) "Business day" means a day on which state offices are open for regular business.

284 (2) "Correctional facility" means:

285 (a) a county jail;

286 (b) a secure correctional facility as defined by Section 64-13-1; or

287 (c) a secure care facility as defined in Section 80-1-102.

288 (3) "Secondary residence" means real property that an offender owns or has a financial  
 289 interest in, or a ~~location~~ residence where the offender stays overnight a total of 10 or  
 290 more nights in a 12-month period when not staying at the offender's primary residence.

291 Section 5. Section **53-29-302** is amended to read:

292 **53-29-302 (Effective 05/06/26) (Partially Repealed 01/01/30). Law enforcement**  
 293 **and agency responsibilities related to the registry.**

294 (1) As used in this section:

295 (a) "Dynamic factors" means an individual's individual characteristics, issues, resources,  
 296 or circumstances that:

297 (i) can change or be influenced; and

298 (ii) affect the risk of:

299 (A) recidivism; or

300 (B) violating conditions of probation or parole.

- 301 (b) "Multi-domain assessment" means an evaluation process or tool that reports in  
 302 quantitative and qualitative terms an offender's condition, stability, needs, resources,  
 303 dynamic factors, and static factors that affect the offender's transition into the  
 304 community and compliance with conditions of probation or parole.
- 305 (c) "Static factors" means an individual's individual characteristics, issues, resources, or  
 306 circumstances that:
- 307 (i) are unlikely to be changeable or influenced; and  
 308 (ii) affect the risk of:
- 309 (A) recidivism; or  
 310 (B) violating conditions of probation or parole.
- 311 (2) A law enforcement agency shall~~[-]~~ :
- 312 (a) in the manner prescribed by the department, inform the department of:
- 313 ~~[(a)]~~ (i) the receipt of a report or complaint of a registrable offense, within three  
 314 business days after the day on which the law enforcement agency received the  
 315 report or complaint; and
- 316 ~~[(b)]~~ (ii) the arrest of an individual suspected of a registrable offense, within five  
 317 business days after the day on which the law enforcement agency arrested the  
 318 individual~~[-]~~ ;
- 319 (b) comply with Subsection (10); and
- 320 (c) comply with the requirements described in Section 53-29-308.
- 321 (3) The Department of Corrections shall:
- 322 (a) register an offender in the custody of the Department of Corrections with the  
 323 department upon:
- 324 (i) placement on probation;  
 325 (ii) commitment to a secure correctional facility operated by or under contract with  
 326 the Department of Corrections;  
 327 (iii) release from confinement to parole status, termination or expiration of sentence,  
 328 or escape;  
 329 (iv) entrance to and release from any community-based residential program operated  
 330 by or under contract with the Department of Corrections; or  
 331 (v) termination of probation or parole; ~~[and]~~
- 332 (b)(i) for an offender convicted after May 7, 2025, of an offense committed in this  
 333 state that requires the individual to register as a sex offender, conduct, if available,  
 334 multi-domain assessments that are validated for the population and offense type of

- 335 the offender to inform the treatment and supervision needs of the offender; and
- 336 (ii) 30 days after the day on which a calendar quarterly period ends, submit the
- 337 results of any risk assessments completed under Subsection (3)(b)(i) during the
- 338 preceding quarter to the State Commission on Criminal and Juvenile Justice[-] ;
- 339 (c) comply with Subsection (10); and
- 340 (d) ensure the Division of Adult Probation and Parole created in Section 64-14-202
- 341 complies with the requirements described in Sections 53-29-309 and 64-14-203.
- 342 (4) The sheriff of the county in which an offender is confined shall:
- 343 (a) [-]register an offender with the department, as required under this chapter, if the
- 344 offender is not in the custody of the Department of Corrections and is confined in a
- 345 correctional facility not operated by or under contract with the Department of
- 346 Corrections upon:
- 347 [(a)] (i) commitment to the correctional facility; and
- 348 [(b)] (ii) release from confinement[-] ;
- 349 (b) comply with Subsection (10); and
- 350 (c) comply with the requirements described in Sections 17-72-301 and 53-29-308.
- 351 (5)(a) Except as provided in Subsection ~~[(4)(b)  $\hat{S}$  → (4)(a)(ii)]~~ (5)(b) ←  $\hat{S}$ , if an
- 351a offender is sent on an
- 352 assignment outside a secure facility, including being assigned for firefighting or
- 353 disaster control, the official who has physical custody of the offender shall, within a
- 354 reasonable time after the day of the offender's removal from the secure facility, notify
- 355 the local law enforcement agencies where the offender is assigned.
- 356 (b) Subsection ~~[(4)(a)  $\hat{S}$  → (4)(a)(i)]~~ (5)(a) ←  $\hat{S}$  does not apply to an offender
- 356a temporarily released from a
- 357 secure facility setting who is under the supervision of a correctional facility official.
- 358 (6) The division shall[-] :
- 359 (a) register an offender in the custody of the division with the department, as required
- 360 under this chapter, before the offender's release from custody of the division; and
- 361 (b) comply with Subsection (10).
- 362 (7) A state mental hospital shall[-] :
- 363 (a) register an offender committed to the state mental hospital with the department, as
- 364 required under this chapter, upon the offender's admission and upon the offender's
- 365 discharge; and
- 366 (b) comply with Subsection (10).

- 367 (8)(a) A municipal or county law enforcement agency shall[-] :
- 368 (i) register an offender who resides within the agency's jurisdiction and is not under
- 369 the supervision of the Division of Adult Probation and Parole within the
- 370 Department of Corrections[-] ;
- 371 (ii) comply with Subsection (10); and
- 372 (iii) comply with the requirements described in Section 53-29-308.
- 373 (b) A municipal or county law enforcement agency may conduct offender registration
- 374 under this chapter, if the agency ensures that the agency's staff responsible for
- 375 registration:
- 376 (i) have received initial training by the department and have been certified by the
- 377 department as qualified and authorized to conduct registrations and enter offender
- 378 registration information into the registry database; and
- 379 (ii) annually certifies with the department.
- 380 (9) An agency in the state that registers with the department an offender on probation, an
- 381 offender who has been released from confinement to parole status or termination, or an
- 382 offender whose sentence has expired, shall inform the offender of the duty to comply
- 383 with the continuing registration requirements of this chapter during the period of
- 384 registration required in Section 53-29-203, including:
- 385 (a) notification to the state agencies in the states where the registrant presently resides
- 386 and plans to reside when moving across state lines;
- 387 (b) verification of address at least every 60 days pursuant to a parole agreement for
- 388 lifetime parolees; and
- 389 (c) notification to the out-of-state agency where the offender is living, regardless of
- 390 whether the offender is a resident of that state.
- 391 (10) If an entity that is required to register an offender under this section discovers that a
- 392 sex offender does not have a residential address to provide under Subsection
- 393 53-29-304(4)(a)(ii), the entity shall, within one business day after the day on which the
- 394 entity discovers the information, coordinate with the department, in accordance with
- 395 Section 53-29-406, to ensure that:
- 396 (a) the sex offender will begin to be monitored under the monitoring program described
- 397 in Section 53-29-406; or
- 398 (b) the responsible entity under Section 53-29-406 seeks an arrest warrant for the sex
- 399 offender.
- 400 Section 6. Section **53-29-303** is amended to read:

401 **53-29-303 (Effective 05/06/26). Court responsibilities related to the registry.**

- 402 (1) The court shall, after an offender is convicted of a registrable offense, within three  
 403 business days after the day on which the conviction is entered, forward a signed copy of  
 404 the judgment and sentence to the registry office.
- 405 (2) Upon modifying, withdrawing, setting aside, vacating, or otherwise altering a  
 406 conviction for a registrable offense, the court shall, within three business days, forward a  
 407 signed copy of the order to the registry office.
- 408 (3)(a) An offender may change the offender's name in accordance with Title 42, Chapter  
 409 1, Change of Name, if the name change is not contrary to the interests of the public.
- 410 (b) Notwithstanding Section 42-1-2, an offender shall provide notice to the department  
 411 at least 30 days before the day on which the hearing for the name change is held.
- 412 (c) The court shall provide a copy of the order granting the offender's name change to  
 413 the department within 10 days after the day on which the court issues the order.
- 414 (d) If the court orders an offender's name to be changed, the department shall publish on  
 415 the registration website the offender's former name and the offender's changed name  
 416 as an alias.
- 417 (4) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management  
 418 Act, information under Subsection (2) that is collected and released under Subsection  
 419 53-29-404(3)(a) is public information, unless otherwise restricted under this chapter.
- 420 (5) The department shall redact information regarding the identity or location of a victim  
 421 from information provided under Subsection (2).
- 422 (6) In accordance with Section 77-7-5, upon receipt of an affidavit seeking an arrest warrant  
 423 described in Section 53-29-308 or 53-29-309 for a sex offender, the court shall, within a  
 424 reasonable time, consider and, if the court determines that there is probable cause that  
 425 the sex offender has committed the violation described in the affidavit seeking the arrest  
 426 warrant, issue a warrant for the arrest of the sex offender.

427 Section 7. Section **53-29-304** is amended to read:

428 **53-29-304 (Effective 05/06/26). Offender responsibilities related to the registry.**

- 429 (1) An offender shall:
- 430 (a) if the offender is on probation or parole under the supervision of the Department of  
 431 Corrections, register in person with the Division of Adult Probation and Parole; or
- 432 (b) if the offender is not on probation or parole under the supervision of the Department  
 433 of Corrections, register in person with the police department or sheriff's office that  
 434 has jurisdiction over the area where the offender resides.

- 435 (2) An offender registering under Subsection (1) shall register for the duration of the  
436 offender's applicable registration period described in Section 53-29-203:
- 437 (a) each year during the month of the offender's date of birth;
- 438 (b) during the month that is the sixth month after the offender's birth month; and
- 439 (c) within three business days after the day on which there is a change of the offender's  
440 primary residence, any secondary residences, place of employment, vehicle  
441 information, or educational information described in Subsection (4).
- 442 (3) An offender who enters this state from another jurisdiction is required to register with  
443 the department within 10 days after the day on which the offender enters the state,  
444 regardless of the offender's length of stay.
- 445 (4)(a) When registering under Subsection (1), an offender shall provide the following  
446 information:
- 447 (i) all names and aliases by which the offender is or has been known;
- 448 (ii) except as provided in Subsection (4)(c), the addresses of the offender's primary  
449 and secondary residences;
- 450 (iii) a physical description, including the offender's date of birth, height, weight, eye  
451 color, and hair color;
- 452 (iv) the make, model, color, year, plate number, and vehicle identification number of  
453 a vehicle or vehicles the offender owns or drives more than 12 times per year;
- 454 (v) a current photograph of the offender;
- 455 (vi) a set of fingerprints, if a set has not already been provided;
- 456 (vii) a DNA specimen, taken in accordance with Section 53-10-404, if a set has not  
457 already been provided;
- 458 (viii) telephone numbers and any other designations used by the offender for routing  
459 or self-identification in telephonic communications from fixed locations or  
460 cellular telephones;
- 461 (ix) online identifiers and the addresses the offender uses for routing or  
462 self-identification in Internet communications or postings;
- 463 (x) the name and Internet address of all websites on which the offender is registered  
464 using an online identifier, including all online identifiers used to access those  
465 websites;
- 466 (xi) a copy of the offender's passport, if a passport has been issued to the offender;
- 467 (xii) if the offender is an alien, all documents establishing the offender's immigration  
468 status;

- 469 (xiii) all professional licenses that authorize the offender to engage in an occupation  
470 or carry out a trade or business, including any identifiers, such as numbers;
- 471 (xiv) each educational institution in Utah at which the offender is employed or is a  
472 student, and a change of enrollment or employment status of the offender at an  
473 educational institution;
- 474 (xv) the name, the telephone number, and the address of a place where the offender is  
475 employed or will be employed;
- 476 (xvi) the name, the telephone number, and the address of a place where the offender  
477 works as a volunteer or will work as a volunteer; and
- 478 (xvii) the offender's social security number.
- 479 (b) The department shall redact information regarding the identity or location of a victim  
480 from information provided under Subsection (4)(a).
- 481 (c) If an offender is a sex offender and does not have a residential address to provide  
482 under Subsection (4)(a)(ii), the sex offender shall comply with the monitoring  
483 program described in Section 53-29-406.
- 484 (5) Notwithstanding Subsections (4)(a)(ix) and (x) and 53-29-404(7), an offender is not  
485 required to provide the department with:
- 486 (a) the offender's online identifier and password used exclusively for the offender's  
487 employment on equipment provided by an employer and used to access the  
488 employer's private network; or
- 489 (b) online identifiers for the offender's financial accounts, including a bank, retirement,  
490 or investment account.
- 491 (6) Notwithstanding Title 77, Chapter 40a, Expungement of Criminal Records, an offender  
492 convicted of a registrable offense is required to register in accordance with this section  
493 unless the offender is removed from the registry under Section 53-29-207.
- 494 (7) Except as provided in Subsection 53-29-404(7), in the case of an offender adjudicated in  
495 another jurisdiction as a juvenile and required to register under this chapter, the offender  
496 shall register in the time period and in the frequency consistent with the requirements of  
497 Subsection (3).
- 498 (8)(a) An offender required to register on the registry shall, in the month of the  
499 offender's birth:
- 500 (i) pay to the department each year the offender is subject to the registration  
501 requirements of this chapter:
- 502 (A) before July 1, 2026, an annual fee of \$125; and

- 503 (B) on or after July 1, 2026, an annual fee determined by the department in  
 504 accordance with the process in Section 63J-1-504; and
- 505 (ii) pay to the registering agency, if the registering agency is an agency other than the  
 506 department, an annual fee of not more than \$25, which may be assessed by that  
 507 agency for providing registration.
- 508 (b) Notwithstanding Subsection (8)(a), an offender who is confined in a secure facility  
 509 or in a state mental hospital is not required to pay the annual fee.
- 510 (c) The department shall deposit fees collected in accordance with this chapter into the  
 511 General Fund as a dedicated credit, to be used by the department for maintaining the  
 512 offender registry under this chapter and monitoring offender registration compliance,  
 513 including the costs of:
- 514 (i) data entry;
- 515 (ii) processing registration packets;
- 516 (iii) updating registry information; and
- 517 (iv) reporting an offender not in compliance with registration requirements to a law  
 518 enforcement agency.

519 Section 8. Section **53-29-305** is amended to read:

520 **53-29-305 (Effective 05/06/26). Failing to register or providing false or**  
 521 **incomplete information -- Failing to comply with monitoring program -- Penalties.**

522 (1) An offender who knowingly fails to register under this chapter~~[-or]~~ , ~~§~~→ **knowingly** ←~~§~~  
 522a provides false or  
 523 incomplete information, ~~or~~ ~~§~~→ **knowingly** ←~~§~~ ~~fails to comply with the sex offender~~  
 523a ~~monitoring program~~  
 524 ~~described in Section 53-29-406~~, is guilty of:

- 525 (a) a third degree felony and shall be sentenced to serve a term of incarceration of not  
 526 less than 30 days and also at least one year of probation if:
- 527 (i) the offender is required to register for a registrable offense that is a felony or  
 528 adjudicated delinquent for a registrable offense committed before May 3, 2023,  
 529 that would be a felony if the juvenile were an adult; or
- 530 (ii) the offender is required to register for the offender's lifetime as described in  
 531 Subsection 53-29-203(1)(b); or
- 532 (b) a class A misdemeanor and shall be sentenced to serve a term of incarceration of not  
 533 less than 30 days and also at least one year of probation if the offender is required to  
 534 register for a misdemeanor conviction that is a registrable offense or is adjudicated

535 delinquent for a registrable offense committed before May 3, 2023, that would be a  
536 misdemeanor if the juvenile were an adult.

537 (2)(a) The court or Board of Pardons and Parole may not release an individual who  
538 violates this chapter from serving the term required under Subsection (1).

539 (b) This Subsection (2) supersedes any other provision of the law contrary to this chapter.

540 (3) The offender shall register for an additional year for every year in which the offender  
541 does not comply with the registration requirements of this chapter.

542 Section 9. Section **53-29-308** is enacted to read:

543 **53-29-308** (Effective 05/06/26). **Local law enforcement agency responsibilities for**  
544 **sex offender registrant monitoring and arrest.**

545 (1) As used in this section:

546 ~~Œ~~ → [(a) "**County of the first class**" means a county that is classified by  
546a **population as a county**] ← Œ

547 ~~Œ~~ → [**of the first class under Section 17-60-104.**]

548 [(b)] (a) ← Œ "Law enforcement interlocal entity" means an interlocal entity under  
548a Title 11,

549 Chapter 13, Interlocal Cooperation Act, that provides law enforcement services.

550 ~~Œ~~ → [(e)] (b) ← Œ "Law enforcement special district" means a district that provides  
550a law enforcement

551 services under:

552 (i) Title 17B, Limited Purpose Local Government Entities - Special Districts; or

553 (ii) Title 17D, Chapter 1, Special Service District Act.

554 ~~Œ~~ → [(d)] (c) ← Œ "Monitoring program" means the same as the term "program" is  
554a defined in Section

555 53-29-406.

556 ~~Œ~~ → [(e)] (d) ← Œ "Municipal law enforcement agency" means a law enforcement  
556a agency that is

557 operated by:

558 (i) a municipality;

559 (ii) a law enforcement interlocal entity; or

560 (iii) a law enforcement special district.

561 ~~Œ~~ → [(f)] (e) ← Œ "Municipality" means the same as that term is defined in Section  
561a 10-1-104.

- 562 (2) Except as provided in Subsection (3), a sheriff shall accept and begin monitoring  
 563 program oversight responsibility for a sex offender who is on the monitoring program if  
 564 the sheriff receives notice from:
- 565 (a) the department under Section 53-29-406; or  
 566 (b) a sheriff of a different county, or a municipal law enforcement agency, that is  
 567 transferring monitoring program oversight responsibility for a sex offender based on  
 568 the sex offender's change in jurisdiction as described in Subsection (7).
- 569 (3)(a) A municipal law enforcement agency shall accept and begin monitoring program  
 570 oversight responsibility as described in Subsection (3)(b) if the municipal law  
 571 enforcement agency ~~is~~ → [is]
- 572 **[(i) is located in a county of the first class; or]**  
 573 **[(ii)] ← is** has accepted responsibility for the monitoring program for sex offenders in the  
 574 municipal law enforcement agency's jurisdiction under a written agreement with  
 575 the sheriff of the county in which the municipal law enforcement agency is  
 576 located.
- 577 (b) A municipal law enforcement agency described in Subsection (3)(a) shall accept and  
 578 begin monitoring program oversight responsibility for a sex offender who is on the  
 579 monitoring program if the municipal law enforcement agency receives notice from:
- 580 (i) the department under Section 53-29-406; or  
 581 (ii) a sheriff or another municipal law enforcement agency that is transferring  
 582 monitoring program oversight responsibility for a sex offender based on the sex  
 583 offender's change in jurisdiction as described in Subsection (7).
- 584 (4) A sheriff or a municipal law enforcement agency described in Subsection (3) that has  
 585 monitoring program oversight responsibility for a sex offender under Subsection (2) or  
 586 (3) shall:
- 587 (a) monitor the sex offender as required by the department;  
 588 (b) if the sex offender leaves the sheriff's or municipal law enforcement agency's area of  
 589 jurisdiction as described in Subsection (7), notify:
- 590 (i) the department; and  
 591 (ii) the sheriff or the municipal law enforcement agency described in Subsection (3)  
 592 that has jurisdiction over the sex offender's current or last known location;
- 593 (c) follow the procedures described in Subsection (5); and  
 594 (d) comply with other procedures established by the department.
- 595 (5) A sheriff or a municipal law enforcement agency described in Subsection (3) shall

596 comply with the requirements established by the department in Subsection 53-29-406(6),  
597 including:

598 (a) submitting an affidavit requesting an arrest warrant in accordance with Section 77-7-5;  
599 and

600 (b) in coordination with other state and local law enforcement agencies, attempting to  
601 locate and arrest the sex offender who is the subject of the warrant described in  
602 Subsection (5)(a).

603 (6) A civilian employee of a sheriff or a municipal law enforcement agency may conduct  
604 the monitoring required by this section.

605 (7) Unless the department specifies a different time frame by rule, a sex offender is  
606 considered to have transferred jurisdictions for purposes of the monitoring program after  
607 spending seven consecutive days in a different jurisdiction.

608 Section 10. Section **53-29-309** is enacted to read:

609 **53-29-309 (Effective 05/06/26). Division of Adult Probation and Parole**  
610 **responsibilities for sex offender registrant monitoring and arrest.**

611 (1) As used in this section:

612 (a) "Division" means the Division of Adult Probation and Parole created in Section  
613 64-14-202.

614 (b) "Monitoring program" means the same as the term "program" is defined in Section  
615 53-29-406.

616 (2) The division shall accept and begin monitoring program oversight responsibility for an  
617 offender who is a sex offender on the monitoring program if the division receives notice  
618 from:

619 (a) the department under Section 53-29-406; or

620 (b) another entity in accordance with monitoring program procedures established by the  
621 department.

622 (3) For a sex offender described in Subsection (2), the division shall:

623 (a) monitor the sex offender as required by the department; and

624 (b) comply with other procedures established by the department.

625 (4) The division shall comply with the requirements established by the department in  
626 Subsection 53-29-406(6), including:

627 (a) submitting an affidavit requesting an arrest warrant in accordance with Section 77-7-5;  
628 and

629 (b) in coordination with other state and local law enforcement agencies, attempting to

630 locate and arrest the sex offender who is the subject of the warrant described in  
631 Subsection (4)(a).

632 Section 11. Section **53-29-402** is amended to read:

633 **53-29-402 (Effective 05/06/26). Department responsibilities related to the**  
634 **registry.**

635 (1) The department shall:

636 (a) maintain the registration website;

637 (b) establish and maintain the monitoring program described in Section 53-29-406;

638 (c) develop and provide an online training program for an individual who, as part of the  
639 individual's regular job responsibilities:

640 (i) registers sex offenders;

641 (ii) provides probation or parole supervision of sex offenders; or

642 (iii) investigates sex offender compliance with existing laws and requirements;

643 [(b)] (d) ensure that the registration information collected regarding an offender's  
644 enrollment or employment at an educational institution is:

645 (i)(A) promptly made available to any law enforcement agency that has

646 jurisdiction where the institution is located if the educational institution is an  
647 institution of higher education; or

648 (B) promptly made available to the district superintendent of the school district  
649 where the offender is employed if the educational institution is an institution of  
650 primary education; and

651 (ii) entered into the appropriate state records or data system; and

652 [(e)] (e) make available to an offender the name of the local law enforcement agency or  
653 state agency that the offender should contact to register, the location for registering,  
654 and the requirements of registration.

655 (2)(a) When the department receives offender registration information regarding a  
656 change of an offender's primary residence, the department shall, within five days  
657 after the day on which the department receives the information, electronically notify  
658 the law enforcement agencies that have jurisdiction over the area where:

659 (i) the residence that the offender is leaving is located; and

660 (ii) the residence to which the offender is moving is located.

661 (b) The department shall provide notification under Subsection (2)(a) if the offender's  
662 change of address is:

663 (i) between law enforcement agency jurisdictions; or

- 664 (ii) within one law enforcement agency jurisdiction.
- 665 (3) The department may make administrative rules necessary to implement this chapter,
- 666 including:
- 667 (a) the method for dissemination of the information; and
- 668 (b) instructions to the public regarding the use of the information.

669 Section 12. Section **53-29-406** is enacted to read:

670 **53-29-406 (Effective 05/06/26). Monitoring program for sex offenders -- Arrest**

671 **warrant procedures.**

672 (1) As used in this section:

673 (a) "Division" means the Division of Adult Probation and Parole created in Section

674 64-14-202.

675 (b) "Monitoring" means time-correlated tracking of the geographic location of a

676 monitored individual using GPS-based satellite or other location technology.

677 (c) "Program" means the monitoring program created under this section.

678 (2)(a) To deter recidivism and protect the community, the department shall establish a

679 program for the monitoring of sex offenders who are unable to provide the required

680 residence information under Subsection 53-29-304(4)(a)(ii).

681 (b) The program described in Subsection (2)(a) shall apply to a sex offender if the sex

682 offender's registrable offense is committed on or after July 1, 2026.

683 (3) The program shall include:

684 (a) a requirement that the monitoring of a sex offender under the program begin within

685 one business day after the day on which a law enforcement officer, a probation or

686 parole officer, the department, or an entity described in Section 53-29-302, discovers

687 that the sex offender is unable to provide the required residence information under

688 Subsection 53-29-304(4)(a)(ii);

689 (b) a procedure for the department to send notification of program oversight

690 responsibility for a sex offender who is required to be monitored under the program

691 to:

692 (i) if the sex offender is currently on probation or parole, the division, in accordance

693 with Sections 53-29-309 and 64-14-203; or

694 (ii) if the sex offender is no longer on probation or parole, the law enforcement

695 agency with jurisdiction over the sex offender's current or last known location, as

696 determined under Section 53-29-308;

697 (c) except as provided in Subsection (4), a requirement that a sex offender is responsible

- 698 for paying all or part of the cost incurred by the sex offender's participation in the  
699 program;
- 700 (d) a process for a sex offender who is in the program to request a redetermination by  
701 the department as to whether the sex offender is required to continue in the program;  
702 (e) a requirement that the location of a sex offender under the program may only be  
703 tracked as often as once per 12-hour period;  
704 (f) where possible, the use of monitoring systems and technology that have minimal  
705 charging, battery, or maintenance requirements; and  
706 (g) a procedure for obtaining an arrest warrant for, and locating, a sex offender who:  
707 (i) does not provide the required residence information under Subsection  
708 53-29-304(4)(a)(ii); and  
709 (ii) fails to comply with the program.
- 710 (4) A sex offender is not required to pay the cost described in Subsection (3)(c) if the sex  
711 offender demonstrates to the department that the sex offender does not have the ability  
712 to pay.
- 713 (5) A sex offender required to be monitored under this section who ~~§~~→ **knowingly** ←~~§~~ fails  
713a to comply with the  
714 program is guilty of a violation of Section 53-29-305.
- 715 (6)(a) The procedure described in Subsection (3)(g) shall require the department, upon  
716 learning of a sex offender described in Subsection (3)(g), to notify, as soon as  
717 practicable:
- 718 (i) if the sex offender is currently on probation or parole, the division, in accordance  
719 with Sections 53-29-309 and 64-14-203; or  
720 (ii) if the sex offender is no longer on probation or parole, the law enforcement  
721 agency with jurisdiction over the sex offender's current or last known location, as  
722 determined under Section 53-29-308.
- 723 (b) After receiving a notification from the department under Subsection (6)(a), the  
724 division or the law enforcement agency with jurisdiction under Section 53-29-308, as  
725 applicable, shall:
- 726 (i) submit an affidavit requesting an arrest warrant for the sex offender in accordance  
727 with Section 77-7-5; and  
728 (ii) in coordination with other state and local law enforcement agencies, attempt to  
729 locate and arrest the sex offender who is the subject of the warrant described in  
730 Subsection (6)(b)(i).

731 (c) An arrest warrant described in Subsection (6)(b)(i) shall be enforceable by any law  
732 enforcement agency that locates the sex offender who is the subject of the arrest  
733 warrant.

734 (7) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah  
735 Administrative Rulemaking Act, to establish the requirements, procedures, and  
736 processes under this section.

737 Section 13. Section **64-14-203** is amended to read:

738 **64-14-203 (Effective 05/06/26). Duties of division.**

739 (1) The division shall:

- 740 (a) assist the department in fulfilling the department's duty to supervise, as described in  
741 Subsection 64-13-6(1)(i), probationers and parolees as directed by statute and  
742 implemented by the courts and the Board of Pardons and Parole;
- 743 (b) comply with the requirements described in this part;
- 744 (c) supply the information described in Section 53-10-209 that is required to be  
745 submitted to the Criminal Investigations and Technical Services Division created in  
746 Subsection 53-10-103(2);
- 747 (d) comply with the use of funds requirement for outpatient treatment services for those  
748 convicted of an offense under Title 76, Chapter 5, Part 4, Sexual Offenses, as  
749 described in Subsection 59-27-105(4)(c);
- 750 (e) monitor the status of an offender with a mental condition who has been placed on  
751 parole as described in Subsection 77-16a-205(4);
- 752 (f) comply with the requirements described in Title 77, Chapter 18, The Judgment;
- 753 (g) in accordance with the adult sentencing and supervision length guidelines described  
754 in Section 63M-7-404.3, notify the Board of Pardons and Parole of parole violations;
- 755 (h) for an individual who is on probation for a domestic violence offense that the  
756 division is supervising, report to the court and notify the victim of the domestic  
757 violence offense if the individual fails to comply with any condition imposed by the  
758 court or commits a violation of a sentencing protective order as required by  
759 Subsection 77-36-5.1(4);
- 760 (i) comply with the notice requirement to a prosecuting agency described in Subsection  
761 77-38-3(6) if the division is the moving party on a motion for modification of any  
762 determination made at any of the criminal justice hearings provided in Subsections  
763 77-38-2(5)(a) through (g);
- 764 (j) collect restitution information in preparing a presentence investigation report as

- 765 described in Section 77-38b-203;
- 766 (k) for an individual under supervision by the division who violates a sentencing  
767 protective order issued under Title 78B, Chapter 7, Part 8, Criminal Protective  
768 Orders, report the violation to the court and notify the victim protected by the order  
769 of the violation as required by Section 78B-7-807;
- 770 (l) comply with the requirements described in Section 53-29-309 for specific registered  
771 sex offenders; and
- 772 ~~(H)~~ (m) comply with any other requirement established by applicable statute or  
773 regulation or a directive from the executive director.
- 774 (2) The division may, in the course of supervising individuals on probation and parole:  
775 (a) respond to an individual's violation of one or more terms of the probation or parole in  
776 accordance with the graduated and evidence-based processes established by the adult  
777 sentencing and supervision length guidelines, as defined in Section 63M-7-401.1; and  
778 (b) upon approval by the court or the Board of Pardons and Parole, impose as a sanction  
779 for an individual's violation of the terms of probation or parole a period of  
780 incarceration of not more than three consecutive days and not more than a total of six  
781 days within a period of 30 days.

782 Section 14. Section **77-7-5** is amended to read:

783 **77-7-5 (Effective 05/06/26). Issuance of summons or warrant -- Time and place**  
784 **arrests may be made -- Contents of warrant or summons -- Responsibility for**  
785 **transporting prisoners.**

- 786 (1) As used in this section:
- 787 (a) "Daytime hours" means the hours after 6 a.m. and before 10 p.m.  
788 (b) "Nighttime hours" means the hours after 10 p.m. and before 6 a.m.
- 789 (2)(a) A magistrate may issue a warrant for arrest in lieu of a summons for the  
790 appearance of the accused only upon finding:
- 791 ~~(a)~~ (i) probable cause to believe that the person to be arrested has committed a  
792 public offense; and
- 793 ~~(b)~~ (ii) under Rule 6 of the Utah Rules of Criminal Procedure and this section that a  
794 warrant is necessary to:
- 795 ~~(i)~~ (A) prevent risk of injury to a person or property;  
796 ~~(ii)~~ (B) secure the appearance of the accused; or  
797 ~~(iii)~~ (C) protect the public safety and welfare of the community or an individual.
- 798 (b) There is a presumption in favor of issuing a warrant in lieu of a summons under the

799 procedures described in Subsection 53-29-406(6) if the accused is a sex offender  
800 described in Subsection 53-29-406(5).

801 (3) There is a presumption against the issuance of a warrant in lieu of a summons if:  
802 (a) after being booked into jail on conduct that would constitute an offense, the accused  
803 was released from jail because the prosecuting attorney did not file an information  
804 within the time period required under Rule 9 of the Utah Rules of Criminal  
805 Procedure; and

806 (b) the prosecuting attorney filed an information more than 60 days after the day on  
807 which the accused was released from jail.

808 (4) The presumption described in Subsection (3) may be overcome if:

809 (a) the accused fails to appear on a served summons;

810 (b) a summons is unable to be served after good faith efforts; or

811 (c) the prosecuting attorney establishes good cause for issuing a warrant in lieu of a  
812 summons to:

813 (i) prevent risk of injury to a person or property; or

814 (ii) protect the public safety and welfare of the community or an individual.

815 (5) If the offense charged is:

816 (a) a felony, the arrest upon a warrant may be made at any time of the day or night; or

817 (b) a misdemeanor, the arrest upon a warrant may be made during nighttime hours only  
818 if:

819 (i) the magistrate has endorsed authorization to do so on the warrant;

820 (ii) the person to be arrested is upon a public highway, in a public place, or in a place  
821 open to or accessible to the public; or

822 (iii) the person to be arrested is encountered by a peace officer in the regular course  
823 of that peace officer's investigation of a criminal offense unrelated to the  
824 misdemeanor warrant for arrest.

825 (6)(a) If the magistrate determines that the accused must appear in court, the magistrate  
826 shall include in the arrest warrant the name of the law enforcement agency in the  
827 county or municipality with jurisdiction over the offense charged.

828 (b)(i) The law enforcement agency identified by the magistrate under Subsection  
829 (6)(a) is responsible for providing inter-county transportation of the defendant, if  
830 necessary, from the arresting law enforcement agency to the court site.

831 (ii) The law enforcement agency named on the warrant may contract with another  
832 law enforcement agency to have a defendant transported.

833 (7) The law enforcement agency identified by the magistrate under Subsection (6)(a) shall  
834 indicate to the court within 48 hours of the issuance, excluding Saturdays, Sundays, and  
835 legal holidays if a warrant issued in accordance with this section is an extradition  
836 warrant.

837 (8) The law enforcement agency identified by the magistrate under Subsection (6)(a) shall  
838 report any changes to the status of a warrant issued in accordance with this section to the  
839 Bureau of Criminal Identification.

840 Section 15. **Effective Date.**

841 This bill takes effect on May 6, 2026.