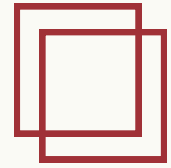


# Legislative Report 2026

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# Executive Summary

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In the 2026 legislative session, policymakers displayed a system-spanning approach to confronting criminal justice, homelessness, and behavioral health issues. Lawmakers recognized that individuals often engage with multiple systems at once, and many legislative and funding changes were designed to enhance cross-system integration and reduce barriers.

At the same time, State leaders asserted that insufficient penalties and judicial leniency were significant drivers of community-level issues. This framework is in tension with current strategies in Salt Lake County. Here, we remain committed to building clear, consistent pathways that divert individuals with behavioral health challenges towards treatment and stability.

Future collaboration will be key in bringing these strategies into alignment, promoting public safety and community wellbeing through a sound understanding of how the criminal justice system can work in concert with treatment and housing providers.

**Prepared by The Office of Homelessness & Criminal Justice Reform in partnership with:**

Salt Lake County Mayor's Office  
Salt Lake County District Attorney's Office  
Salt Lake County Sheriff's Office  
Salt Lake County Behavioral Health Services  
Salt Lake Legal Defender Association  
Salt Lake County Criminal Justice Advisory Council  
Salt Lake Valley Coalition to End Homeless

This year also saw landmark investment in homelessness, with approximately \$25M one-time and \$17.6M ongoing committed towards addressing prevention, treatment, housing, and reentry needs. This funding could not have come at a more crucial time. With instability in the federal funding landscape, demand for shelter and permanent supportive housing is high. Over the last several months, State, local, and community leaders have been working to ensure that this funding is distributed efficiently, fairly, and strategically, balancing short-term gains with long term sustainability.

Altogether, the 2026 Session saw positive progress across key policy areas, thanks in no small part to the diligent research, education, and advocacy of our County and community partners.

For questions, please contact:

**Sebastian Green**

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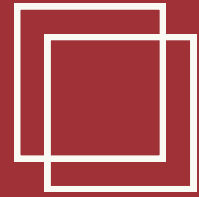
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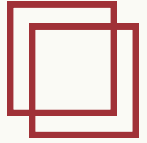
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# Overview




The **Office of Homelessness and Criminal Justice Reform** supports criminal justice, homelessness, and behavioral health partners at the County and in our broader community. Together, we strive to better **understand** and **improve** policy and funding decisions.

During the **2026 Utah Legislative Session**, our office tracked over 250 bills and coordinated **discussion** and **education** among stakeholders. This report summarizes **key outcomes** from the session and highlights our **partners' contributions**.

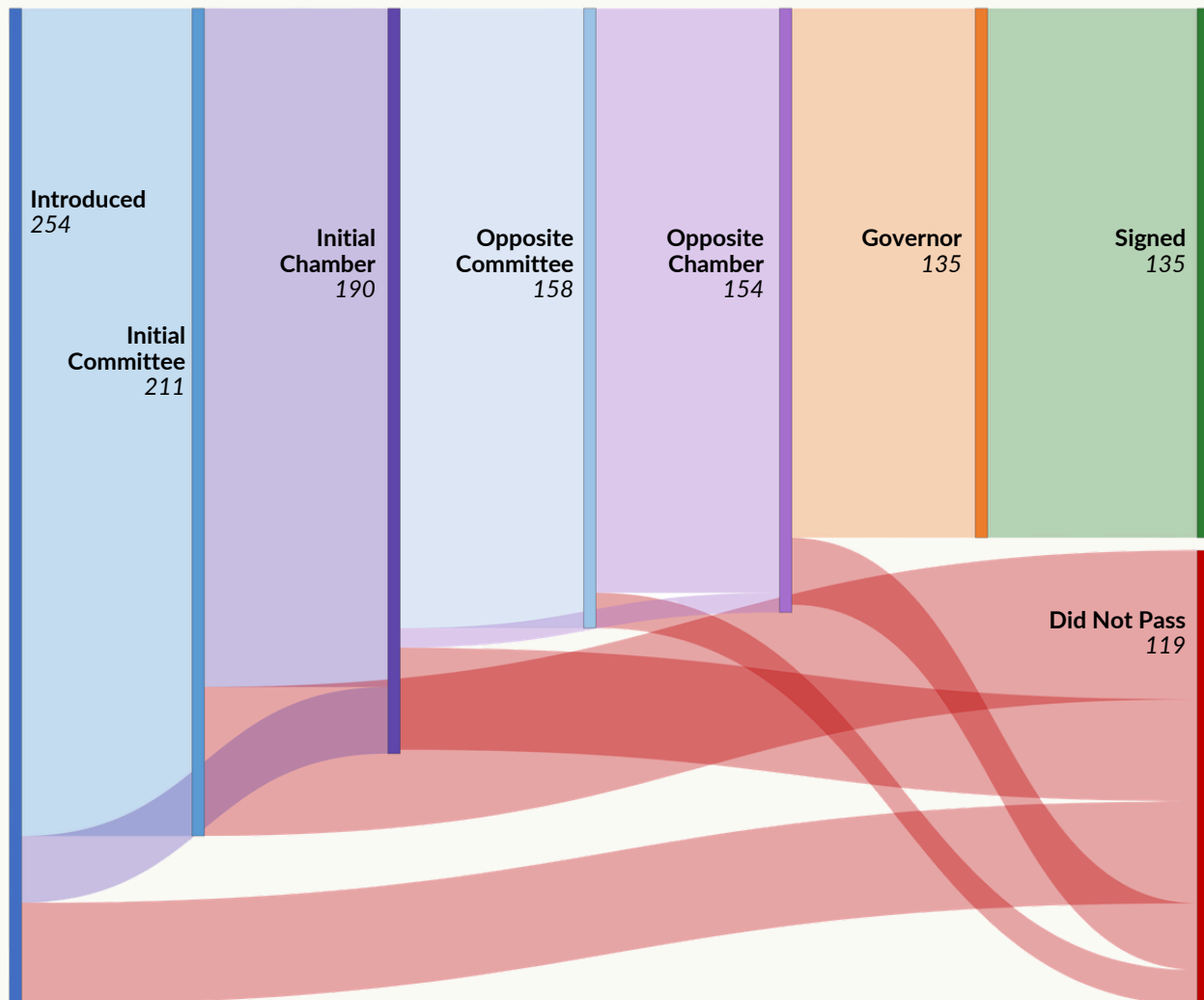
## The Leifman Group: Study & Recommendations

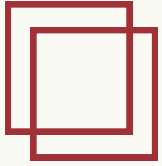
Since 2025, Salt Lake County has been working with Judge Steve Leifman and his team to strengthen our systems' responses for people with mental health and substance needs.

Items that have a direct impact on the recommendations developed through this work are highlighted with a  symbol.

### Our Tracked Bills: Legislative Process Flow

*This diagram shows the total number of bills that progressed between each phase of the legislative process. Of the bills introduced in our issue areas, over half were signed into law.*





# Themes

## System Integration

This year's session built **new connections** between the criminal justice, behavioral health, and homeless services systems. In some cases, this meant creating opportunities to divert individuals **out of traditional criminal legal pathways** and **into treatment and alternative accountability programs**. In other cases, it meant improving the ways that **information is shared** between system actors. Taken together, these changes signal an **increased role** for criminal justice stakeholders to play in delivering **effective interventions** for individuals with acute behavioral health needs.

**HB 572** (Rep. Eliason) takes significant strides to connect criminal justice and behavioral health partners: ⚙️

- Behavioral health receiving centers will need to provide preliminary treatment information for diverted individuals, pending rules stipulation from the State Office of Licensing.
- DHHS must develop a release of information consent form and process to enable the sharing of personal health details across systems.
- Homeless shelters will be able to operate at 135% capacity beyond winter months with municipal approval
- Courts must notify local mental health authorities of AOT and civil commitment orders.
- DHHS must create and maintain a centralized civil commitment database
- \$100K is set aside to fund a community based peer support program.

**HB 205** (Rep. Clancy) expands a framework for effective criminal justice interventions: ⚙️

- Establishes SLCo Jail Treatment pod model as State standard.
- Authorizes Justice Courts to develop Structured Treatment and Enforcement Pathway (STEP) supervision programs.
- Allows courts to create off-limits orders for individuals who have been charged with or convicted of drug offenses.

**HB 230** (Rep. Ballard) adds new protocols to support re-entering individuals:

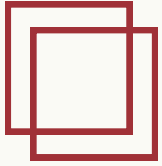
- Requires county jails and Driver's License Division to work together to provide state ID cards for inmates serving sentences 6-months or longer.
- Requires SUD treatment programs to provide drug test results to probation or parole officers if the patient has signed a release waiver.

**HB 113** (Rep. Monson) ramps up enforcement for false emergency reports:

- Creates a scheme of charge enhancement for individuals who continue to make false emergency reports after being previously warned.
- Requires such individuals, if convicted, to serve a minimum of four days in jail or perform at least 40 hours of community services.

**SB 125** (Sen. Musselman) removes felony enhancement for repeated theft of services:

- Reduces criminal justice escalation for individuals who frequently use public transportation without paying, minimizing barriers to successful intervention.



# Themes

## Community Oversight


A second notable trend was the expansion of **community-based supervision** across the full continuum of justice involvement. Recent legislative changes broadened the use of these strategies to encompass individuals at every stage – from **pretrial release** through **post-incarceration reentry** – with increased monitoring of behavior and location.

**HB 370** (Rep. Lisonbee) creates a monitoring program for sex offenders:

- Requires GPS monitoring for individuals required to register as a sex offender who do not provide an address.
- Failure to comply can result in a 3<sup>rd</sup> degree felony or a class A misdemeanor, depending on the severity of the original offense.
- Impacts individuals experiencing homelessness, especially with repeated lewdness convictions.

**HB 48** (Rep. Lisonbee) modifies how the State tracks recidivism and desistance:

- Introduces an “alternative recidivism metric” that counts new charge arrests for felonies and misdemeanors involving physical force in addition to new convictions.
- Creates a new metric for “juvenile recidivism” that tracks justice involvement after a nonjudicial adjustment or court-ordered disposition.

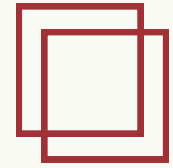
**HB 110** (Rep. Clancy) integrates AP&P into class B misdemeanor supervision: 

- Allows Utah Adult Probation and Parole (AP&P) to supervise individuals experiencing homelessness with 5 or more prior class B misdemeanors.
- Connects individuals with housing opportunities through Department of Corrections and introduces structured oversight and behavioral support.
- \$1.4M ongoing appropriated to support supervision and housing program.

### Department of Corrections: Community Safety and Stability

*ARCH Program (Assessment, Accountability, Reentry, Response, Coordination, and Compassion for the Unhoused):*

- Evidence-based framework to address the root causes of homelessness.
- After assessment, individuals are housed in specific facilities calibrated to their needs.
- “Supportive accountability” model designed to coordinate information and responses between law enforcement, judges, and service providers.



# Themes


## Judicial Independence

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This year saw a continued focus on judicial oversight and capacity. Citing concerns over case processing times and sentencing leniency, legislators introduced several new changes to the administration and evaluation of the judicial branch. The impact will likely be a restriction of judicial discretion in case proceedings and a reduction in judicial independence from political influence.

**HB 366** (Rep. Teuscher) adjusts the procedure for challenges to state law and addresses municipal caseload:

- Requires challenges to state law to be heard by a three-judge panel selected randomly from districts statewide.
- Contingently establishes a constitutional court to rule on state law challenges if the three-judge panel is ruled invalid.
- Mandates that at least one judge be assigned to each municipality and introduces caseload and case assignment restrictions.

**HB 274** (Rep. Schultz) modifies the membership and directive of the Utah Sentencing Commission: 

- Adds more prosecution and law enforcement representation to the Utah Sentencing Commission.
- Directs the Commission to prioritize public safety in the development of its sentencing guidelines.

**HCR 2** (Rep. Clancy) authorizes a more punitive sentencing structure for the current year. These guidelines were revised mid-session in response to House leadership direction.

**SB 233** (Sen. Brammer) increases transparency and accountability in judicial evaluations:

- Requires Judicial Performance Evaluation Commission to comply with Open Meetings Act requirements.
- Allows judges under evaluation to appear and speak on their own behalf at Commission meetings.
- Expands judicial survey recipients to include parties who have appeared before the judge in question.
- Prioritizes timeliness and workload management metrics in judicial evaluations.

**HB 495** (Rep. Pierucci) restructures procedures for capital felony cases:

- Establishes automatic Utah Supreme Court review when a defendant waives or misses a direct appeal.
- Shortens exam timelines for competency and intellectual disability claims.
- Expedites case timeline and limits District Court oversight; expected reduction of overall timeline from approx. 33 years to 15-20 years.

# Criminal Justice

## Our Impact

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The **Salt Lake County Criminal Justice Advisory Council (CJAC)** facilitated coordination and effective advocacy for stakeholders across our system. Utilizing **weekly meetings** and **cutting-edge tracking tools**, our partners pushed for statute changes that promoted **public safety** and **effective interventions**. Collaboration across prosecution, defense, law enforcement, and human services revealed opportunities to **strengthen cross-system integration** and improve **fairness, accountability, and public trust** in the criminal justice system. Through conversations with lawmakers, committee testimony, and participation in state policy advisory commissions, our partners helped steer statewide policy and funding decisions towards **evidence-based, community-oriented** solutions.

Major wins include advancing reforms in **competency** and **behavioral health coordination** and **victim rights protections**. Additionally, partners were aligned in **opposing an overhaul** of the Utah Sentencing Commission that would have **removed all defense** participation. Other areas of progress include the addition of *mens rea* safeguards to **protect mentally ill individuals**, expanded use of compensatory service and other tailored interventions, and funding secured to **continue and expand** Salt Lake County's **youth violence prevention program**.

Another key highlight was the response to late-emerging proposals like **HB 593**, which had the potential to significantly affect **jail population** and **operations**. A broad coalition of stakeholders came together quickly to evaluate the bill, propose changes, and develop multiple substitute versions. While the bill ultimately **did not pass**, the process demonstrated the strength of **cross-system collaboration** and a **shared commitment** to advance practical solutions.

### What did not pass?


**HB 593** (Rep. MacPherson) would have created additional limitation on pre-trial release for repeat offenders and potentially reinstated monetary bail practices. ⚙️

**SB 259** (Sen. Weiler) would have criminalized discovery shortfalls by prosecutors and investigators.

**HB 295** (Rep. Moss) would have created an affirmative defense and diversion opportunity for individuals who report an overdose event and remain on scene until emergency services arrive.

On the funding side, it is important to note that investment in **prison expansion** and **operations** dwarfed other areas of criminal justice spending. While the State made **significant commitments** to invest in prevention, diversion and intervention, lawmakers have also taken a **punitive policy approach** over the last several years. The resulting increase in prison and jail populations **substantively reduces** resources available for other uses.

### Juvenile Justice

Future system and community outcomes depend on effective prevention and intervention for juveniles and youth. Key bills and appropriations impacting the juvenile justice system are marked with  throughout the report.

# Criminal Justice

## Appropriations

Key criminal justice expenditures this year signaled a comprehensive investment in correctional administration, from prison capacity and systems upgrades to reentry support and community supervision. Additionally, the State invested in a Youth Violence Prevention pilot expansion, building on a community-based model developed in Salt Lake County.

Item	Agency	Ongoing	One-Time
Homelessness - Offender Supervision Amendments (HB 110) 	Dept. of Corrections	\$1,404,000	
Housing Stability for Successful Reentry/Homelessness	Dept. of Corrections		\$100,000
Intervention, Leadership, & Reentry Support	Dept. of Corrections		\$510,000
Long-term Professional Mentorship: Juvenile Justice Prevention	Governor's Office		\$150,000
Offender Amendments (HB 230)	Dept. of Corrections	\$4,500	\$25,000
O-Track Replacement (inmate record management system)	Dept. of Corrections		\$5,000,000
Prison Capacity: Opening Bear 3 Building	Dept. of Corrections	\$3,532,100	
Youth Violence Prevention 	Salt Lake, Weber, & Utah Counties		\$420,000

# Criminal Justice

## Bills

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### **HB 48: Criminal & Juvenile Justice Changes**

**Sponsor:** Rep. Lisonbee

**Summary:** This bill creates an “alternative recidivism metric,” which counts not just new convictions but also new charge arrests for felonies and misdemeanors with a use of physical force component. (\$180,100 ongoing, \$6,500 one-time)

**Impact:** While CJAC has its preferred methods of calculating re-booking and recidivism rates, statewide adoption of this alternative metric may create opportunities to demonstrate the effectiveness of the County’s chosen deflection, diversion, and intervention strategies.

### **HB 59: Identity Verification Amendments**

**Sponsor:** Rep. Eliason

**Summary:** This bill updates and clarifies alcohol purchase requirements for interdicted persons and age verification. Restaurants must verify age only for patrons who appear 35 or younger, while bars must check all patrons. Off-premise beer retailers must verify proof of age and confirm the individual is not interdicted. Authorized personnel may temporarily confiscate fake IDs and notify law enforcement. Courts can require interdicted individuals to surrender a Utah driver license or ID, and applicants with an interdicted qualifier are exempt from administrative fees.

**Impact:** The bill reduces unnecessary ID checks at restaurants, strengthens enforcement against underage or interdicted purchasers, and corrects technical oversights from last session.

### **HB 72: Criminal Use of Cryptocurrency Amendments**

**Sponsor:** Rep. Wilcox

**Summary:** This bill strengthens oversight of cryptocurrency activity in Utah. It requires officers to complete specialized cryptocurrency investigation training and mandates that law enforcement agencies report crypto-related case data to the Commission on Criminal and Juvenile Justice (CCJJ), which reports annually to the Legislature. Virtual currency kiosks must comply with consumer protection rules, including transaction limits, clear disclosures, fraud prevention warnings, annual location reporting, and record keeping. The Division of Consumer Protection can impose administrative penalties or pursue civil actions for violations.

**Impact:** These changes enhance law enforcement capacity to investigate cryptocurrency-related crimes. They promote transparency and accountability, and aim to protect consumers from predatory practices without restricting general access to cryptocurrency.

# Criminal Justice

## Bills

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### **HB 87: Animal Crime Victim Amendments**

**Sponsor:** Rep. Mauga

**Summary:** This bill clarifies that both peace officers and animal control officers may take possession of animals involved in abuse cases. Officers providing care may use any appropriate private or public facility and have a lien for reasonable care costs. If owners fail to pay after notice, they may forfeit the animal before the criminal case concludes. Courts must then order the animal to be sold at public auction, euthanized, or transferred to another qualified caretaker or agency. New owners or agencies must provide minimum care, prevent former owners from contact, and retain the right to re-home or humanely manage the animal.

**Impact:** Salt Lake County partners developed this bill in collaboration with the sponsor to strengthen protections for animals involved in abuse cases, ensure accountability for owners, provide clear procedures for humane care and transfer to qualified caretakers, and reduce costs for animal shelters by allowing animals to be adopted rather than retained at public expense.

### **HB 102: Victim Privacy Amendments**

**Sponsor:** Rep. Hayes

**Summary:** This bill allows victims to request that their initials, not full names, appear in publicly available documents. Agencies must maintain records linking initials to the victim's identity and any other information needed to comply with lawful court orders. The bill does not apply to criminal protective orders or stalking injunctions, where full names are required for enforceability.

**Impact:** The bill enhances privacy protections for victims throughout the criminal justice process while maintaining necessary connectivity for court orders and protective measures.

### **HB 110: Offender Modifications**

**Sponsor:** Rep. Clancy

**Summary:** This bill allows Utah AP&P to supervise individuals experiencing homelessness with 5+ prior Class B misdemeanors. The goal is to create structured housing opportunities through the Department of Corrections' community correctional centers. Implementation is in early stages, and staff will monitor program activities and outcomes. (\$1.4M, ongoing)

**Impact:** While County CJS has proven community supervision models for this population, increased access to housing opportunities may enhance outcomes for individuals experiencing homelessness.

# Criminal Justice

## Bills

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### HB 113: Emergency Reporting Abuse Amendments

**Sponsor:** Rep. Monson

**Summary:** This bill creates a scheme of charge enhancement for individuals who, having previously been warned, make a false emergency report. This offense is typically charged as a class B misdemeanor, and the bill introduces enhancements up to a class A misdemeanor or third-degree felony based on the scenario. Additionally, this bill requires individuals convicted of this offense to serve a minimum of four days of incarceration or perform a minimum of 40 hours of community service.

**Impact:** Enhancing charge severity for this type of offense does not align with a diversion-based strategy for this population. Continued District Attorney's Office collaboration can help identify individuals in need of mental health interventions and avoid over-incarceration.

### HB 122: Pregnant and Postpartum Inmates Amendments

**Sponsor:** Rep. Pierucci

**Summary:** County jails must now report the number of female prisoners that the county jail knows were pregnant while incarcerated in the county jail, the number of prisoners who gave birth, the types of restraints used, and reason behind using the restraints. They must also report the number of female inmates who are the parents of a minor child. The bill also prohibits the restraining of an inmate during postpartum recovery unless an individualized determination of certain security risks is made that details why the restraints are necessary. Last, the bill increases the period that the department and each county jail is required to provide access to a social worker to an inmate who is pregnant, or who has recently given birth, from 6 to 12 weeks.

**Impact:** Salt Lake County jail already conducts these screenings as a course of regular operations. The jail will comply with additional reporting requirements and extend social worker support for the full 12 week period.

### HB 137: Violent Crime Clearance Rate Amendments

**Sponsor:** Rep. Clancy

**Summary:** This bill establishes the Violent Crime Clearance Rate Fund (\$250,000 One-Time). Administered by the Commission on Criminal and Juvenile Justice (CCJJ), the fund awards grants to law enforcement agencies to improve violent crime clearance rates, defined as the percentage of violent crimes cleared by arrest or exceptional means out of total reported violent crimes.

**Impact:** Improving solve rates and times is shown to be a more effective deterrent than increasing penalties. This investment in investigative capacity enhances public safety.

# Criminal Justice

## Bills

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### HB 188: Juvenile Justice Amendments

**Sponsor:** Rep. Peck

**Summary:** This bill restricts the use of nonjudicial adjustments for juveniles charged with substance distribution or unlawful sexual activity.

**Impact:** Nonjudicial adjustments are an evidence-based diversion tool. They have been deployed successfully in Salt Lake County to prevent involvement in the juvenile justice system and reduce barriers and traumas with which young people contend. Restrictions on their use contradict upstream prevention goals.

### HB 205: Substance Use Intervention Amendments

**Sponsor:** Rep. Clancy

**Summary:** Among several other things, this bill authorizes justice courts in Salt Lake County to develop Structured Treatment and Enforcement Pathway (STEP) supervision programs, featuring graduated sanctions, positive reinforcement, and continuous judicial involvement in a collaborative approach. The bill also allows courts to create off-limits orders preventing individuals who have been convicted of or charged with drug offenses from entering a defined geographic area (e.g. Pioneer Park). Violating this order is a class A misdemeanor.

**Impact:** Though STEP programs might improve justice court outcomes, they will be resource-intensive to implement. Additionally, defendants would likely opt for a standard justice court level sentence, as they are typically less onerous than the requirements of these programs. Off-limits orders will likely be used by municipalities to police public parks more proactively.

### HB 220: Public Safety Data Amendments

**Sponsor:** Rep. Wilcox

**Summary:** This bill expands Utah's Public Safety Portal to improve transparency and data coordination. It requires de-identified, searchable public data and consolidates reports from multiple agencies, including corrections and juvenile justice, under the Commission on Criminal and Juvenile Justice (CCJJ). The bill adds new required data, such as higher education crime statistics and Board of Pardons metrics, and standardizes how criminal justice data is collected, reported, and shared. Certain portal records are clarified as not subject to GRAMA requests.

**Impact:** The bill increases accessibility and transparency of public safety data, enhances consistency and reliability of criminal justice reporting statewide, and supports informed policy decisions while protecting individual privacy.

# Criminal Justice

## Bills

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### HB 230: Offender Amendments

**Sponsor:** Rep. Ballard

**Summary:** This bill requires county jails to collaborate with the Driver's License Division to assist inmates serving sentences 6-month or longer in obtaining state ID cards. It also requires SUD treatment programs to provide drug test results to probation or parole officers if the patient has signed a release waiver. (\$4,500 ongoing, \$25,000 one-time)

**Impact:** Obtaining government ID can be a significant reentry barrier, and this program will improve access to employment, housing, and other opportunities for individuals serving sentences 6-month or longer. While sharing information between health providers and criminal justice partners is a key coordination strategy, it is important that individuals understand the meaning of any release waivers they are signing and that treatment setbacks do not trigger an unnecessary criminal justice response.

### HB 274/HCR 2: Sentencing Amendments & Concurrent Resolution

**Sponsor:** Rep. Schultz/Rep. Clancy

**Summary:** HB 274 adds more prosecution and law enforcement representation to the Utah Sentencing Commission, decreasing the likelihood that the body's recommendations will reflect a balance of prosecution, defense, and law enforcement perspectives. The bill also removes juvenile legal practitioners. Additionally, the bill directs the Commission to prioritize public safety in the development of its sentencing guidelines. Relatedly, HCR 2 authorizes a more punitive sentencing structure, which was modified mid-way through the session. The new guidelines feature higher minimum recommended sentences, which can impact diversion opportunities, jail population, and reentry barriers.

**Impact:** It is crucial that judges exercise discretion to avoid over-incarceration and limit the proliferation of barriers when adjudicating nonviolent cases. Sentencing changes favoring incarceration may conflict with diversion goals and exacerbate jail capacity issues if the State continues to move in this direction.

### Utah Sentencing Commission: Voting Membership Changes

#### *Removed*

- Indigent Defense Commission
- Juvenile Justice Oversight Committee (changed to non-voting)
- Juvenile Prosecutor
- Juvenile Defense Attorney

#### *Added*

- Two Prosecutors (at least one rural)
- One Sheriff (at least one rural)
- Police Chief
- Two Defense Attorneys (at least one rural)

# Criminal Justice

## Bills

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### **HB 366: Judicial Modifications**

**Sponsor:** Rep. Teuscher

**Summary:** This bill updates procedures for municipal and statewide judicial case assignments. It requires at least one judge per municipality (maximum one per 500 cases) and mandates that cases be heard in the closest possible location. For challenges to state laws, three-judge panels are randomly selected from different districts and can be triggered by state officials or other parties to the litigation. A contingency Constitutional Court would be created only if the panel is ruled invalid. The bill also updates procedures for panel decisions and publication, clarifies appeal rights for injunctions, and adds rules for judge selection, temporary assignment, and oversight.

**Impact:** The bill aims to improve efficiency in judicial assignments, but it introduces a level of complexity that may create challenges in practice. The use of three-judge panels selected from different districts and a contingency Constitutional Court could possibly lead to inconsistencies in how cases are handled. Municipalities could also experience uneven access or delays, and the overall structure may reduce predictability in the handling of high-stakes constitutional cases.

### **HB 370: Sex Offender Oversight Amendments**

**Sponsor:** Rep. Lisonbee

**Summary:** This bill requires GPS monitoring for individuals required to register as sex offenders who do not provide an address. Failure to comply with monitoring requirements can result in a 3rd Degree Felony or Class A Misdemeanor, depending on the severity of the registrable offense.

**Impact:** Individuals experiencing homelessness and/or severe mental illness may be disproportionately impacted by this requirement. Additional criminal justice involvement is unlikely to improve housing and treatment outcomes for individuals in these populations.

### **HB 423: Hit and Run and DUI Offense Amendments**

**Sponsor:** Rep. Eliason

**Summary:** This bill changes hit-and-run penalties depending on the severity of injury. Each injury or death is counted as a separate offense. The bill also enhances penalties for drivers with prior hit-and-run or DUI-related offenses and adds mandatory sentences for all misdemeanor A violations and above.

**Impact:** Imposing higher consequences for serious hit-and-run cases and providing stronger incentives for drivers to turn themselves in may balance accountability with flexibility. Additionally, turning oneself in is always a mitigating factor at sentencing.

# Criminal Justice

## Bills

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### **HB 454: Public Assistance Fraud Amendments**

**Sponsor:** Rep. Wilcox

**Summary:** This bill creates a new offense for helping someone submit a false public assistance application, including providing false information or hiding important facts, with the intent to unlawfully receive benefits. Penalties are based on the value of the benefits: second-degree felony for \$5,000 or more, third-degree felony for \$1,500–\$4,999, class A misdemeanor for \$500–\$1,499, and class B misdemeanor for under \$500.

**Impact:** Though the bill strengthens accountability around public assistance programs and makes it clearer how penalties scale with the total quantity of benefits involved, it is unclear how widespread this practice is at the time of the bill's passage. Additionally, it is crucial that service providers train staff appropriately in response to this statute change to avoid a chilling effect. A crime is only committed if an employee knowingly submits false information.

### **HB 495: Capital Felony Case Amendments**

**Sponsor:** Rep. Pierucci

**Summary:** This bill (accompanied by HJR 28) overhauls procedures for capital felony cases. It establishes automatic Utah Supreme Court review when a defendant waives or misses a direct appeal, including deadlines, briefing, and procedures. It clarifies jury versus court sentencing, updates jury instructions, and strengthens rules for appointing appellate counsel. Competency and intellectual disability claims get updated procedures with shorter exam timelines. Execution procedures are revised, limiting stays to the governor or Board of Pardons and Parole. Post-conviction, the bill guarantees automatic counsel after affirmance, increases litigation expense caps, and limits district court jurisdiction for certain ineffective assistance claims.

**Impact:** While the bill standardizes and expedites the capital case process, it raises concerns about fairness and constitutionality. Tightened timelines, limited district court review, and restrictions on stays could undermine defendants' rights and make it harder to challenge potentially unconstitutional sentences or procedures.

# Criminal Justice

## Bills

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### **HB 539: Public Safety Modifications**

**Sponsor:** Rep. MacPherson

**Summary:** This bill updates several aspects of domestic violence law and public safety procedures. It expands the definition of cohabitant to include adult siblings, whether natural, step, or foster. For multiple offenses from a single episode, cases can be tried in any county or precinct within the same judicial district if all relevant prosecutors consent. With regard to bail for felony and class A misdemeanor DV offenses, there is a rebuttable presumption that an individual is a substantial danger to the alleged victim if the new DV offense is committed while the offender is on parole, probation, or pretrial release for a prior domestic violence offense. The bill also clarifies that an arrested or cited parent/guardian is still allowed to contact a non-victim minor child, while still ensuring child protection. Additionally, domestic violence allegations must be presented to a magistrate without unnecessary delay, and charges must be submitted to prosecutors within five business days unless there is a reasonable cause for delay.

**Impact:** The bill strengthens protections for domestic violence victims and ensures appropriate law enforcement responses.

### **HJR 26: Joint Resolution Amending Rules of Evidence to Address Machine-Generated Evidence**

**Sponsor:** Rep. Ballard

**Summary:** This resolution amends Rule 707 to clarify when machine-generated evidence can be admitted in court. Evidence may be allowed if it helps the trier of fact understand the case, is based on sufficient facts or data, relies on reliable principles, and applies those principles reliably to the facts. The rule applies whether the evidence is presented directly or alongside lay testimony.

**Impact:** The resolution creates a clearer framework for using machine-generated evidence, which could improve consistency in court decisions. At the same time, courts will need to carefully evaluate reliability and application, and there may be debates over what counts as sufficient data or trustworthy methods.

# Criminal Justice

## Bills

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### **SB 125: Theft Amendments**

**Sponsor:** Sen. Musselman

**Summary:** This bill removes a felony enhancement for theft of public transportation services.

**Impact:** This change is likely to limit criminal justice involvement for individuals who frequently use public transportation without paying but do who not pose a public safety threat.

### **SB 134: Court Amendments**

**Sponsor:** Sen. Wilson

**Summary:** This bill expands the size of Utah's courts. The Supreme Court increases from five to seven justices, the Court of Appeals increases from seven to nine judges, and three new district court judges are added, one each in the 3rd, 4th, and 5th districts. If vacancies on the Supreme Court and Court of Appeals occur within ten days of each other, the governor may delay filling the Court of Appeals vacancy.

**Impact:** The bill helps address growing caseloads by adding judges and provides flexibility for filling vacancies. At the same time, expanding the Supreme Court could increase political influence over judicial appointments, potentially affecting the perceived impartiality of the court. Temporary disruptions and administrative challenges are also likely as new judges are integrated.

### **SB 233: Judicial Performance Evaluation Amendments**

**Sponsor:** Sen. Brammer

**Summary:** This bill makes changes to how the Judicial Performance Evaluation Commission operates and evaluates judges. It clarifies when commission meetings must comply with the Open and Public Meetings Act. Judges subject to evaluation have a right to appear and speak if they haven't met one or more certification standards. The bill also includes individuals who have appeared before the judge as survey recipients. Last, the bill clarifies requirements for surveys, including how a judge handles workload management, timeliness of decisions, courtroom communication, and other qualities. For the Supreme Court and Court of Appeals, it establishes numerical timeliness metrics for opinions. The commission must also study whether appellate reversal rates for abuse of discretion should be included in evaluations.

**Impact:** While the bill increases transparency and accountability in evaluations, imposing strict numerical timeliness metrics for opinions could pressure judges to prioritize speed over careful consideration, potentially affecting the quality of judicial decisions, especially in complex cases.

# Criminal Justice

## Bills

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### **SB 290: Victim and Witness Privacy Amendments**

**Sponsor:** Sen. Musselman

**Summary:** This bill clarifies how electronic evidence and nonpublic victim or witness data are handled. Law enforcement must separate electronic evidence from nonpublic data when collecting phones or computers. Electronic evidence goes to prosecutors first, then defense counsel through discovery. Defense may request or inspect nonpublic data under a protective order. *Pro se* defendants do not get direct access; the court appoints an attorney for the limited purpose of reviewing it. Law enforcement and prosecutors must have policies to ensure nonpublic data is used only for legitimate purposes and kept secure.

**Impact:** The bill strengthens privacy protections for victims and witnesses while still allowing defense access under controlled conditions. At the same time, it places more limits on how the defense can access and use nonpublic data. Defense counsel may only review certain materials in controlled settings, with restrictions on copying or sharing, which could slow down discovery and complicate case preparation. For self-represented defendants, access is even more limited and may require court involvement or appointed counsel for review, which could make it harder to fully evaluate evidence and build a defense.

### **SJR 1: Joint Resolution Amending Rules of Evidence Concerning Crimes or Other Acts**

**Sponsor:** Sen. Brammer

**Summary:** This resolution amends Rule 404 of the Utah Rules of Evidence to expand the use of propensity evidence. In child molestation cases, the prosecution can now include evidence of sexual exploitation or aggravated sexual exploitation of a minor, including possession, production, or distribution of CSAM. In adult sexual assault cases, the prosecution may use evidence of other acts of sexual assault or attempted sexual assault. Any propensity evidence must be disclosed to the defendant in advance.

**Impact:** This change brings Utah Rules of Evidence more closely into alignment with the Federal system. Although the resolution gives prosecutors more tools to show patterns of abuse, expanding propensity evidence has raised concerns from defense attorneys about fairness.

# Community Health & Housing

## Our Impact

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This year, the **Salt Lake Valley Coalition to End Homelessness (SLVCEH)** and County partners worked to inform policy and funding decisions to better **resource our systems** and **support community members**. Coalition leaders convened weekly to discuss high-impact bills and met regularly with State leaders to promote alignment between **high-level strategy** and **on the ground reality**. Additionally, the coalition benefited from the work of partner organizations throughout the legislative session to **align priorities, share information, and coordinate responses**.

### What did not pass?

**HB 596** (Rep. Eliason) would have added several new provisions regarding the statewide homelessness strategy and framework, including:

- Allowing certain State-owned property to be leased for shelter space
- Creating flexibility around Code Blue edge cases, allowing OHS to pay contracted service providers in advance
- Creating a Homeless Services Restricted account to fund County-led homelessness, behavioral health, and criminal justice programs
- Adding a Code Red hot weather protocol

**HB 88** (Rep. Lee) would have required service providers across various systems to verify legal immigration status for all potential clients. This would have had widespread effects across the homelessness and behavioral health systems, generating a large amount of administrative burden and liability for providers, creating barriers for citizen and non-citizens alike.

Important progress was made with **HB 308**, which helped address shelter capacity needs in our county while refining the role of the Office of Homeless Services statewide, and **HB 572**, which strengthened coordination between health and criminal justice systems and moves our system in a productive direction. Practical legislation like **SB 87**, which allows agencies to continue using life-saving naloxone for the full duration of its safe effectiveness, is also celebrated.

**Major funding commitments** will edify current systems and support new strategies, with our Behavioral Health team aiming to add **three group homes** and **two new ACT Teams** in the coming year.

### Shelter Capacity





The winter overflow statute has sunsetted, and funding is expiring at the end of April. Shelter providers are working closely with the State Office of Homeless Services to address gaps.

While HB 572 allows shelters to continue operating at increased capacity year-round with municipal approval, the estimated cost to meet shelter demand countywide is approximately \$1M per month.

State and local leaders are collaborating to meet this short-term funding gap and identify longer term solutions.

# Community Health & Housing Appropriations

This year saw significant State investment in addressing homelessness, with approximately \$25M one-time and \$17.6M ongoing committed. This money requires matching funding from local governments, and it will be managed by the Office of Homeless Services in partnership with the Homeless Services Board. In Salt Lake County, this funding will play a crucial part in implementing behavioral health treatment and housing solutions.

Item	Agency	Ongoing	One-Time
Homelessness (Emergency Shelter and Housing) 	Workforce Services	\$2,494,200	\$9,444,800
Homelessness (High Utilizers in the Criminal Justice System) 	Workforce Services	\$4,603,300	\$2,683,300
Homelessness (Mental and Behavioral Health) 	Workforce Services	\$1,076,900	\$7,800,000
Homelessness (Phase II Investments)	Workforce Services	\$9,421,600	\$5,071,900
Housing Choice Voucher Incentive Program	Workforce Services		\$450,000
The Other Side Village	Workforce Services		\$1,000,000
Juvenile Justice & Youth Services Recidivism Reduction Support 	Human Services	\$2,800,000	

# Community Health & Housing Bills

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## HB 15: Medicaid Amendments

**Sponsor:** Rep. Eliason

**Summary:** This bill helps protect access to behavioral health services covered by Medicaid in the event of a Federal match decrease. It also enables the state medicaid office to request CMS approval to keep TAM's continuous eligibility for up to 12 months, though such approval is unlikely within the current Federal landscape.

**Impact:** A system-wide disruption of access to behavioral health services could create cascading impacts for target populations. This bill helps minimize the risk of such disruptions by enabling policymakers and providers to plan further ahead.

## HB 68: Housing and Community Development Amendments

**Sponsor:** Rep. Roberts

**Summary:** This bill creates the Division of Housing and Community Development within the Governor's Office of Economic Opportunity. This combines resources from the Department of Workforce services and Governor's Office of Planning and Budget into one division. The bill also creates the state housing coordinator position in HCD who is appointed by the governor with consent of the Senate. Additionally, the bill repeals the Commission on Housing Affordability and requires HCD to coordinate with the Utah Housing Corporation (UHC). Last, it moves the Homeless Housing and Services Grant Program from Office of Homeless Services into HCD, requiring recipients from these funds to report data to HCD.

**Impact:** Taken together, these changes support a more unified administrative approach to addressing housing affordability issues statewide. This streamlined approach should reduce redundancies and allow the state to implement its housing and community development strategies more efficiently and effectively.

## HB 71: Health Provider Directory and Access Amendments

**Sponsor:** Rep. Eliason

**Summary:** This bill aims to improve access to behavioral health care by requiring insurance companies to cover out-of-network behavioral health services when in-network services are not available with 15 days of non-emergency inquiry or 24 hours of emergency inquiry. It also adds requirements to maintain provider directories and improve accessibility.

**Impact:** Once an individual decides to seek behavioral health care, finding a timely service-provider match can improve treatment engagement and outcomes.

# Community Health & Housing Bills

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## HB 308: Homeless Services Amendments

**Sponsor:** Rep. Okerlund

**Summary:** This bill restructures how Utah's homelessness system is led, planned, and reported. It requires the governor to appoint a state homeless services coordinator who can be removed at any time. It eliminates the requirement for a formal statewide strategic plan and instead requires the office to set general goals and benchmarks focused on coordination and crisis response. Many detailed planning responsibilities, including identifying service gaps and best practices, are removed. The bill also eliminates requirements to develop a comprehensive statewide homelessness budget and significantly narrows reporting. Instead of detailed data on subpopulations and outcomes, reporting is limited to high-level metrics like progress toward functional zero, inflow and outflow, and goal tracking. It also allows temporary expansion of shelter bed capacity under certain conditions and modifies local tax revenue provisions related to shelters.

**Impact:** The bill simplifies the structure of the homelessness system and gives more direct control to the executive branch, which could make coordination faster. At the same time, scaling back planning and reporting requirements limits oversight and makes it harder to identify gaps and track what is working. Additionally, reducing the administrative burden on providers may support more efficient service delivery models.

## HB 337: Nicotine Product Tax Amendments

**Sponsor:** Rep. Clancy

**Summary:** This bill increases taxes on nicotine products and expands the category of products to which the tax applies. After several earmarked items are funded, the remaining revenue from this tax is transferred into the General Fund.

**Impact:** While the bill that would have created a statewide Homeless Services Fund (HB 596) failed, this tax was identified as the revenue stream for that fund, and it will still be used to support homelessness-related services through several ongoing General Fund appropriations. At the same time, it is important to acknowledge that some individuals engaging with homelessness and behavioral health services are users of nicotine products. With limited access to income and economic opportunity, these individuals may be impacted by higher costs.

# Community Health & Housing Bills

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## **HB 339: Street Medicine Amendments**

**Sponsor:** Rep. Clancy

**Summary:** This bill defines street medicine as healthcare delivered by licensed providers directly to people experiencing unsheltered homelessness. It requires providers to hold the proper license and lets the Department of Health create rules to share certain health information for care coordination. By July 1, 2026, the department must publish guidelines and best practices for street medicine, including Medicaid and community resource guidance. Providers are also allowed to administer long-acting injectables.

**Impact:** This change introduces a legal framework for street medicine and could improve access to care for people experiencing homelessness.

## **HB 471: Social Services Amendments**

**Sponsor:** Rep. Monson

**Summary:** This bill aligns Utah's Medicaid and SNAP programs with requirements introduced in the Federal government's HR 1, including work requirements, verification standards, and disenrollment procedures. Should these Federal restrictions end in the future, the State would need to pass a new law to repeal these state-level restrictions as well.

**Impact:** Many individuals in target populations rely on Medicaid and SNAP to gain access to crucial services and food. Increasing the difficulty of accessing these benefits may have cascading effects as individuals attempt to navigate the complexities of recovery, re-entry, and poverty. Additionally, this bill increases State and provider administrative burden, shifting crucial resources away from other programming.

# Community Health & Housing Bills

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## HB 572: Behavioral Health, Mental Health, & Social Services Amendments

**Sponsor:** Rep. Eliason

**Summary:** This bill introduces several new integrations between the criminal justice and behavioral health systems. **(1)** It directs the Department of Health and Human Services (DHHS) to make rules requiring behavioral health receiving centers to provide criminal justice partners with preliminary information regarding a diverted individual's treatment recommendations and engagement. **(2)** It requires DHHS to maintain a list of evidence-based, validated behavioral health screening tools for use in jails. **(3)** It requires DHHS to create a consent form to allow criminal justice and healthcare partners to view information related to a justice involved individual's behavioral health diagnosis. **(4)** This bill creates a community-based peer support grant program (\$100K, ongoing). **(5)** It requires courts to notify local mental health authorities of commitment and assisted outpatient treatment orders and requires DHHS to create and maintain a civil commitment database. **(6)** It clarifies that the Behavioral Health Commission's duties include (a) studying and improving coordination between the criminal/juvenile justice systems and the behavioral health system and (b) studying the need for State Hospital beds. **(7)** It allows homeless shelters to operate at 135% capacity when needed, with municipal consent. The bill has several other provisions, but these are the most relevant for the Leifman policy landscape.

**Impact:** Taken together, these changes signal the State's willingness to support Leifman aligned diversion strategies provided that behavioral health system information is passed back to criminal justice partners. It is worth noting, however, that even with a consent form to support sharing of sensitive health information, implementation will likely involve technical and legal nuances. Additionally, this bill creates system infrastructure to support Leifman goals, including a centralized civil commitment database and enhanced shelter capacity.

## SB 87: Naloxone Amendments

**Sponsor:** Sen. Plumb

**Summary:** This bill creates legal protections for individuals who, in good faith, administer an expired opiate antagonist. This change is based on the documented safety and sustained effectiveness of these products up to two years after their printed expiration date.

**Impact:** This change improves the likelihood that lifesaving care will be administered in the case of an overdose event. It also limits provider liability and may lead to cost-savings from not replenishing naloxone stocks as frequently.

# Community Health & Housing Bills

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## **SB 288: Medicaid Provider Amendments**

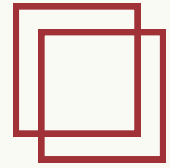
**Sponsor:** Sen. Stratton

**Summary:** This bill sets up incentive payments for Medicaid providers based on their performance. The Department of Health will establish quality measures such as health outcomes, care coordination, workforce stability, and evidence-based practices. Providers selected by the Legislature can submit proof of progress to qualify for a one-time payment. The department must report annually on provider performance, reimbursement rates, and how incentive funds are distributed. The bill also creates a closed loop referral system for social needs care, which allows authorized providers to securely share information, coordinate services, and track outcomes for Medicaid-eligible individuals while following privacy rules.

**Impact:** The bill is deigned to improve Medicaid care and make social services more coordinated, which could lead to better outcomes for patients.

# Acknowledgement

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The Office of Homelessness and Criminal Justice Reform thanks our partners for their tireless work this legislative session. Though the problems facing our communities are complex, long-term planning and dedicated investment can deliver lasting solutions. We stand firmly with the community members, providers, and leaders driving positive policy change and system funding in Salt Lake County and across Utah.

## Special thanks to:

Salt Lake County Behavioral Health

Salt Lake County Criminal Justice Services

Salt Lake County District Attorney's Office

Salt Lake County Housing & Community Development

Salt Lake County Sheriff's Office

Salt Lake Legal Defender Association

Salt Lake Valley Coalition to End Homelessness

Utah Juvenile Defender Attorneys

