

DUI PROBATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill allows a court to order supervised probation for certain DUI offenses to be provided by Adult Probation and Parole in certain circumstances.

Highlighted Provisions:

This bill:

- ▶ allows a court to order supervised probation for certain DUI offenses to be provided by Adult Probation and Parole if the individual is already subject to supervised probation from Adult Probation and Parole for a different offense; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-507, as enacted by Laws of Utah 2005, Chapter 2

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

Section 1. Section **41-6a-507** is amended to read:

41-6a-507. Supervised probation for certain driving under the influence violations.

(1) If supervised probation is ordered under Section **41-6a-505** or **41-6a-517**:

- 30 (a) the court shall specify the period of the probation;
- 31 (b) the person shall pay all of the costs of the probation; and
- 32 (c) the court may order any other conditions of the probation.

33 (2) (a) ~~[The]~~ Subject to Subsection (2)(b), the court shall provide the probation
34 described in this section by contract with a probation monitoring agency or a private probation
35 provider.

36 (b) If a court determines that a person is subject to supervised probation provided by
37 Adult Probation and Parole for an offense other than the offense for which probation is ordered
38 under Section [41-6a-505](#) or [41-6a-517](#), the court may order supervised probation to be
39 provided by Adult Probation and Parole.

40 (3) The probation provider described in Subsection (2) shall monitor the person's
41 compliance with all conditions of the person's sentence, conditions of probation, and court
42 orders received under this part and shall notify the court of any failure to comply with or
43 complete that sentence or those conditions or orders.

44 (4) (a) The court may waive all or part of the costs associated with probation if the
45 person is determined to be indigent by the court.

46 (b) The probation provider described in Subsection (2) shall cover the costs of waivers
47 by the court under Subsection (4)(a).